Title: title-11

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-1 - General ProvisionsSection 11-1-1. - Common law offenses not covered by statute.

§ 11-1-1. Common law offenses not covered by statute.
Every act and omission which is an offense at common law, and for which no punishment is prescribed by the general laws, may be prosecuted and punished as an offense at common law. Every person who shall be convicted of any offense which is a misdemeanor at common law shall be imprisoned for a term not exceeding one year or be fined not exceeding five hundred dollars ($500). Every person who shall be convicted of any offense which is a felony at common law shall be imprisoned for a term not exceeding five (5) years or be fined not exceeding five thousand dollars ($5,000).
History of Section.
G.L. 1896, ch. 284, § 1; G.L. 1909, ch. 350, § 1; P.L. 1922, ch. 2233, § 2; G.L. 1923, ch. 402, § 1; G.L. 1938, ch. 621, § 1; G.L. 1956, § 11-1-1; P.L. 1975, ch. 283, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-1 - General ProvisionsSection 11-1-10. - Soliciting an incompetent person.

§ 11-1-10. Soliciting an incompetent person.
Every person who knowingly or willfully encourages, aids, contributes to, or in any way causes any person who as a result of mental and/or physical disability has had a guardian appointed for his or her person or estate to violate any law of this state or the ordinances of any town or city in the state, or who knowingly and willfully encourages, aids, contributes to, or in any way causes that disabled person to be guilty of any vicious or immoral conduct, shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars ($500), or be imprisoned for not more than one year, or both.
History of Section.
P.L. 1987, ch. 82, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-1 - General ProvisionsSection 11-1-11. - Felons prohibited from possession of radio scanners.

§ 11-1-11. Felons prohibited from possession of radio scanners.
No person: (1) who has been convicted of a felony violation of chapter 28 of title 21 involving the illegal manufacture, sale or delivery or possession with intent to manufacture, sell, or deliver a controlled substance classified in Schedule I or II; or (2) who has been convicted of a felony in violation of chapter 8 of this title involving the burglary or breaking and entering of a dwelling house or apartment, whether the house or apartment is occupied or not, any business place, or public building, with the intent to commit larceny; shall carry, transport, or have in his or her possession, or under his or her control outside of his or her own home, any operational police radio, police scanner, or any other device capable of monitoring police broadcasts. Every person violating the provisions of this section shall, upon conviction, be punished by imprisonment for not more than five (5) years, or a fine of not more than five thousand dollars ($5,000), or both.
History of Section.
P.L. 1988, ch. 515, § 1; P.L. 1992, ch. 330, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-1 - General ProvisionsSection 11-1-2.1. - Violations — Effect of conviction — Standard of proof.

§ 11-1-2.1. Violations — Effect of conviction — Standard of proof.
Conviction of a violation shall not give rise to any disability or legal disadvantage based on conviction of a criminal offense. Conviction of a violation shall be supported by evidence beyond a reasonable doubt.
History of Section.
P.L. 1976, ch. 173, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-1 - General ProvisionsSection 11-1-2. - Felony, misdemeanor — Petty misdemeanor, and violation distinguished.

§ 11-1-2. Felony, misdemeanor — Petty misdemeanor, and violation distinguished.
Unless otherwise provided, any criminal offense which at any given time may be punished by imprisonment for a term of more than one year, or by a fine of more than one thousand dollars ($1,000), is declared to be a felony; any criminal offense which may be punishable by imprisonment for a term not exceeding one year, or by a fine of not more than one thousand dollars ($1,000), or both, is declared to be a misdemeanor; any criminal offense which may be punishable by imprisonment for a term not exceeding six (6) months or by a fine of not more than five hundred dollars ($500), or both, is declared to be a petty misdemeanor; and any offense which may be punished by only a fine of not more than five hundred dollars ($500) is declared to be a violation.
History of Section.
G.L. 1938, ch. 625, § 74; P.L. 1941, ch. 983, § 1; P.L. 1956, ch. 3721, § 3; G.L. 1956, § 11-1-2; P.L. 1971, ch. 115, § 1; P.L. 1976,

ch. 173, § 1; P.L. 1979, ch. 222, § 1; P.L. 1985, ch. 462, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-1 - General ProvisionsSection 11-1-3. - Liability for aiding, abetting, counseling, hiring, or commanding offenses.

§ 11-1-3. Liability for aiding, abetting, counseling, hiring, or commanding offenses.
Every person who shall aid, assist, abet, counsel, hire, command, or procure another to commit any crime or offense, shall be proceeded against as principal or as an accessory before the fact, according to the nature of the offense committed, and upon conviction shall suffer the like punishment as the principal offender is subject to by this title.
History of Section.
G.L. 1896, ch. 284, § 2; C.P.A. 1905, § 1178; G.L. 1909, ch. 350, § 2; G.L. 1923, ch. 402, § 2; G.L. 1938, ch. 623, § 1; G.L. 1956, § 11-1-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-1 - General ProvisionsSection 11-1-4. - Harboring criminal.

§ 11-1-4. Harboring criminal.
Except where subsection 11-37-8.2.1(d) applies, every person not standing in the relation of husband or wife, parent or grandparent, child or grandchild, or brother or sister, by consanguinity or affinity, to another who shall have committed any offense or been accessory before the fact to the commission of any offense, who shall be convicted of knowingly harboring or relieving the offender, with intent that he or she shall escape or avoid detection, arrest, trial, or punishment, shall be imprisoned not exceeding five (5) years or be fined not exceeding one thousand dollars ($1,000).
History of Section.
G.L. 1896, ch. 284, § 3; G.L. 1909, ch. 350, § 3; G.L. 1923, ch. 402, § 3; G.L. 1938, ch. 622, § 1; G.L. 1956, § 11-1-4; P.L. 2006, ch. 206, § 2; P.L. 2006, ch. 207, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-1 - General ProvisionsSection 11-1-5.1. - Reports of crimes to law enforcement officials.

§ 11-1-5.1. Reports of crimes to law enforcement officials.
A person who knows that another person is a victim of sexual assault, murder, manslaughter, or armed robbery and who is at the scene of the crime shall, to the extent that the person can do so without danger of peril to the person or others, report the crime to an appropriate law enforcement official as soon as reasonably practicable. Any person who violates the provisions of this section shall be subject to imprisonment for a term not exceeding six (6) months, or by a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000).
History of Section.
P.L. 1987, ch. 285, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-1 - General ProvisionsSection 11-1-5. - Compounding or concealing felony.

§ 11-1-5. Compounding or concealing felony.
Every person who shall be convicted of having knowledge of the commission of any felony offense, and of taking any money, gratuity, or reward, or any engagement, upon an agreement or understanding, express or implied, to compound or conceal that crime or offense, or not to prosecute for the offense, or not to give evidence relative to the offense, shall be imprisoned not exceeding five (5) years or be fined not exceeding five thousand dollars ($5,000), provided that the person shall not be subject to a fine or imprisonment exceeding the felony pertaining to this offense.
History of Section.
G.L. 1896, ch. 276, § 20; G.L. 1909, ch. 342, § 20; G.L. 1923, ch. 394, § 20; G.L. 1938, ch. 605, § 20; G.L. 1956, § 11-1-5; P.L. 1981, ch. 177, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-1 - General ProvisionsSection 11-1-6. - Conspiracy.

§ 11-1-6. Conspiracy.
Except as otherwise provided by law, every person who shall conspire with another to commit an offense punishable under the laws of this state shall be subject to the same fine and imprisonment as pertain to the offense which the person shall have conspired to commit, provided that imprisonment for the conspiracy shall not exceed ten (10) years.
History of Section.
P.L. 1975, ch. 283, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-1 - General ProvisionsSection 11-1-7. - Conspiracy to commit offense outside the state.

§ 11-1-7. Conspiracy to commit offense outside the state.

Every person who shall, within this state, conspire with another to engage in conduct in another state punishable under the laws of that state, which conduct would also be punishable under the laws of this state, shall be subject to the same fine and imprisonment as under the law of this state pertain to the offense which the person shall have conspired to commit, provided that imprisonment for the conspiracy shall not exceed ten (10) years.
History of Section.
P.L. 1975, ch. 283, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-1 - General ProvisionsSection 11-1-8. - Bail jumping.

§ 11-1-8. Bail jumping.
Every person accused of a felony offense who, by court order, has been released from custody or allowed to remain at liberty, either upon the person's own recognizance or with surety or sureties, upon condition that he or she appear before the court where the felony is pending, or to which he or she may be bound over, to answer the felony whenever called upon to so do, who does not appear personally on the required date or voluntarily within thirty (30) days thereafter, or who fails to appear for any court session during the trial or on the day for sentencing, shall be guilty of a felony and upon conviction shall be subject to the same fine and imprisonment as pertain to the offense for which he or she failed to answer, provided that imprisonment for the offense shall not exceed ten (10) years.
History of Section.
P.L. 1979, ch. 35, § 1; P.L. 1980, ch. 195, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-1 - General ProvisionsSection 11-1-9. - Soliciting another to commit a crime.

§ 11-1-9. Soliciting another to commit a crime.
Every person who solicits another to commit or join in the commission of a felony under the laws of this state shall be guilty of a felony and upon conviction shall be subject to the same fine and imprisonment as pertain to the offense which the person did solicit another to commit, provided that imprisonment for the solicitation shall not exceed ten (10) years.
History of Section.
P.L. 1979, ch. 245, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-10 - Crime Against NatureSection 11-10-1. - Abominable and detestable crime against nature.

§ 11-10-1. Abominable and detestable crime against nature.
Every person who shall be convicted of the abominable and detestable crime against nature, with any beast, shall be imprisoned not exceeding twenty (20) years nor less than seven (7) years.
History of Section.
G.L. 1896, ch. 281, § 12; G.L. 1909, ch. 347, § 12; G.L. 1923, ch. 399, § 12; G.L. 1938, ch. 610, § 12; G.L. 1956, § 11-10-1; P.L. 1998, ch. 24, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-11 - Disorderly ConductSection 11-11-1. - Disturbance of public assemblies generally.

§ 11-11-1. Disturbance of public assemblies generally.
Every person who shall willfully interrupt or disturb any town or ward meeting, any assembly of people met for religious worship, any military funeral or memorial service, any public or private school, any meeting lawfully and peaceably held for purposes of moral, literary or scientific improvement, or any other lawful meeting, exhibition or entertainment, either within or without the place where the meeting or school is held, shall be imprisoned not exceeding one year or be fined not exceeding five hundred dollars ($500).
History of Section.
G.L. 1896, ch. 278, § 7; G.L. 1909, ch. 344, § 8; G.L. 1923, ch. 396, § 8; G.L. 1938, ch. 607, § 8; G.L. 1956, § 11-11-1; P.L. 2007, ch. 183, § 1; P.L. 2007, ch. 212, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-11 - Disorderly ConductSection 11-11-2. - Use of dangerous or offensive instruments or substances to disturb public assemblies.

§ 11-11-2. Use of dangerous or offensive instruments or substances to disturb public assemblies.
Any person who shall willfully place in, on, about, or upon any theater, motion picture house, hall, or other building or place where people are assembled for the purpose of entertainment or instruction, any substance or thing that does or is liable to interrupt and disturb the peace and order of that place, or is liable to interrupt, disturb, or throw into confusion or endanger the life and limb of persons assembled in that place, or which is liable to or does cause injury to the property of the owner, lessee, tenant, or other occupant of the theater, motion picture house, hall, or other building or place, or whoever willfully throws into, against or upon, or

puts, places, and explodes or causes to be placed or exploded in or upon any theater, motion picture house, hall, or any other building or place of public assemblage, any bomb, torpedo, or other instrument or package loaded or filled with any explosive or offensive substance with intent unlawfully to destroy or injure the theater, motion picture house, hall, or other building or place of public assemblage, shall be imprisoned not exceeding five (5) years, or shall be fined not exceeding one thousand dollars ($1,000), or both.
History of Section.
G.L. 1923, ch. 397, § 76; P.L. 1932, ch. 1921, § 1; G.L. 1938, ch. 608, § 86; G.L. 1956, § 11-11-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-11 - Disorderly ConductSection 11-11-3. - Carrying on business or entertainment in vicinity of religious meeting.

§ 11-11-3. Carrying on business or entertainment in vicinity of religious meeting.
Whenever any religious society shall hold any camp, tent, grove or other out-door meeting, or the Society of General Six-principle Baptists of Rhode Island and Massachusetts shall hold their annual "general meeting," for any purpose connected with the object for which the religious society was organized, no person, without the consent of the religious society or of its proper officers, shall keep in any shop, tent, booth, wagon or carriage or other place, for sale, or expose for sale any spirituous or intoxicating liquors or other drinks or food or merchandise of any kind, or hawk or peddle any liquors or merchandise mentioned in this section within one mile of the place of the meeting, nor shall any person engage in gaming, horse racing, or exhibit or offer to exhibit any show or play within the like distance of one mile of a meeting; and every person violating any provision of this section shall be fined not exceeding twenty dollars ($20.00) nor less than five dollars ($5.00) or be imprisoned not exceeding thirty (30) days; provided, that nothing contained in this section shall be so construed as to prevent innkeepers, grocers, or other persons from pursuing their ordinary business at their usual place of doing business, nor to prevent any person from selling victuals in his or her usual place of abode.
History of Section.
G.L. 1896, ch. 121, § 1; G.L. 1909, ch. 147, § 1; G.L. 1923, ch. 152, § 1; G.L. 1938, ch. 607, § 9; G.L. 1956, § 11-11-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-11 - Disorderly ConductSection 11-11-4. - Prevention from carrying on employment.

§ 11-11-4. Prevention from carrying on employment.
Every person who, by himself or herself or in concert with other persons, shall attempt by force, violence, threats or intimidation of any kind to prevent, or who shall prevent, any other person from entering upon and pursuing any employment, upon any terms and conditions as that person may think proper, shall be deemed guilty of a misdemeanor and be fined not exceeding one hundred dollars ($100) or be imprisoned not exceeding ninety (90) days.
History of Section.
G.L. 1896, ch. 278, § 8; G.L. 1909, ch. 344, § 9; G.L. 1923, ch. 396, § 9; G.L. 1938, ch. 607, § 10; G.L. 1956, § 11-11-4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-11 - Disorderly ConductSection 11-11-5. - Profanity.

§ 11-11-5. Profanity.
Every person who shall be guilty of profane swearing and cursing shall be fined not exceeding five dollars ($5.00).
History of Section.
G.L. 1896, ch. 281, § 16; G.L. 1909, ch. 347, § 17; G.L. 1923, ch. 399, § 17; G.L. 1938, ch. 610, § 17; G.L. 1956, § 11-11-5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-11 - Disorderly ConductSection 11-11-7. - Overcrowded assembly.

§ 11-11-7. Overcrowded assembly.
(a)
The occupant load permitted in any assembly building structure, or portion of it, shall be determined by dividing the net floor area or space assigned to that use by the square feet per occupant as follows:
(1)
An assembly area of concentrated use without fixed seats such as an auditorium, gymnasium, church, chapel, dance floor, and lodge room, seven square feet (7 sq. ft.) per person.
(2)
An assembly area of less concentrated use such as conference rooms, dining room, drinking establishments, exhibit room, or lounge, fifteen square feet (15 sq. ft.) per person.
(3)
Standing room or waiting space, five square feet (5 sq. ft.) per person; provided, that aisle area, except rear cross aisles, shall not be considered in determining the number of standing patrons allowed.
(b)

Any residential structure, or portion of it, that is used by persons to assemble for consumption of food or drink shall not exceed the occupant load as determined by dividing the net floor area or space assigned to that use by the square feet per occupant as follows:
(1)
Any individual single family dwelling or any unit in a multi-family dwelling or apartment house, fifteen (15) net square feet per person;
(2)
A public space associated with a single family dwelling or any multi-family dwelling or apartment house, fifteen (15) net square feet per person.
(c) Penalty.
If any person in control or possession of a building or structure, or portion of it, fails to comply with the provisions of this section, the assembly shall be reduced to the limit set forth by this section and the person in control or possession of a building or structure shall be guilty of a petty misdemeanor and fined an amount not more than five hundred dollars ($500) for the first offense with notice of the offense sent by certified mail to the owner of the building or structure. The fine shall double for the second offense and triple for the third offense with all notices of the offenses sent to the owner of the building by certified mail. In the event there are more than three (3) offenses at a building or structure, the owner shall also be guilty of a petty misdemeanor and fined an amount not to exceed five hundred dollars ($500).
History of Section.
P.L. 2001, ch. 79, § 1; P.L. 2001, ch. 219, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-12 - Dueling and FightingSection 11-12-1. - Engaging in duel.

§ 11-12-1. Engaging in duel.
Every person who shall voluntarily engage in a duel with any dangerous weapon, to the hazard of life, shall be imprisoned not exceeding seven (7) years nor less than one year.
History of Section.
G.L. 1896, ch. 277, § 7; G.L. 1909, ch. 343, § 7; G.L. 1923, ch. 395, § 7; G.L. 1938, ch. 606, § 7; G.L. 1956, § 11-12-1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-12 - Dueling and FightingSection 11-12-2. - Challenging or accepting challenge to duel.

§ 11-12-2. Challenging or accepting challenge to duel.
Every person who shall challenge another to fight a duel with any dangerous weapon, to the hazard of life, and every person who shall accept a challenge to fight such duel, although no duel be fought, shall be imprisoned not exceeding seven (7) years nor less than one year.
History of Section.
G.L. 1896, ch. 277, § 8; G.L. 1909, ch. 343, § 8; G.L. 1923, ch. 395, § 8; G.L. 1938, ch. 606, § 8; G.L. 1956, § 11-12-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-12 - Dueling and FightingSection 11-12-3. - Duel without state resulting in death within state.

§ 11-12-3. Duel without state resulting in death within state.
Every person, being an inhabitant of or resident in this state, who shall fight a duel outside the jurisdiction of this state, by previous appointment or engagement made within this state, and in the duel shall inflict a mortal wound upon any person of which the person so injured shall afterwards die within this state, shall be deemed to be guilty of murder within this state and may be indicted or charged by information, tried, convicted and sentenced in the county in which the death shall happen.
History of Section.
G.L. 1896, ch. 277, § 9; G.L. 1909, ch. 343, § 9; G.L. 1923, ch. 395, § 9; G.L. 1938, ch. 606, § 9; G.L. 1956, § 11-12-3; P.L. 1974, ch. 118, § 4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-12 - Dueling and FightingSection 11-12-4. - Seconding fatal duel outside state.

§ 11-12-4. Seconding fatal duel outside state.
Every person being an inhabitant of or resident in this state who shall, by previous appointment or engagement made within this state, be the second of either party in any duel as is mentioned in § 11-12-3 and shall be present as the second when the mortal wound is inflicted, of which death shall ensue within this state, shall be deemed to be an accessory before the fact to the crime of murder within this state, and may be indicted or charged by information, tried, convicted and sentenced within the county where the death shall happen.
History of Section.
G.L. 1896, ch. 277, § 10; G.L. 1909, ch. 343, § 10; G.L. 1923, ch. 395, § 10; G.L. 1938, ch. 606, § 10; G.L. 1956, § 11-12-4; P.L. 1974, ch. 118, § 4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-12 - Dueling and FightingSection 11-12-5. - Plea of former jeopardy.

§ 11-12-5. Plea of former jeopardy.
Any person indicted under either § 11-12-3 or 11-12-4 may plead a former conviction or acquittal of the same offense in the state or county in which the duel was fought, and that plea, if admitted or established, shall bar all further proceedings against the person for the same offense within this state.
History of Section.
G.L. 1896, ch. 277, § 11; G.L. 1909, ch. 343, § 11; G.L. 1923, ch. 395, § 11; G.L. 1938, ch. 606, § 11; G.L. 1956, § 11-12-5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-12 - Dueling and FightingSection 11-12-6. - Fighting by appointment.

§ 11-12-6. Fighting by appointment.
Every person who shall, by previous appointment or arrangement, meet another person and engage in a fight, shall be imprisoned not more than ten (10) years or be fined not exceeding five thousand dollars ($5,000).
History of Section.
G.L. 1896, ch. 277, § 12; G.L. 1909, ch. 343, § 12; G.L. 1923, ch. 395, § 12; G.L. 1938, ch. 606, § 12; G.L. 1956, § 11-12-6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-12 - Dueling and FightingSection 11-12-7. - Aiding fight by appointment.

§ 11-12-7. Aiding fight by appointment.
Every person who shall be present at any fight as provided in § 11-12-6 as an aid, second or surgeon, or who shall advise, encourage or promote the fight, shall be imprisoned not more than five (5) years or be fined not exceeding one thousand dollars ($1,000).
History of Section.
G.L. 1896, ch. 277, § 13; G.L. 1909, ch. 343, § 13; G.L. 1923, ch. 395, § 13; G.L. 1938, ch. 606, § 13; G.L. 1956, § 11-12-7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-12 - Dueling and FightingSection 11-12-8. - Leaving state to fight by appointment.

§ 11-12-8. Leaving state to fight by appointment.
Every person who shall, by previous appointment or engagement, leave this state and engage in a fight with another person outside the limits of this state shall be imprisoned not more than five (5) years or be fined not exceeding five thousand dollars ($5,000), and may be indicted or charged by information, tried, convicted and sentenced in any county in this state.
History of Section.
G.L. 1896, ch. 277, § 14; G.L. 1909, ch. 343, § 14; G.L. 1923, ch. 395, § 14; G.L. 1938, ch. 606, § 14; G.L. 1956, § 11-12-8; P.L. 1974, ch. 118, § 4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-12 - Dueling and FightingSection 11-12-9. - Arrest of fighters.

§ 11-12-9. Arrest of fighters.
A deputy sheriff, town sergeant, town constable, or police officer shall immediately arrest in any county any person violating any of the provisions of §§ 11-12-6 — 11-12-8, and shall detain the person until a warrant can be obtained for his or her arrest.
History of Section.
G.L. 1896, ch. 277, § 15; G.L. 1909, ch. 343, § 15; G.L. 1923, ch. 395, § 15; G.L. 1938, ch. 606, § 15; G.L. 1956, § 11-12-9; P.L. 2012, ch. 324, § 31; P.L. 2015, ch. 260, § 13; P.L. 2015, ch. 275, § 13.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-13 - Explosives and FireworksSection 11-13-1. - Sale, use or possession of fireworks.

§ 11-13-1. Sale, use or possession of fireworks.
(a)
No person shall offer for sale at retail or at wholesale, shall possess or have under his or her control, use or explode, or cause to explode for exhibition or amusement, display fireworks or aerial consumer fireworks unless permits are obtained pursuant to this chapter and chapter 23-28.11. Display fireworks are defined in the American pyrotechnic association standard 87-1 (APA 87-1) 2001 Edition section 2.7.2 and are classified as explosives 1.3G by the U.S. department of transportation (U.S. DOT), UN0335. Aerial consumer fireworks are defined in APA 87-1 2001 Edition section 3.1.2. and are classified 1.4G U.S. DOT, UN 0336. Certain fireworks and devices that are exempt from the definitions of display fireworks and aerial consumer fireworks shall include, but are not limited to, the following: ground-based and hand-held sparkling devices (non-aerial fireworks) as defined in APA 87-1 2001 Edition sections 3.1.1 and 3.5, and include the following: fountains, illuminating torches, wheels, ground spinners, flitter sparklers, sparkers; novelties, which are defined in the APA 87-1 2001 Edition section 3.2 and include the following: party poppers, snappers, toy smoke devices, snakes, glow worms, wire sparklers and dipped sticks; paper caps containing not more than

twenty-five hundredths (0.025) grains of explosive mixture ammunition to be consumed by weapons used for sporting and hunting purposes, and model rockets and model rocket engines, designed, sold and used for the purpose of propelling recoverable aero models). The storage, possession, sale, transportation and use of the items in the above reference section that are not included in the definition of display fireworks and aerial consumer fireworks shall be allowed at all times throughout the state for persons at least sixteen (16) years of age. Permits for display fireworks and aerial consumer fireworks for commercial display may be issued in accordance with provisions of the Rhode Island Fire Safety Code, chapters 28.1 — 28.39 of title 23. Fireworks display of display and aerial consumer fireworks by any municipality, fair association, amusement park, or other organization or group of individuals is permitted, on condition that the display shall be made by a competent operator approved by the local fire authority and shall be of such character as in the opinion of the fire authority will not be hazardous to persons or property; and, provided further, that the foregoing shall not apply the use of display and aerial consumer fireworks by common carriers for signal or illumination purposes, the use of blank cartridges in any show or theater, the use of explosives for blasting, the use of display and aerial consumer fireworks as signals in any athletic or sporting event, the use of display and aerial consumer fireworks for ceremonial or military purposes, the sale of fireworks for shipment out of this state, or the sale of fireworks for any use permitted pursuant to this section, provided the person who sells, stores or transports display and aerial consumer fireworks has a permit as required by the Rhode Island Fire Safety Code, chapters 28.1 — 28.39 of title 23.

(b)

Any person violating the provisions of this section shall be guilty of a felony and shall be fined not exceeding one thousand dollars ($1,000) for each offense and/or imprisoned for not more than one year for each offense; except that any person using or having in his or her possession without a permit with intent to use display and aerial consumer fireworks with a value of under five hundred dollars ($500) shall be guilty of a misdemeanor and shall upon conviction be fined not exceeding five hundred dollars ($500) for each offense and/or imprisoned for not more than one year for each offense.

History of Section.

G.L. 1896, ch. 110, § 4; G.L. 1909, ch. 134, § 4; G.L. 1923, ch. 177, § 4; G.L. 1938, ch. 406, §§ 4, 5; P.L. 1942, ch. 1130, § 1; G.L. 1956, § 11-13-1; P.L. 1974, ch. 236, § 1; P.L. 1980, ch. 299, § 1; P.L. 1982, ch. 376, § 1; P.L. 1983, ch. 326, § 1; P.L. 1985, ch. 284, § 1; P.L. 2010, ch. 25, § 1; P.L. 2010, ch. 28, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-13 - Explosives and FireworksSection 11-13-10. - Definitions.

§ 11-13-10. Definitions.

For purposes of this chapter unless the context otherwise requires:

(1)

“Destructive or incendiary device or substance” means an explosive, article or device designed or adapted to cause physical harm to persons or property by means of fire, explosion, deflagration, or detonation and consisting of any substance capable of being ignited, whether or not contrived to ignite or explode automatically.

(2)

“Explosive” means any chemical compound, mechanical mixture, or device that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities, or packing that ignition by fire, by friction, by concussion, by percussion, or by detonation of the compound, mixture, or device, or any part thereof, may cause an explosion; any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion; the term includes, but is not limited to, high and low explosives, black powder, smokeless powder, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cord, igniter cord, igniters; and other materials that are classified as Division 1.1, 1.2, 1.3, 1.4, 1.5 or 1.6 explosives by the United States Department of Transportation or listed pursuant to 18 U.S.C. § 841 or 27 C.F.R. 555.23. “Explosive” shall not include a pyrotechnic, small-arms ammunition, small-arms ammunition primers, smokeless powder and black powders possessed in quantities allowable by law pursuant to § 23-28.28-5 unless possessed or used for an illegal purpose.

(3)

“Hoax explosive,” “hoax destructive or incendiary device or substance,” or “hoax chemical, biological, or nuclear weapon” means any device, article, or substance that would cause a person to reasonably believe that the device, article, or substance is: (i) An explosive; (ii) A destructive or incendiary device or substance; or (iii) A chemical, biological, or nuclear weapon, harmful radioactive substance or poison capable of causing bodily injury that is actually an inoperable facsimile.

(4)

“Oxidizer” means a substance that yields oxygen readily to stimulate the combustion of organic matter or other fuel.

(5)

“Places” means to set or put in a particular space.

(6)

“Pyrotechnic” means any commercially manufactured combustible or explosive composition or manufactured article designed and prepared for the purpose of producing an audible effect or a visible display including, but not limited to: (i) Fireworks, firecrackers; and (ii) Flares, fuses and torpedoes, so-called, and similar signaling devices.

(7)

“Readily converted” means any combination of components that have been brought together in a manner for assembly that is

designed or adapted to cause physical harm to persons or property by means of fire, explosion, deflagration, or detonation but are not yet in a completed stage. Elements to determine whether an item is "readily converted" include, but are not limited to: (i) Time required to convert the components; (ii) Ease of conversion; (iii) Expertise needed; (iv) Necessary equipment; (v) Availability of parts and the ease in which they can be obtained; (vi) Expense; (vii) Scope to which the item(s) have already been modified; and (viii) Feasibility.

(8)

"Small-arms ammunition" means any shotgun, rifle, pistol, or revolver cartridge and cartridges for propellant-actuated power devices and industrial guns.

History of Section.

P.L. 2018, ch. 232, § 2; P.L. 2018, ch. 281, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-13 - Explosives and FireworksSection 11-13-2. - Limitation of prosecutions — Fines.

§ 11-13-2. Limitation of prosecutions — Fines.

No complaint for a violation of any of the provisions of § 11-13-1 shall be sustained unless it shall be brought within thirty (30) days after the commission of the offense, and all fines for such violation shall enure one-half (½) to the complainant and one-half (½) to the state.

History of Section.

G.L. 1896, ch. 110, § 6; G.L. 1909, ch. 134, § 6; G.L. 1923, ch. 177, § 6; G.L. 1938, ch. 406, § 7; G.L. 1956, § 11-13-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-13 - Explosives and FireworksSection 11-13-3. - Sale of fulminate cartridges or contrivances to minors.

§ 11-13-3. Sale of fulminate cartridges or contrivances to minors.

(a)

No person shall sell to any child under the age of fifteen (15) years, without the written consent of a parent or guardian of the child, any cartridge or fixed ammunition of which any fulminate is a component part, or any gun, pistol or other mechanical contrivance arranged for the explosion of the cartridge or of any fulminate. Nothing in this section shall authorize the sale of any blank cartridge except as provided in § 11-13-5.

(b)

Every person violating the provisions of this section shall be fined not less than ten dollars ($10.00) nor more than twenty dollars ($20.00) for each offense.

History of Section.

G.L. 1896, ch. 110, §§ 7, 8; G.L. 1909, ch. 134, §§ 7, 8; G.L. 1923, ch. 177, §§ 7, 8; G.L. 1938, ch. 406, §§ 8, 9; G.L. 1956, § 11-13-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-13 - Explosives and FireworksSection 11-13-4. - Toy canes or devices for firing blanks.

§ 11-13-4. Toy canes or devices for firing blanks.

No person or persons shall sell, expose for sale, possess with intent to sell or use, or discharge or use, within this state, any repeating toy cane for discharging any explosive, any toy pistol, or any other toy device designed or used for the discharge of blank cartridges.

History of Section.

P.L. 1905, ch. 1244, § 1; G.L. 1909, ch. 134, § 9; G.L. 1923, ch. 177, § 9; G.L. 1938, ch. 406, § 10; G.L. 1956, § 11-13-4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-13 - Explosives and FireworksSection 11-13-5. - Sale of blanks to minors.

§ 11-13-5. Sale of blanks to minors.

No person shall sell or offer to sell blank cartridges to any person under twenty-one (21) years of age.

History of Section.

P.L. 1905, ch. 1244, § 2; G.L. 1909, ch. 134, § 10; G.L. 1923, ch. 177, § 10; G.L. 1938, ch. 406, § 11; G.L. 1956, § 11-13-5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-13 - Explosives and FireworksSection 11-13-6. - Penalty for unlawful devices.

§ 11-13-6. Penalty for unlawful devices.

Any person violating any of the provisions of § 11-13-4 or 11-13-5 shall be fined not exceeding twenty dollars ($20.00) for each offense.

History of Section.

P.L. 1905, ch. 1244, § 3; G.L. 1909, ch. 134, § 11; G.L. 1923, ch. 177, § 11; G.L. 1938, ch. 406, § 12; G.L. 1956, § 11-13-6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-13 - Explosives and FireworksSection 11-13-7. -

Unlawful firecrackers.

§ 11-13-7. Unlawful firecrackers.
Every person who shall sell, expose for sale, possess with intent to sell, use, or explode, or use or explode any firecracker containing any explosive other than gunpowder shall be fined not more than twenty dollars ($20.00).
History of Section.
P.L. 1896, ch. 342, § 1; G.L. 1909, ch. 134, § 12; G.L. 1923, ch. 177, § 12; G.L. 1938, ch. 406, § 13; G.L. 1956, § 11-13-7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-13 - Explosives and FireworksSection 11-13-8. - Delivery or transportation of unmarked explosives or inflammable substances.

§ 11-13-8. Delivery or transportation of unmarked explosives or inflammable substances.
Every person who shall knowingly deliver or cause to be delivered to any person or carrier any box, can, or other package of nitroglycerine, gunpowder, naphtha, or other equally inflammable and explosive substance, material, or fluid, not marked with a plain and legible label describing its contents, or who shall remove or cause to be removed any such label or mark, or who shall carry or cause to be carried on any vessel, car, or vehicle operated in the transportation of passengers by a common carrier, which vessel, car, or vehicle is carrying passengers for hire, any box, can, or other package of nitroglycerine, gunpowder, naphtha, guncotton or substance or material containing guncotton, or any other equally inflammable and explosive material, substance, or fluid, shall be fined not more than ten thousand dollars ($10,000) or imprisoned not more than five (5) years.
History of Section.
G.L. 1896, ch. 279, § 47; G.L. 1909, ch. 345, § 50; G.L. 1923, ch. 397, § 50; P.L. 1926, ch. 857, § 1; G.L. 1938, ch. 608, § 50; G.L. 1956, § 11-13-8.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-13 - Explosives and FireworksSection 11-13-9. - Placing of explosive devices — Threats — Possession of readily convertible components.

§ 11-13-9. Placing of explosive devices — Threats — Possession of readily convertible components.
(a)
Every person who, without lawful authority, places a bomb, explosive device, or any destructive or incendiary device or substance, or falsely reports the placing of a bomb, explosive device, or any destructive or incendiary device or substance, shall upon conviction be imprisoned not less than three (3) years nor more than twenty (20) years and fined not less than one thousand dollars ($1,000) nor more than ten thousand dollars ($10,000).
(b)
Every person who threatens to place a bomb, explosive device, or any destructive or incendiary device or substance shall, upon conviction, be imprisoned not less than one year nor more than ten (10) years and fined not less than five hundred dollars ($500) nor more than five thousand dollars ($5,000).
(c)
Whoever, without lawful authority, has in their possession or under their control any bomb, explosive device, or any destructive or incendiary device or substance, or combination of materials that are readily convertible to a bomb, explosive device, or any destructive or incendiary device or substance, shall be punished by imprisonment for not less than three (3) years nor more than twenty (20) years, or by a fine of not less than one thousand dollars ($1,000) nor more than ten thousand dollars ($10,000), or both.
History of Section.
R.P.L. 1957, ch. 18, § 1; P.L. 1971, ch. 215, § 1; P.L. 1988, ch. 100, § 1; P.L. 2018, ch. 232, § 1; P.L. 2018, ch. 281, § 1; P.L. 2019, ch. 308, art. 2, § 4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-14 - False PersonationSection 11-14-1. - Impersonation of public officer.

§ 11-14-1. Impersonation of public officer.
Every person who shall falsely assume or pretend to be a judge, justice of the peace, warden, deputy sheriff, alderman, member of any city or town council, city or town clerk, city sergeant, constable, correctional officer, any other officer of any city or town in this state as well as any out-of-state police, or the attorney general, deputy attorney general, assistant or special assistant attorney general, and shall act as such, shall be imprisoned not exceeding one year or be fined not exceeding one thousand dollars ($1,000).
History of Section.
G.L. 1896, ch. 276, § 17; G.L. 1909, ch. 342, § 17; G.L. 1923, ch. 394, § 17; G.L. 1938, ch. 605, §17; G.L. 1956, § 11-14-1; P.L. 1996, ch. 318, § 1; P.L. 2000, ch. 245, § 1; P.L. 2006, ch. 586, § 1; P.L. 2012, ch. 324, § 32; P.L. 2013, ch. 327, § 1; P.L. 2013, ch. 392, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-14 - False PersonationSection 11-14-2. - Impersonation of town sealer, auctioneer, corder, or fence-viewer.

§ 11-14-2. Impersonation of town sealer, auctioneer, corder, or fence-viewer.
Every person who shall falsely assume or pretend to be a town sealer of weights and measures, auctioneer, corder of wood, or

fence-viewer, and shall act as such, shall be fined not less than twenty dollars ($20.00) nor more than one hundred dollars ($100).
History of Section.
G.L. 1896, ch. 276, § 18; G.L. 1909, ch. 342, § 18; G.L. 1923, ch. 394, § 18; G.L. 1938, ch. 605, § 18; G.L. 1956, § 11-14-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-14 - False PersonationSection 11-14-4. - Unauthorized wearing of organizational insignia.

§ 11-14-4. Unauthorized wearing of organizational insignia.
Any person not a member, respectively, of the Society of Cincinnati; Society of the War of 1812; Aztec Club of 1847; Military Order of the Loyal Legion of the United States; Grand Army of the Republic; National Association of Naval Veterans of the United States; Society of the Army of the Potomac; Society of the Army of the Cumberland; Society of the Army of Ohio; Society of the Army of Tennessee; Society of the Burnside Expedition; Society of the Ninth Army Corps; Sons of Veterans, United States of America; Society of the Sons of the American Revolution; Sons of the Revolution; United Spanish-American War Veterans; Women's Relief Corps; Ladies' Aid Society; Society of the Daughters of the American Revolution; Benevolent and Protective Order of Elks of the United States; Knights of Pythias; Dramatic Order of Knights of Khorassan; American Legion; Military Order of Foreign Wars of the United States; Veterans of Foreign Wars of the United States; Fraternal Order of Police; International Brotherhood of Police Officers (IBPO), the International Association of Firefighters (IAFF) whether it be IAFF windshield decals or IAFF license plate emblems or both; or any person not a member respectively of any other society or association or of any labor union which shall have registered in the office of the secretary of state a facsimile or duplicate or description of its name, badge, decoration, insignia, button, emblem, or rosette, who shall use or wear, respectively, the name, badge, decoration, insignia, button, emblem, or rosette of that organization, unless he or she shall be entitled to use or wear it, respectively under the constitution, bylaws, or rules and regulations of the societies or orders, respectively, shall be fined not more than one hundred dollars ($100) for each offense.
History of Section.
G.L. 1896, ch. 283, § 22; P.L. 1900, ch. 742, § 1; P.L. 1906, ch. 1358, § 1; P.L 1907, ch. 1448, § 1; G.L. 1909, ch. 349, § 31; P.L. 1909, ch. 439, § 1; P.L. 1918, ch. 1642, § 1; P.L. 1920, ch. 1833, § 1; G.L. 1923, ch. 401, § 31; G.L. 1938, ch. 612, § 30; G.L. 1956, § 11-14-4; P.L. 1968, ch. 117, § 1; P.L. 1985, ch. 259, § 1; P.L. 1990, ch. 474, § 1; P.L. 1996, ch. 390, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-14 - False PersonationSection 11-14-5. - Unauthorized use of American Federation of Musicians label.

§ 11-14-5. Unauthorized use of American Federation of Musicians label.
Any person who willfully uses or displays the label or logo of the American Federation of Musicians without the written permission of, or in any manner not authorized by, the federation shall be fined not exceeding one hundred dollars ($100) for each offense.
History of Section.
P.L. 1976, ch. 70, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-14 - False PersonationSection 11-14-6. - Impersonation of a public utility company employee.

§ 11-14-6. Impersonation of a public utility company employee.
Every person who shall falsely assume or pretend to be an employee of a public utility company, or the employee of a nonregulated power producer, and act as such so as to gain or attempt to gain entry into any residence or business, for any purpose, shall be imprisoned not exceeding six (6) months, or be fined not exceeding five hundred dollars ($500), or both.
History of Section.
P.L. 1997, ch. 128, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-15 - Flags and EmblemsSection 11-15-1. - Definition of terms.

§ 11-15-1. Definition of terms.
"Flag," "standard," "color," or "ensign," as used in §§ 11-15-1 — 11-15-3, includes any flag, standard, color, ensign, or any picture or representation of either of them, made of any substance, or represented on any substance, and of any size, evidently purporting to be either of the flag, standard, color, or ensign of the United States of America, or a picture or a representation of either of them, upon which shall be shown the colors, the stars, and the stripes, in any number of either of them, or by which the person seeing the picture or representation, without deliberation, may believe it to represent the flag, colors, standards, or ensign of the United States of America.
History of Section.
P.L. 1902, ch. 986, § 2; G.L. 1909, ch. 349, § 40; G.L. 1923, ch. 401, § 40; G.L. 1938, ch. 612, § 39; G.L. 1956, § 11-15-1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-15 - Flags and EmblemsSection 11-15-4.1. - Unauthorized use of the emblem of the attorney general.

§ 11-15-4.1. Unauthorized use of the emblem of the attorney general.
No person, firm or corporation shall use, without authorization, the emblem of the department of the attorney general that is authorized by the attorney general or any such emblem used to imitate an emblem of the department of the attorney general, for any fraudulent purpose, or for any purpose intended to deceive, harm, or defraud any person. Any person who violates any provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, is subject to imprisonment for up to one year, a fine of not more than five hundred dollars ($500), or both.
History of Section.
P.L. 2013, ch. 327, § 2; P.L. 2013, ch. 392, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-15 - Flags and EmblemsSection 11-15-4. - Use of state emblems for commercial purposes.

§ 11-15-4. Use of state emblems for commercial purposes.
No person, firm or corporation shall use the state seal, the state coat of arms, or a facsimile or imitation of them, for commercial purposes. The use of the state seal, the state coat of arms, or a facsimile or imitation of them as a portion of any letterhead, or in any advertisement, shall create a presumption that the use is for commercial purposes. Any person who violates any provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not exceeding five hundred dollars ($500).
History of Section.
P.L. 1946, ch. 1703, §§ 1, 2; G.L. 1956, § 11-15-4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-15 - Flags and EmblemsSection 11-15-5. - Injunctive relief.

§ 11-15-5. Injunctive relief.
The attorney general of the state of Rhode Island shall, upon the submission of proof of any violation of the provisions of § 11-15-4, seek injunctive relief against further violation.
History of Section.
P.L. 1946, ch. 1703, § 3; G.L. 1956, § 11-15-5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-15 - Flags and EmblemsSection 11-15-7. - Display of foreign flags on public buildings.

§ 11-15-7. Display of foreign flags on public buildings.
It shall be unlawful to display the flag or emblem of any foreign country upon the flagstaff of any state, county, city or town building or public schoolhouse within this state; provided, that when any foreigner shall become the guest of the United States, or of this state, the flag of the country of which the public guest shall be a citizen or subject may be displayed upon public buildings, except public schoolhouses. Every person who shall violate the provisions of this section shall be fined not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100).
History of Section.
G.L. 1896, ch. 283, § 29; G.L. 1909, ch. 349, § 38; G.L. 1923, ch. 401, § 38; G.L. 1938, ch. 612, § 37; G.L. 1956, § 11-15-7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-16 - Food and BeveragesSection 11-16-1. - Sale of unwholesome meat or drink.

§ 11-16-1. Sale of unwholesome meat or drink.
Except as otherwise provided, in respect to specific articles of meat or drink, every person who shall sell any kind of diseased, corrupted, or unwholesome provisions, whether for meat or drink, shall be imprisoned not exceeding six (6) months or be fined not exceeding two hundred dollars ($200).
History of Section.
G.L. 1896, ch. 282, § 1; G.L. 1909, ch. 348, § 1; G.L. 1923, ch. 400, § 1; G.L. 1938, ch. 611, § 1; G.L. 1956, § 11-16-1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-16 - Food and BeveragesSection 11-16-2. - Sale or killing of young calves.

§ 11-16-2. Sale or killing of young calves.
Every person who shall kill or cause to be killed, for the purpose of sale, or who shall sell to any person engaged in the business of killing of animals to be used for food purposes, any calf less than four (4) weeks old and the weight of which is less than seventy-five (75) pounds, or shall sell, or possess with intent to sell, the flesh of any calf which he or she knows to have been killed when less than four (4) weeks old, or the weight of which calf before being killed he or she knows to have been less than seventy-five (75) pounds, shall be fined not exceeding fifty dollars ($50.00).
History of Section.
G.L. 1896, ch. 282, § 3; G.L. 1909, ch. 348, § 2; P.L. 1914, ch. 1055, § 1; G.L. 1923, ch. 400, § 2; G.L. 1938, ch. 611, § 2; G.L. 1956, § 11-16-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-16 - Food and BeveragesSection 11-16-3. - Wrapping of food in second-hand paper.

§ 11-16-3. Wrapping of food in second-hand paper.
No dealer in groceries, meats, provisions, or any articles of food whatsoever shall use or cause to be used newspapers, printed paper or other second-hand paper for the purpose of wrapping up such articles of food, unless the food shall first be placed in paper carton boxes, jars, tins, or other sanitary receptacles. Any person who violates the provisions of this section shall be fined not exceeding twenty dollars ($20.00) for each offense.
History of Section.
G.L. 1909, ch. 348, § 4; P.L. 1911, ch. 708, § 1; G.L. 1923, ch. 400, § 4; G.L. 1938, ch. 611, § 4; G.L. 1956, § 11-16-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-16 - Food and BeveragesSection 11-16-4. - Furnishing wood alcohol for beverage purposes.

§ 11-16-4. Furnishing wood alcohol for beverage purposes.
Every person who sells, furnishes, or gives away wood alcohol or any preparation or compound containing wood alcohol, knowing that it is to be used for beverage purposes, shall be punished by imprisonment for life or any term of years, and he or she shall be liable to an action for damages for injuries to the person of anyone using the wood alcohol or the preparation or compound for beverage purposes, or if death results from that use, to an action for damages for the death of the person under the provisions of §§ 10-7-1 — 10-7-4.
History of Section.
G.L. 1923, ch. 395, § 34; P.L. 1932, ch. 1857, § 12; G.L. 1938, ch. 606, § 34; G.L. 1956, § 11-16-4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-16 - Food and BeveragesSection 11-16-5. - Poisoning with intent to kill.

§ 11-16-5. Poisoning with intent to kill.
Every person who shall mingle any poison with any food, drink, or medicine, with intent to kill or injure any person, and every person who shall willfully poison any spring, well or reservoir of water with that intent, shall be imprisoned for life or for any term of years.
History of Section.
G.L. 1896, ch. 277, § 16; G.L. 1909, ch. 343, § 16; G.L. 1923, ch. 395, § 16; G.L. 1938, ch. 606, § 16; G.L. 1956, § 11-16-5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-16 - Food and BeveragesSection 11-16-6. - Poisoning in general.

§ 11-16-6. Poisoning in general.
Every person who shall knowingly offer, give or entice any other person to take or accept any treat, candy, gift, or food for consumption which is poisonous shall be subject to imprisonment for not less than one year nor more than twenty (20) years and may be fined not more than five thousand dollars ($5,000).
History of Section.
P.L. 1983, ch. 154, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-16 - Food and BeveragesSection 11-16-7. - Tampering with packaging.

§ 11-16-7. Tampering with packaging.
Every person who tampers with the contents of a package or container for sale to the public with the intent to injure a potential user of the contents shall be guilty of a felony punishable by imprisonment for not less than three (3) years nor more than ten (10) years, or a fine of not more than five thousand dollars ($5,000), or both.
History of Section.
P.L. 1983, ch. 193, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-17 - Forgery and CounterfeitingSection 11-17-1.1. - Forgery — Public assistance check or authorization.

§ 11-17-1.1. Forgery — Public assistance check or authorization.
(a)
Any person who shall knowingly forge or cause to be forged one or more public assistance benefit check or authorization issued pursuant to chapter 6 of title 40, when the total value of the check or authorization so forged or caused to be forged in any period of twelve (12) consecutive months exceeds five hundred dollars ($500), shall be guilty of a felony and upon conviction shall be punished by imprisonment for not more than five (5) years, or by a fine of not more than one thousand dollars ($1,000), or both.
(b)
Any person who shall knowingly forge or cause to be forged any public assistance benefit check or authorization issued pursuant to

chapter 6 of title 40, when the value of the check or authorization forged or caused to be forged shall not exceed five hundred dollars ($500), shall be guilty of a misdemeanor and upon conviction shall be punished by imprisonment for not more than one year, or by fine of not more than five hundred dollars ($500), or both.
(c)
All criminal actions for any violation of this section shall be prosecuted by the attorney general.
History of Section.
P.L. 1989, ch. 234, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-17 - Forgery and CounterfeitingSection 11-17-1.2. - Forgery and counterfeiting of registration plates.

§ 11-17-1.2. Forgery and counterfeiting of registration plates.
Every person who shall forge, counterfeit, or cause to be forged or counterfeited, any registration plate or special use identification tag, or knowingly possess any forged or counterfeited registration plate or special use identification tag, as provided in § 31-3-40, shall be guilty of a misdemeanor and upon conviction shall be punished by imprisonment for not more than one year, or by a fine of not more than five hundred dollars ($500), or both.
History of Section.
P.L. 2012, ch. 128, § 1; P.L. 2012, ch. 180, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-17 - Forgery and CounterfeitingSection 11-17-1. - Forgery and counterfeiting in general.

§ 11-17-1. Forgery and counterfeiting in general.
Every person who shall falsely make, alter, forge, or counterfeit, or procure to be falsely made, altered, forged, or counterfeited, any public record, or any writ, process, or proceeding in any court of justice in this state, any certificate or attestation of any judge, justice of the peace, warden, notary public, clerk of any court, town clerk, city clerk or other public officer, in any matter in which the certificate or attestation may be received as legal proof, any charter, deed, will, testament, bond, or writing obligatory, letter of attorney, policy of insurance, bill of exchange, bill of lading, railroad ticket, promissory note, order, acquittance, discharge for or upon the payment of money or delivery of goods, or any acceptance of a bill of exchange or any indorsement, assignment, or guaranty of any bill of exchange or promissory note, or any certificate, or accountable receipt for money, goods, or any other thing, or any warrant, order, or request for the payment of money or delivery of goods, or for the delivery of any note, bill, or other security for money or goods, or any lottery ticket, or part or share of any lottery ticket in any lottery authorized by the laws of any state, territory, or country, or any writing whatsoever purporting to contain evidence of any debt, contract, or promise, or of the discharge, payment of satisfaction of any debt, contract, or promise, with intent to defraud, or who shall utter and publish as true or shall procure to be uttered and published as true any such false, forged, altered, or counterfeited record, deed, or other writing as provided in this section, knowing it to be false, forged, altered, or counterfeited, with intent to defraud, shall be punished by imprisonment for not more than ten (10) years, or by a fine of not more than one thousand dollars ($1,000), or both.
History of Section.
G.L. 1896, ch. 280, § 1; G.L. 1909, ch. 346, § 1; P.L. 1915, ch. 1258, § 14; G.L. 1923, ch. 398, § 1; G.L. 1938, ch. 609, § 1; G.L. 1956, § 11-17-1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-17 - Forgery and CounterfeitingSection 11-17-10. - Manufacture, repair, or possession of device for counterfeit of coins.

§ 11-17-10. Manufacture, repair, or possession of device for counterfeit of coins.
Every person who shall cast, stamp, engrave, form, make, or mend or begin to cast, stamp, engrave, form, make, or mend, or have in his or her possession or custody any mould, pattern, die, punch, press, or other tool or instrument whatsoever, devised, adapted, and designed for the forging or making any false or counterfeit coin in imitation and similitude of any gold or silver coin current within this state by law or usage, with intent to use and employ it or to cause it to be used or employed in forging or making any false or counterfeit coin as provided in this section, shall be imprisoned not exceeding ten (10) years nor less than two (2) years.
History of Section.
G.L. 1896, ch. 280, § 10; G.L. 1909, ch. 346, § 10; G.L. 1923, ch. 398, § 10; G.L. 1938, ch. 609, § 10; G.L. 1956, § 11-17-10.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-17 - Forgery and CounterfeitingSection 11-17-11. - Seizure and destruction of counterfeits and counterfeiting devices.

§ 11-17-11. Seizure and destruction of counterfeits and counterfeiting devices.
Whenever the existence of any false, forged, or counterfeit bank bills or notes, or any plates, dies, or other tools, instruments, or implements used by counterfeiters or designed for the forging or making of any false or counterfeit notes, coin, or bills, shall come to the knowledge of any deputy sheriff, town constable, or police officer in this state, the officers shall immediately seize and take possession of it and deliver it into the custody of the superior court for the county in which it shall be, and the court shall, as soon as the ends of justice will permit, cause it to be destroyed by an officer of the court, which officer shall make a return to the court of his

or her doings in the premises.
History of Section.
G.L. 1896, ch. 280, § 11; C.P.A. 1905, § 1222; G.L. 1909, ch. 346, § 11; G.L. 1923, ch. 398, § 11; G.L. 1938, ch. 609, § 11; G.L. 1956, § 11-17-11; P.L. 2012, ch. 324, § 33; P.L. 2015, ch. 260, § 14; P.L. 2015, ch. 275, § 14.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-17 - Forgery and CounterfeitingSection 11-17-12. - Disposition of plates and dies of defunct banks.

§ 11-17-12. Disposition of plates and dies of defunct banks.
Whenever the charter of any bank in this state shall expire or become forfeited, and whenever any bank in this state shall close its business for any cause whatsoever, the directors of the bank who shall have been last in office shall immediately deliver up all their plates and dies to the superior court for the county in which the bank shall have been located or established, and the court shall cause the plates and dies to be disposed of in any manner that the court shall deem expedient, in order to prevent their being afterwards used for any unlawful purpose. Every director who shall willfully neglect or refuse to comply with the requirements of this section shall be fined not exceeding five hundred dollars ($500).
History of Section.
G.L. 1896, ch. 280, §§ 12, 13; C.P.A. 1905, § 1222; G.L. 1909, ch. 346, §§ 12, 13; G.L. 1923, ch. 398, §§ 12, 13; G.L. 1938, ch. 609, §§ 12, 13; G.L. 1956, § 11-17-12.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-17 - Forgery and CounterfeitingSection 11-17-13. - Forgery, counterfeiting, or alteration of trademark, service mark, or identification mark.

§ 11-17-13. Forgery, counterfeiting, or alteration of trademark, service mark, or identification mark.
(a)
As used in this chapter, “forged” or “counterfeited trademark”, “service mark”, or “identification mark” means any mark or design which is: (1) identical to, substantially indistinguishable from, or an imitation of a trademark, service mark, or identification mark which is registered for those types of goods or services with the secretary of state pursuant to chapter 2 of title 6 or registered on the principal register of the United States Patent and Trademark Office or registered under the laws of any other state or protected by the Federal Amateur Sports Act of 1978, Title 36 USC § 380, or if a registered or unregistered use of the trademark or design or data plate, serial number, or part identification number; and (2) which has not been authorized by the owner of it and is done for pecuniary gain and with the intent to defraud the holder of the trademark, service mark, or identification mark.
(b)
Any person who knowingly and willfully forges or counterfeits any trademark, service mark, or identification mark, without the consent of the owner of the trademark, service mark or identification mark, or who knowingly possesses any tool, machine device, or other reproduction instrument or material with the intent to reproduce any forged or counterfeited trademark, service mark, or identification mark, shall be guilty of the offense of trademark counterfeiting.
(c)(1)
Any person who knowingly and willfully sells, offer to sell, or possesses with the intent to sell goods which contain a counterfeit trademark, service mark, or identification mark or sells or offers for sale a service in conjunction with a service mark the person knows is counterfeit, shall be guilty of the offense of trafficking in trademark counterfeits.
(2)
If the goods or service to which the forged or counterfeit trademarks, service marks, or identification marks are attached or affixed, or in connection with which they are used, or to which the offender intended they be attached or affixed, or in connection with which the offender intended they be used, have, in the aggregate, a retail value of the goods if they were not forged or counterfeited of five thousand dollars ($5,000) or more, the person shall be guilty of a felony and upon conviction may be imprisoned up to five (5) years and fined up to ten thousand dollars ($10,000).
(3)
If the goods or service to which the forged or counterfeit trademarks, service marks, or registered designs are attached or affixed, or in connection with which they are used, or to which the offender intended they be attached or affixed, or in connection with which the offender intended they be used, have, in the aggregate, a retail value of the goods if they were not forged or counterfeited of less than five thousand dollars ($5,000), the person shall be guilty of a misdemeanor and may be imprisoned up to one year and fined up to one thousand dollars ($1,000).
(4)
Any person who knowingly: (i) uses an object, tool, machine, or other device to produce or reproduce a counterfeit mark, or (ii) has possession, custody, or control of any object, tool, machine, or device with intent to produce or reproduce a counterfeit mark, is guilty of a felony and may be imprisoned up to five (5) years and fined up to five thousand dollars ($5,000).
(5)
The possession, custody, or control of more than twenty-five (25) items having a counterfeit mark used on or in connection with them creates a presumption that the person having possession, custody, or control of the items intended to sell those items.
(6)
If a person who violates this section previously has been convicted of violating this section, the person shall be guilty of a felony

and may be imprisoned up to five (5) years and fined up to five thousand dollars ($5,000).
(d)(1)
Any personal property, including any item, object, tool, machine, device, or vehicle of any kind, employed as an instrumentality in the commission of, or in aiding or abetting in the commission of a violation of this section, or proceeds derived directly from a violation of this section, is subject to seizure and forfeiture and further proceedings shall be had for their forfeiture as is prescribed by law in chapter 21 of title 12; provided, that no property used by any person shall be forfeited under the provisions of this section unless it shall appear that the owner of the property had knowledge, actual or constructive, and was a consenting party to the illegal act.
(2)
Property taken or detained under this section shall not be repleviable, but shall be deemed to be in the custody of the law enforcement agency making the seizure and whenever property is forfeited under this chapter it shall be utilized as follows:
(i)
Where the seized property is a vessel, vehicle, aircraft, or other personal property, it may be retained and used by the law enforcement agency that seized that property where the use of the property is reasonably related to the law enforcement duties of the seizing agency. If the seized property is a motor vehicle which is inappropriate for use by the law enforcement agency due to style, size or color, the seizing agency shall be allowed to apply the proceeds of sale or the trade-in value of the vehicle for activities reasonably related to law enforcement duties.
(ii)
Eighty percent (80%) of the proceeds shall be divided among the state and local law enforcement agencies proportionately based upon their contribution to the investigation of the criminal activity related to the asset being forfeited; the balance shall go to the department of attorney general for purposes related to law enforcement.
(3)
At the conclusion of any criminal matter brought under this chapter any property seized pursuant to this chapter containing a counterfeit trademark, service mark, copyrighted or registered design shall be destroyed unless the owner of the trademark, service mark, or identification mark gives prior written consent to the use or sale of the property and the trademark, service mark, or identification mark is obliterated or removed from the property prior to the disposition of it.
History of Section.
P.L. 1997, ch. 53, § 1; P.L. 1997, ch. 100, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-17 - Forgery and CounterfeitingSection 11-17-2. - Forgery, counterfeiting, or alteration of state debt certificate or bank bill or note.

§ 11-17-2. Forgery, counterfeiting, or alteration of state debt certificate or bank bill or note.
Every person who shall falsely make, forge, counterfeit, or falsely alter any note, certificate, or other security, in imitation of and purporting to be a note, certificate, or other security, which has been or hereafter may be issued for any debt of this state, or any bank bill or note in imitation of or purporting to be a bank bill which has been or hereafter may be issued by any corporation which is or hereafter may be established as a bank, in this state or elsewhere, shall be imprisoned not exceeding ten (10) years nor less than two (2) years.
History of Section.
G.L. 1896, ch. 280, § 2; G.L. 1909, ch. 346, § 2; G.L. 1923, ch. 398, § 2; G.L. 1938, ch. 609, § 2; G.L. 1956, § 11-17-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-17 - Forgery and CounterfeitingSection 11-17-3. - Passing of counterfeit certificates, bills, or notes.

§ 11-17-3. Passing of counterfeit certificates, bills, or notes.
Every person who shall utter, publish, pass, or tender in payment as true, any false, forged, counterfeited, or altered certificate, security or bank bill or note, knowing it to be false, forged, counterfeited, or altered, with intent to defraud, shall be imprisoned not exceeding ten (10) years nor less than two (2) years.
History of Section.
G.L. 1896, ch. 280, § 3; G.L. 1909, ch. 346, § 3; G.L. 1923, ch. 398, § 3; G.L. 1938, ch. 609, § 3; G.L. 1956, § 11-17-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-17 - Forgery and CounterfeitingSection 11-17-4. - Importation or possession of counterfeit certificate, bill, or note.

§ 11-17-4. Importation or possession of counterfeit certificate, bill, or note.
Every person who shall bring into this state or have in his or her possession or custody within this state, any false, forged, counterfeited, or altered certificate or security, bank bill, or note, knowing it to be false, forged, counterfeited or altered, with intent to utter, pass or, tender it in payment the same as true, shall be imprisoned not exceeding ten (10) years nor less than two (2) years.
History of Section.
G.L. 1896, ch. 280, § 4; G.L. 1909, ch. 346, § 4; G.L. 1923, ch. 398, § 4; G.L. 1938, ch. 609, § 4; G.L. 1956, § 11-17-4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-17 - Forgery and CounterfeitingSection 11-17-5. -

Manufacture, repair, or possession of counterfeiting devices.

§ 11-17-5. Manufacture, repair, or possession of counterfeiting devices.
Every person who shall engrave, form, make, or mend, or begin to engrave, form, make, or mend any plate, stone, paper, rolling press, or other instrument or material devised, adapted, and designed for the stamping, forging, or making any false, forged, and counterfeited bank bill or note, in imitation of bank bills or notes which have been or shall be issued by any bank which is or hereafter may be established as a bank in this state or elsewhere, or shall have in his or her possession or custody any plate or stone engraved in any part, or any paper, rolling press, or other instrument or material devised, adapted, or designed as provided in this section, with intent to use and employ it or to cause or permit it to be used and employed in making any false and counterfeited bank bill or note, shall be imprisoned not exceeding ten (10) years nor less than two (2) years.
History of Section.
G.L. 1896, ch. 280, § 5; G.L. 1909, ch. 346, § 5; G.L. 1923, ch. 398, § 5; G.L. 1938, ch. 609, § 5; G.L. 1956, § 11-17-5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-17 - Forgery and CounterfeitingSection 11-17-6. - Evidence as to handwriting.

§ 11-17-6. Evidence as to handwriting.
In no prosecutions for forging, counterfeiting, or altering any bank bill or note or for uttering, passing, or tendering in payment as true any false, forged, counterfeited, or altered bank bill or note, or for bringing into this state or for having in possession or custody any false, forged, counterfeited, or altered bank bill or note with intent to pass it as true, knowing it to be false, forged, counterfeited, or altered, shall the testimony of any person whose name is purported to be signed to the bill or note or his or her personal attendance as a witness be requisite, when he or she shall be absent from this state at the time of the trial or when his or her place of residence shall be outside the limits of this state or more than thirty (30) miles from the place of trial, but the testimony of any competent witness who is acquainted with the handwriting of the person or who has knowledge of the difference between true and counterfeit or altered bank bills and who is skilled in the difference shall be received as competent evidence to prove any bank bill or note to be false, forged, counterfeited, or altered.
History of Section.
G.L. 1896, ch. 280, § 6; G.L. 1909, ch. 346, § 6; G.L. 1923, ch. 398, § 6; G.L. 1938, ch. 609, § 6; G.L. 1956, § 11-17-6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-17 - Forgery and CounterfeitingSection 11-17-7. - Forgery or counterfeiting of coins.

§ 11-17-7. Forgery or counterfeiting of coins.
Every person who shall forge or counterfeit any coin in imitation or similitude of any gold or silver coin current within this state by law or usage shall be imprisoned not exceeding ten (10) years nor less than two (2) years.
History of Section.
G.L. 1896, ch. 280, § 7; G.L. 1909, ch. 346, § 7; G.L. 1923, ch. 398, § 7; G.L. 1938, ch. 609, § 7; G.L. 1956, § 11-17-7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-17 - Forgery and CounterfeitingSection 11-17-8. - Passing of counterfeit coins.

§ 11-17-8. Passing of counterfeit coins.
Every person who shall utter or tender in payment as true any false, forged or counterfeit coin, made and forged in imitation and similitude of any gold or silver coin current within this state by law or usage, knowing it to be false or counterfeit, with intent to defraud, shall be imprisoned not exceeding ten (10) years nor less than two (2) years.
History of Section.
G.L. 1896, ch. 280, § 8; G.L. 1909, ch. 346, § 8; G.L. 1923, ch. 398, § 8; G.L. 1938, ch. 609, § 8; G.L. 1956, § 11-17-8.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-17 - Forgery and CounterfeitingSection 11-17-9. - Importation or possession of counterfeit coin with intent to pass.

§ 11-17-9. Importation or possession of counterfeit coin with intent to pass.
Every person who shall bring into this state or have in his or her possession or custody any false or counterfeit coin, made and forged in imitation and similitude of any gold or silver coin current within this state by law or usage, knowing it to be false or counterfeit, with intent to utter or pass it in payment as true, shall be imprisoned not exceeding ten (10) years nor less than two (2) years.
History of Section.
G.L. 1896, ch. 280, § 9; G.L. 1909, ch. 346, § 9; G.L. 1923, ch. 398, § 9; G.L. 1938, ch. 609, § 9; G.L. 1956, § 11-17-9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-1.1. - Fraudulent insurance claims for stolen motor vehicles.

§ 11-18-1.1. Fraudulent insurance claims for stolen motor vehicles.
Any person who knowingly and with criminal intent shall file a fraudulent claim with an insurance company for the purpose of

securing money based on a claim of a stolen motor vehicle when, in fact, the motor vehicle did not exist or was not stolen, shall be guilty of a felony punishable by imprisonment for not more than five (5) years, or by a fine of not more than ten thousand dollars ($10,000), or both.
History of Section.
P.L. 1983, ch. 221, § 13.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-1.2. - False statement to obtain replacement public assistance check or authorization.

§ 11-18-1.2. False statement to obtain replacement public assistance check or authorization.
Any person who shall knowingly and intentionally file or cause to be filed with the department of human services, or any employee or agent of the department, any statement or affidavit in writing which is false or erroneous, or defective in any important particular, and which, to his or her knowledge, is intended to report that one or more public assistance benefit checks or authorizations issued pursuant to chapter 6 of title 40, has been lost, destroyed, or stolen and is intended to induce or cause the department or its employees or agents, to issue a replacement check or authorization, shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for not more than five (5) years, or by a fine of not more than five thousand dollars ($5,000), or both, if the total value of the replacement checks or authorization(s) so issued in any period of twelve (12) consecutive months shall exceed five hundred dollars ($500), or shall be guilty of a misdemeanor and, upon conviction, shall be punished by imprisonment for not more than one year, or by a fine of not more than one thousand dollars ($1,000), or both, if the value of the replacement check or authorization so issued shall not exceed five hundred dollars ($500). All criminal actions for any violation of this section shall be prosecuted by the attorney general. The statement or affidavit shall contain language notifying the signer, in conspicuous language, that any false statement on the statement or affidavit is punishable by up to five (5) years imprisonment and a five thousand dollar ($5,000) fine.
History of Section.
P.L. 1989, ch. 237, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-1.3. - False statement to fraudulently obtain license or registration.

§ 11-18-1.3. False statement to fraudulently obtain license or registration.
Any person who shall knowingly and intentionally prepare, file or cause to be filed with the division of motor vehicles, or any employee or agent of the division of motor vehicles, any application, statement or affidavit in writing which is knowingly false in any important particular, and which, to his or her knowledge, is intended to fraudulently induce or cause the department or its employees or agents, to issue a registration or license, shall be guilty of a misdemeanor and, upon conviction, shall be punished by imprisonment for not more than one year, or by a fine of not more than one thousand dollars ($1,000), or both.
History of Section.
P.L. 2010, ch. 148, § 1; P.L. 2010, ch. 150, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-1. - Giving false document to agent, employee, or public official.

§ 11-18-1. Giving false document to agent, employee, or public official.
(a)
No person shall knowingly give to any agent, employee, servant in public or private employ, or public official any receipt, account, or other document in respect of which the principal, master, or employer, or state, city, or town of which he or she is an official is interested, which contains any statement which is false or erroneous, or defective in any important particular, and which, to his or her knowledge, is intended to mislead the principal, master, employer, or state, city, or town of which he or she is an official.
(b)
Any person who violates any of the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction, shall be imprisoned, with or without hard labor, for a term not exceeding one year or be fined not exceeding one thousand dollars ($1,000).
History of Section.
P.L. 1905, ch. 1219, §§ 3, 4; G.L. 1909, ch. 349, §§ 23, 24; G.L. 1923, ch. 401, §§ 23, 24; G.L. 1938, ch. 612, §§ 23, 24; G.L. 1956, § 11-18-1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-10. - False statements in advertising.

§ 11-18-10. False statements in advertising.
(a)
No person, firm, corporation, or association with intent to sell or in any way dispose of merchandise, securities, service or anything offered by that person, firm, corporation or association, directly or indirectly, to the public for sale or distribution, or with intent to

increase the consumption of or to induce the public in any manner to enter into any obligation relating to the merchandise or service, or to acquire title to it or an interest in it, shall make, publish, disseminate, circulate, or place before the public, or cause directly or indirectly to be made, published, disseminated, circulated, or placed before the public, in this state, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, sign, billboard, bill, circular, pamphlet, or letter, or by means of a photograph, motion pictures, radio, loudspeaker, television, telephone, telegraph, or in any other way, an advertisement of any sort regarding merchandise, securities, service or anything so offered to the public, which advertisement contains any assertion, representation, or statement of fact which is untrue and designed to be deceptive or misleading or is intended or designed not to sell the merchandise, securities, service, or anything so advertised at the price stated in it, or otherwise communicated or with intent not to sell the merchandise, securities, service, or anything so advertised.

(b)

Any person, firm, corporation, or association who shall violate any of the provisions of this section shall, upon conviction, be fined not less than fifty dollars ($50.00) nor more than five hundred dollars ($500), or be imprisoned not more than ninety (90) days, or shall suffer both fine and imprisonment.

History of Section.

P.L. 1914, ch. 1073, § 1; G.L. 1923, ch. 401, § 57; P.L. 1928, ch. 1199, § 1; G.L. 1938, ch. 612, § 54; P.L. 1956, ch. 3761, § 1; G.L. 1956, § 11-18-10.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-11. - Immunity of publishers and advertising media.

§ 11-18-11. Immunity of publishers and advertising media.

The provisions of § 11-8-10 shall not apply to any radio station, television station, publisher of a newspaper, magazine or other publication or any other recognized advertising media or printer who publishes or prints the advertisement without actual knowledge of its falsity. The fact of the publishing or printing of the advertisement shall not be prima facie evidence of actual knowledge of falsity or deceptiveness.

History of Section.

G.L. 1938, ch. 612, § 54; P.L. 1956, ch. 3761, § 1; G.L. 1956, § 11-18-11.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-12. - Injunction of false advertising.

§ 11-18-12. Injunction of false advertising.

(a)

Except as provided in subsection (b) of this section, when it appears to the director of business regulation of the state of Rhode Island that any person, firm, corporation, or association is violating any of the provisions of § 11-18-10, the director of business regulation may cause to be instituted an action, commenced in the name of the director of business regulation in his or her capacity as director of business regulation, to enjoin the violation in the superior court and the court shall have jurisdiction to enjoin and/or restrain any person, firm, corporation or association from violating any of the provisions of § 11-18-10 without regard to whether criminal proceedings have been or may be instituted.

(b)

When it appears to the director of labor and training of the state of Rhode Island that any person, firm, corporation, or association is violating any of the provisions of § 11-18-10 with respect to the offer or sale of liquid fuels, lubricating oils or other similar products, the director of labor and training may cause to be instituted an action, commenced in the name of the director of labor and training in his or her capacity as director of labor and training, to enjoin the violation in the superior court and the court shall have jurisdiction to enjoin and/or restrain any person, firm, corporation, or association from violating any of the provisions of § 11-18-10 with respect to the offer or sale of liquid fuels, lubricating oils or other similar products without regard to whether criminal proceedings have been or may be instituted.

History of Section.

G.L. 1938, ch. 612, § 54; P.L. 1956, ch. 3761, § 1; G.L. 1956, § 11-18-12; P.L. 2019, ch. 88, art. 3, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-13. - Deception in sale of fuels and lubricants.

§ 11-18-13. Deception in sale of fuels and lubricants.

It shall be unlawful for any person, firm, or corporation, to store, sell, expose for sale, or offer for sale, any liquid fuels, lubricating oils, or other similar products, in any manner whatsoever, so as to deceive or tend to deceive the purchaser as to the nature, quality, and identity, of the product so sold or offered for sale.

History of Section.

P.L. 1928, ch. 1189, § 1; G.L. 1938, ch. 608, § 51; G.L. 1956, § 11-18-13.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-14. - Sale of fuels and lubricants other than those shown by trade name on container.

§ 11-18-14. Sale of fuels and lubricants other than those shown by trade name on container.
It shall be unlawful for any person, firm, or corporation, to store, keep, expose for sale offer for sale, or sell, from any tank or container, or from any pump, or other distributing device or equipment, any liquid fuels, lubricating oils, or other similar products other than those indicated by the name, trade name, symbol, sign, or other distinguishing mark, or device, of the manufacturer or distributor, appearing upon the tank, container, pump, or other distributing equipment, from which the products are sold, offered for sale, or distributed.
History of Section.
P.L. 1928, ch. 1189, § 2; G.L. 1938, ch. 608, § 52; G.L. 1956, § 11-18-14.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-15. - Imitation of trade symbols of fuels and lubricants.

§ 11-18-15. Imitation of trade symbols of fuels and lubricants.
It shall be unlawful for any person, firm, or corporation, to disguise or camouflage that person's or firm's own equipment, by imitating the design, symbol or trade name of the equipment under which recognized brands of liquid fuels, lubricating oils, and similar products are generally marketed.
History of Section.
P.L. 1928, ch. 1189, § 3; G.L. 1938, ch. 608, § 53; G.L. 1956, § 11-18-15.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-16. - Sale of fuels and lubricants under false trademark or name — Adulteration.

§ 11-18-16. Sale of fuels and lubricants under false trademark or name — Adulteration.
It shall be unlawful for any person, firm, or corporation, to expose for sale, offer for sale, or sell under any trademark or trade name in general use, any liquid fuels, lubricating oils, or other like products, except those manufactured or distributed by the manufacturer or distributor marketing liquid fuels, lubricating oils, or other like products, under the trademark or trade name, or to substitute, mix, or adulterate, the liquid fuels, lubricating oils, or other similar products, sold, offered for sale, or distributed, under the trademark or trade name.
History of Section.
P.L. 1928, ch. 1189, § 4; G.L. 1938, ch. 608, § 54; G.L. 1956, § 11-18-16.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-17. - Delivery of fuels and lubricants into container bearing false trade name.

§ 11-18-17. Delivery of fuels and lubricants into container bearing false trade name.
It shall be unlawful for any person, firm, or corporation, to aid or assist any other person, firm, or corporation, in the violation of §§ 11-18-13 — 11-18-16 by depositing or delivering into any tank, receptacle, or other container, any other liquid fuels, lubricating oils, or like products, than those intended to be stored in and distributed from it, as indicated by the name of the manufacturer or distributor or the trademark or trade name of the product displayed on the container itself, or on the pump or other distributing device used in connection with it.
History of Section.
P.L. 1928, ch. 1189, § 5; G.L. 1938, ch. 608, § 55; G.L. 1956, §§ 11-18-17.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-18. - Penalty for violations with respect to fuels and lubricants.

§ 11-18-18. Penalty for violations with respect to fuels and lubricants.
Any person, firm, or corporation or any officer, agent, servant, or employee who shall violate any provision of §§ 11-18-13 — 11-18-17 shall be fined not less than fifty dollars ($50.00) nor more than three hundred dollars ($300), or be imprisoned ninety (90) days, or shall suffer both fine and imprisonment, and each separate sale or attempt to sell in violation of these provisions shall be deemed a separate offense.
History of Section.
P.L. 1928, ch. 1189, § 6; G.L. 1938, ch. 608, § 56; G.L. 1956, § 11-18-18.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-2. - False information to registrar of vital statistics.

§ 11-18-2. False information to registrar of vital statistics.
Every person who shall knowingly furnish or cause to be furnished to the registrar of vital statistics of any city or town false information concerning any birth, marriage, death and/or divorce shall be guilty of a misdemeanor and, upon conviction, shall be fined not exceeding five hundred dollars ($500), or imprisoned not exceeding one year, or both.
History of Section.
G.L. 1938, ch. 610, § 46; P.L. 1949, ch. 2310, § 1; G.L. 1956, § 11-18-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-20.1. - Possession of false identification.

§ 11-18-20.1. Possession of false identification.
The possession of a motor vehicle operator's license card or other documents commonly used to identify the bearer containing a photograph of the possessor, but with the name, or date of birth of a person other than that of the possessor, shall be punishable by a fine of not more than five hundred dollars ($500).
History of Section.
P.L. 2002, ch. 106, § 2; P.L. 2002, ch. 148, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-20. - Obtaining vehicles with intent to defraud.

§ 11-18-20. Obtaining vehicles with intent to defraud.
(a) By trick or false representation.
Whoever with intent to defraud the owner or any person lawfully possessing any motor vehicle obtains the custody of the motor vehicle by trick, deceit, fraudulent or willful false representation, shall be guilty of a misdemeanor and punished as provided in this section.
(b) Hiring with intent to defraud.
Whoever with intent to defraud the owner or any person lawfully possessing any motor vehicle, or the rental of a motor vehicle, hires a vehicle from the owner, or the owner's agents or any person in lawful possession of it, shall, upon conviction, be deemed guilty of a misdemeanor. The absconding without paying or offering to pay the hire shall be prima facie evidence of fraudulent intent.
(c) Failure to redeliver hired vehicle.
Whoever, after hiring a motor vehicle under an agreement to redeliver the vehicle to the person letting the motor vehicle or that person's agent, at the termination of the period for which it was let, shall, without the consent of that person or those persons and with intent to defraud, abandon, or willfully refuse or neglect to redeliver the vehicle as agreed shall, upon conviction, be guilty of a misdemeanor. The failure to return the motor vehicle within seventy-two (72) hours of the time agreed shall be prima facie evidence of fraudulent intent and the vehicle shall be considered "stolen" for purposes of reporting the offense to the local police.
(d) Tampering with mileage device.
Whoever, after hiring a motor vehicle from any person or persons under an agreement to pay for the use of the motor vehicle a sum of money determinable either in whole or in part upon the distance the motor vehicle travels during the period for which hired, removes, attempts to remove, tampers with, or attempts to tamper with or otherwise interfere with any odometer or other mechanical device attached to the hired motor vehicle for the purpose of registering the distance the vehicle travels, with the intent to deceive the person or persons letting the vehicle or their lawful agent as to the actual distance traveled, shall, upon conviction, be deemed guilty of a misdemeanor. Any person who shall knowingly aid, abet or assist another in violating the provisions of this subsection shall be proceeded against as a principal or as an accessory before the fact, and, upon conviction, shall suffer the same punishment as that to the principal offender is subject. Any person violating the provisions of this subsection may be charged with a violation in the city or town or county, as the case may be, where the odometer or other mechanical device:
(1)
Is removed, or attempted to be removed, or tampered with; or attempted to be tampered with, or is otherwise interfered with;
(2)
Where the persons knowingly aid, abet, or assist another to so remove, tamper with or otherwise interfere with the odometer or other mechanical device; or
(3)
Where any part of the motor vehicle upon which is attached the odometer or other mechanical device is removed or attempted to be removed.
(e) Penalty.
Any person convicted of violation of any provision of subsection (a), (b), (c) or (d) of this section shall be imprisoned for a term of not more than one year, or by a fine not to exceed five hundred dollars ($500), or both.
History of Section.
G.L. 1896, ch. 279, § 40; G.L. 1909, ch. 345, § 44; G.L. 1923, ch. 397, § 44; G.L. 1938, ch. 608, § 44; G.L. 1956, § 11-18-20; P.L. 1965, ch. 179, § 2; P.L. 1997, ch. 78, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-21. - Cheating of coin-operated devices.

§ 11-18-21. Cheating of coin-operated devices.
Whoever: (1) operates or causes to be operated, or attempts to operate or to cause to be operated, any automatic vending machine, slot machine, turnstile, meter, register, coin-box telephone, or other receptacle designed to receive lawful coin of the United States in connection with the sale, use, or enjoyment of property, transportation, or other service, by means of a slug or any false,

counterfeited, mutilated, or sweated coin or by any means, method, trick, or device whatsoever not lawfully authorized by the owner, lessee, or licensee of the machine, turnstile, meter, register, coin-box telephone, or receptacle; or (2) takes, obtains, or receives from or in connection with any automatic vending machine, slot machine, turnstile, meter, register, coin-box telephone, or other receptacle designed to receive lawful coins of the United States in connection with the sale, use, or enjoyment of property or service, any goods, wares, merchandise, transportation, gas, electric current, article of value, or the use or enjoyment of any transportation or any telephone or telegraph facilities or service, or of any musical instrument, phonograph, or other property, without depositing in and surrendering to the machine, turnstile, coin-box telephone, or other receptacle lawful coin to the amount required by the owner, lessee, or licensee of the machine, turnstile, coin-box telephone, or receptacle, shall be punished by a fine of not more than one hundred dollars ($100), or by imprisonment for not more than thirty (30) days, or both.
History of Section.
G.L. 1923, ch. 397, § 76; P.L. 1932, ch. 1891, § 1; G.L. 1938, ch. 608, § 84; G.L. 1956, § 11-18-21.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-22. - Manufacture or distribution of slugs.

§ 11-18-22. Manufacture or distribution of slugs.
Whoever manufactures for sale, advertises for sale, sells, offers for sale, or gives away any slug, device, or substance whatsoever, designed or calculated to be placed or deposited in any automatic vending machine, slot machine, turnstile, meter, register, coin-box telephone, or other receptacle, depository, or contrivance, designed to receive lawful coin of the United States in connection with the sale, use, or enjoyment of property or service, with the intent that the slug, device, or substance shall be used to cheat or defraud the person entitled to the contents of the machine, turnstile, meter, register, coin-box telephone, or other the receptacle, depository, or contrivance, shall be punished by a fine of not more than five hundred dollars ($500), or by imprisonment for not more than one year, or both.
History of Section.
G.L. 1923, ch. 397, § 77; P.L. 1932, ch. 1891, § 1; G.L. 1938, ch. 608, § 85; G.L. 1956, § 11-18-22.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-23. - Defacement or alteration of manufacturer’s serial number.

§ 11-18-23. Defacement or alteration of manufacturer’s serial number.
Any person who: (1) willfully removes, defaces, covers, alters, or destroys the manufacturer’s serial number or any other distinguishing number or identification mark on any machine or any electrical or mechanical device for the purpose of preventing the detection of a crime or defrauding the manufacturer or any seller or any purchaser of the machine or the electrical or mechanical device; or (2) being a dealer in merchandise or the agent, employee, or representative of a dealer, knowingly buys, sells, receives, disposes of, conceals, or knowingly has in his or her possession any machine or any electrical or mechanical device from which the manufacturer’s serial number or any other distinguishing number or identification mark has been removed, defaced, covered, altered, or destroyed for a purpose specified in subdivision (1) of this section, is guilty of a misdemeanor.
History of Section.
P.L. 1951, ch. 2704, § 1; G.L. 1956, § 11-18-23.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-24. - Penalty for serial number violations.

§ 11-18-24. Penalty for serial number violations.
Every person convicted of a misdemeanor for the violation of any provision of § 11-18-23 shall be punished by a fine of not more than five hundred dollars ($500), or by imprisonment for not more than one year, or by both fine and imprisonment.
History of Section.
P.L. 1951, ch. 2704, § 2; G.L. 1956, § 11-18-24.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-25. - Concealment or transfer of property with intent to defraud creditors.

§ 11-18-25. Concealment or transfer of property with intent to defraud creditors.
Every person who, while insolvent, shall, with intent to defraud his or her creditors, remove from out of the state, secrete, or unlawfully transfer or otherwise dispose of any property belonging to his or her estate, which is not exempt from attachment by law, or who, having made an assignment for the benefit of creditors, shall secrete, destroy, or withhold from his or her assignee any books, deeds, documents, or writings relating to the property, shall, upon conviction of the offense, be imprisoned not exceeding two (2) years.
History of Section.
G.L. 1896, ch. 279, § 67; P.L. 1902, ch. 1000, § 1; G.L. 1909, ch. 345, § 70; G.L. 1923, ch. 397, § 70; G.L. 1938, ch. 608, § 77; G.L. 1956, § 11-18-25.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-26. -

Obtaining food or accommodations with intent to defraud.

§ 11-18-26. Obtaining food or accommodations with intent to defraud.
(a)
Every person who shall obtain credit or accommodation at any hotel, inn, restaurant, boarding house, or lodging house by means of any false pretense, or who, with intent to defraud the proprietor, or the proprietor's agent or servant, obtains any credit or accommodation at a hotel, inn, restaurant, boarding house or lodging house, without paying, shall be fined not exceeding twenty dollars ($20.00) or be imprisoned not exceeding thirty (30) days.
(b)
Proof that lodging, food or other accommodation was obtained by false or fictitious showing or pretense of baggage, or that the person refused or neglected to pay for the food, lodging, or other accommodation, or removed or caused to be removed his or her baggage from the premises, without paying for the food, lodging, or other accommodation, shall be presumptive evidence of the fraudulent intent referred to in subsection (a) of this section; but this provision shall not apply where there has been a special agreement for delay in payment.
History of Section.
G.L. 1896, ch. 279, § 51; G.L. 1909, ch. 345, § 54; G.L. 1923, ch. 397, § 54; P.L. 1927, ch. 1047, § 1; G.L. 1938, ch. 608, § 62; G.L. 1956, § 11-18-26.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-27. - Sale of false diplomas or certificates.

§ 11-18-27. Sale of false diplomas or certificates.
Any person who unlawfully sells, buys, creates, duplicates, alters, gives, or obtains or attempts to buy, sell, create, duplicate, alter, give, or obtain a diploma or certificate of enrollment, conferred by an accredited institution of education in any country, with the intent to use fraudulently the document or to allow the fraudulent use of the document, shall be guilty of a felony and upon conviction shall be sentenced for not more than two (2) years in jail or fined not more than five thousand dollars ($5,000).
History of Section.
G.L. 1938, ch. 612, § 62; P.L. 1952, ch. 2895, § 1; G.L. 1956, § 11-18-27; P.L. 1990, ch. 104, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-28. - False animal registrations and pedigrees.

§ 11-18-28. False animal registrations and pedigrees.
Every person who by any false pretense shall obtain from any club, association, society, or company for improving the breed of cattle, horses, sheep, swine, or other domestic animals, the registration of any animal in the herd register or other register of the club, association, society or company, or who knowingly shall obtain a transfer of that registration, and every person who shall knowingly give a false pedigree of any animal, upon conviction, shall be punished by imprisonment for a term not exceeding one year, or by a fine not exceeding five hundred dollars ($500), or both.
History of Section.
G.L. 1896, ch. 279, § 19; G.L. 1909, ch. 345, § 19; G.L. 1923, ch. 397, § 19; G.L. 1938, ch. 608, § 19; G.L. 1956, § 11-18-28.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-29. - Fraudulent stock certificates.

§ 11-18-29. Fraudulent stock certificates.
Every president, secretary, cashier, treasurer, or other officer or agent of any incorporated company or institution, who shall fraudulently issue any stock or certificate of stock of the company or institution, shall be fined not less than one thousand dollars ($1,000) and shall be imprisoned not exceeding ten (10) years, nor less than one year.
History of Section.
G.L. 1896, ch. 279, § 20; G.L. 1909, ch. 345, § 20; G.L. 1923, ch. 397, § 20; G.L. 1938, ch. 608, § 20; G.L. 1956, § 11-18-29.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-3. - Fraudulent notice to newspaper of birth, marriage, or death.

§ 11-18-3. Fraudulent notice to newspaper of birth, marriage, or death.
Every person who shall willfully send to the publishers of any newspaper, for the purpose of publication, a fraudulent notice of the birth of a child or of the marriage of any persons or of the death of any person, shall be fined not exceeding one hundred dollars ($100).
History of Section.
G.L. 1896, ch. 281, § 27; G.L. 1909, ch. 347, § 28; G.L. 1923, ch. 399, § 27; G.L. 1938, ch. 610, § 27; G.L. 1956, § 11-18-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-30. - Prearranged funerals — Receipt of money with intent to defraud.

§ 11-18-30. Prearranged funerals — Receipt of money with intent to defraud.
No person may arrange, promote, enter into, or sell any funeral service contract on behalf of a funeral service establishment unless the person is an embalmer or funeral director licensed in accordance with the provisions of chapter 33.2 of title 5. All monies received under these contracts shall be placed into segregated escrow accounts and marked accordingly. Any funeral director or licensed employee who receives monies under the contracts with intent to defraud the purchaser shall, upon conviction, be imprisoned for not more than one year or fined not more than one thousand dollars ($1,000). Failure to hold such monies under the contract in segregated escrow accounts shall be prima facie evidence of the intent to defraud.
History of Section.
P.L. 1982, ch. 382, § 1; P.L. 1990, ch. 103, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-31. - Solicitation in name of law enforcement agency.

§ 11-18-31. Solicitation in name of law enforcement agency.
(a)
No professional solicitor shall solicit money from any individual or business in the name of any law enforcement agency or any organization which would reasonably appear to be affiliated in any way with any law enforcement agency or personnel. For the purposes of this section, “professional solicitor” means any firm or corporation or any person other than a sworn police officer or retired police officer in the agency or organization for which the solicitation is being made, who, for compensation or other consideration, solicits contributions for or on behalf of another.
(b)
No person shall solicit money in the name of any law enforcement agency or any organization which would reasonably appear to be affiliated in any way with any law enforcement agency or personnel, unless notification is given to the superintendent of the state police and the police chief of the municipality in which solicitations shall be conducted.
(c)
Only sworn police officers and retired police officers shall solicit money in the name of any law enforcement agency or any organization which would reasonably appear to be affiliated in any way with any law enforcement agency or personnel. Every sworn police officer and retired police officer so soliciting shall identify himself or herself by name, rank, department and status as an active or retired police officer to each person solicited. If the solicitation is done by telephone, the same officer or retired officer who makes the telephone solicitation shall personally appear before the donor to accept the donation.
(d)
Any person, firm, or corporation violating the provisions of this section shall be punished by imprisonment not exceeding two (2) years and/or fined in an amount not exceeding two thousand dollars ($2,000).
History of Section.
P.L. 1983, ch. 208, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-32. - Video, audio and publication rentals.

§ 11-18-32. Video, audio and publication rentals.
(a)
It shall be unlawful for any person to reveal, transmit, publish, or disseminate in any manner, any records which would identify the names and addresses of individuals, with the titles or nature of video films, records, cassettes, or the like, which they purchased, leased, rented, or borrowed, from libraries, book stores, video stores, or record and cassette shops or any retailer or distributor of those products, whether or not the identities and listings are kept in a remote computing service or electronic storage or the disclosure is made through or by a remote computing service. It shall not be unlawful to make disclosures to other employees of the library or business incident to the normal course of their work or pursuant to lawful compulsion.
(b)
All records of such transactions shall be maintained as confidential and may only be released by written waiver.
(c)
Any person, firm, or corporation violating the provisions of this section shall be punished by a fine in an amount not exceeding one thousand dollars ($1,000) per violation, or by imprisonment not exceeding six (6) months, or both.
(d)
Any person injured as a result of a violation of this section may bring a civil action against the violator for actual damages or two hundred fifty dollars ($250), whichever is greater, for each violation, plus reasonable attorneys’ fees and court costs.
History of Section.
P.L. 1988, ch. 94, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-33. - Defrauding the administration of a drug or alcohol test.

§ 11-18-33. Defrauding the administration of a drug or alcohol test.

(a)
As used in this section, “defraud the administration of a drug or alcohol test” means to submit a substance that purports to be from a person other than its actual source, or purports to have been excreted or collected at a time other than when it was actually excreted or collected, or to otherwise engage in conduct intended to produce a false or misleading outcome of a test for the presence of alcohol or a chemical, drug or controlled dangerous substance, or metabolite of a drug or controlled dangerous substance, in the human body. It shall specifically include, but not be limited to, the furnishing of urine with the purpose that the urine be submitted for urinalysis as a true specimen of a person.
(b)
Any person who offers for sale or rental, or who manufactures, markets, sells, transfers or gives to any person, any instrument or tool, devise or substance adapted, designed or commonly used to defraud the administration of a drug or alcohol test with the intent to defraud the administration, is guilty of a misdemeanor and subject to imprisonment for up to one year and a fine of one thousand dollars ($1,000), or both.
(c)
Any person who knowingly defrauds the administration of a drug or alcohol test that is administered as a condition of monitoring a person on bail, in custody or on parole, probation or pretrial intervention, or any other form of supervision administered in connection with a criminal offense or juvenile delinquency matter, is guilty of a misdemeanor and subject to imprisonment for up to one year and a fine of one thousand dollars ($1,000), or both.
History of Section.
P.L. 2009, ch. 120, § 1; P.L. 2009, ch. 141, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-34. - Residential mortgage fraud.

§ 11-18-34. Residential mortgage fraud.
(a)
For purposes of this section, the following definitions shall apply:
(1)
“Mortgage lending process” means the process through which a person seeks or obtains a residential mortgage loan including, but not limited to, solicitation, application, or origination, negotiation of terms, real estate appraisals and surveys, third-party provider services, underwriting, signing and closing, and funding of the loan.
(2)
“Pattern of residential mortgage fraud” means one or more violations of subsection (b)(1) or (b)(2) of this section that involve two (2) or more residential mortgage loans and that have the same or similar intents, results, accomplices, or methods of commission or otherwise result from comparable actions or omissions.
(3)
“Person” means an individual, corporation, company, limited liability company, partnership, trustee, association, or any other entity.
(4)
“Residential mortgage loan” means a loan or agreement to extend credit made to a person, which loan is secured by a deed to secure debt, security deed, mortgage, security interest, deed of trust, promissory note, or any other document representing a security interest or lien upon any interest in a one-to-four-family residential property including the renewal, modification, or refinancing of any such loan.
(5)
“Victim” means a person who experienced personal loss, including, but not limited to monetary loss, due to a violation of subsection (b) of this section.
(b)
A person commits residential mortgage fraud when, with the intent to defraud, such person:
(1)
Knowingly makes an omission of a material fact or a written misrepresentation or misstatement of a material fact during the mortgage lending process with the intention that a mortgage lender, a borrower, or any other person who or that is involved in the mortgage lending process will rely on the absence of such material fact or the making of such material misrepresentation or misstatement; or
(2)
Knowingly uses or facilitates the use, or attempts to use or facilitate the use, of any omission of a material fact or written misrepresentation or misstatement of a material fact during the mortgage lending process with the intention that a mortgage lender, a borrower, or any other person who or that is involved in the mortgage lending process will rely on the absence of such material fact or the making of such material misrepresentation or misstatement; or
(3)
Knowingly receives, or attempts to receive, proceeds or any other funds in connection with a residential mortgage transaction that resulted from an act or acts constituting a violation of subsection (b)(1) or (b)(2) of this section; or
(4)

Conspires with or solicits another to engage in an act or acts constituting a violation of subsection (b)(1) or (b)(2) of this section; or
(5)
Files, or causes to be filed, with a city or town clerk any document involved in the mortgage lending process that the person knows to contain an omission of a material fact or a written misrepresentation or misstatement of a material fact.
(c)
Any person who violates this section, upon conviction, shall be subject to the following penalties:
(1)
Any person who commits an offense under subsection (b) of this section shall be guilty of a felony and subject to imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars ($10,000), or both.
(2)
Any person who engages or participates in a pattern of residential mortgage fraud, or conspires or endeavors to engage or participate in a pattern of residential mortgage fraud, shall be guilty of a felony and subject to imprisonment for not more than twenty (20) years, a fine of not more than one hundred thousand dollars ($100,000), or both.
(3)
Any person who commits an offense and knew that the victim was vulnerable due to age, disability, infirmity, reduced physical or mental capacity, or national origin shall be guilty of a felony and subject to imprisonment for not more than fifteen (15) years, a fine of not more than fifteen thousand dollars ($15,000), or both.
(4)
The court shall order restitution to any victim.
(5)
In addition to any criminal penalties above, any person found in violation of this section shall forfeit anything of value received by them in the course of such violation, less any restitution they actually paid pursuant to subsection (c)(4) of this section. Action for recovery of these amounts shall be brought in the superior court of any county in which any element of the crime occurred. The actions shall be brought in the name of the state by the attorney general for the benefit and use of the state.
(d)
It shall be sufficient in any prosecution for residential mortgage fraud to show that the party accused did the act with the intent to defraud. It shall be unnecessary to show that any particular person was harmed financially in the transaction or that the person to whom the material misstatement, misrepresentation, or omission was made relied upon the misstatement, misrepresentation, or omission.
History of Section.
P.L. 2017, ch. 133, § 1; P.L. 2017, ch. 146, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-4. - Concealment of birth out of wedlock.

§ 11-18-4. Concealment of birth out of wedlock.
Every woman who shall conceal the birth of any issue of her body, which, if it were born alive, would be born out of wedlock, so that it may not be known whether it was born dead or alive, or shall conceal the death of any infant child born of her body out of wedlock, so that it may not be known whether the child was murdered or not, shall be imprisoned not exceeding ten (10) months or be fined not exceeding three hundred dollars ($300).
History of Section.
G.L. 1896, ch. 281, § 10; G.L. 1909, ch. 347, § 10; G.L. 1923, ch. 399, § 10; P.L. 1926, ch. 858, § 1; G.L. 1938, ch. 610, § 10; G.L. 1956, § 11-18-4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-5. - Misrepresentation of circulation of periodical.

§ 11-18-5. Misrepresentation of circulation of periodical.
Every proprietor or publisher of a newspaper or periodical, or any agent or employee of the proprietor or publisher, who shall knowingly misrepresent the circulation of the newspaper or periodical for the purpose of securing advertising or other patronage, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand dollars ($1,000).
History of Section.
P.L. 1905, ch. 1251, § 1; G.L. 1909, ch. 349, § 43; G.L. 1923, ch. 401, § 43; G.L. 1938, ch. 612, § 41; G.L. 1956, § 11-18-5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-6. - False financial statement to obtain loan or credit.

§ 11-18-6. False financial statement to obtain loan or credit.
No person shall knowingly make or cause to be made, either directly or indirectly, or through any agency whatsoever, any false statement in writing, with intent that it shall be relied upon, respecting the financial condition, or means or ability to pay, of himself or herself, or any other person, firm, or corporation in whom he or she is interested, or for whom he or she is acting, for the purpose

of procuring in any form whatsoever, either the delivery of personal property, the payment of cash, the making of a loan or credit, the extension of a credit, the discount of an account receivable, or the making, acceptance, discount, sale, or endorsement of a bill of exchange, or promissory note, for the benefit of either himself or herself or of such person, firm, or corporation.
History of Section.
P.L. 1912, ch. 809, § 1; G.L. 1923, ch. 401, § 53; G.L. 1938, ch. 612, § 50; G.L. 1956, § 11-18-6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-7. - Procuring loan or credit on faith of false statement.

§ 11-18-7. Procuring loan or credit on faith of false statement.
No person knowing that a false statement in writing has been made, respecting the financial condition or means or ability to pay, of himself or herself, or the person, firm, or corporation in which he or she is interested, or for whom he or she is acting, shall procure, upon the faith of the statement, for the benefit either of himself or herself, or of such person, firm, or corporation, either or any of the things of benefit as provided in § 11-18-6.
History of Section.
P.L. 1912, ch. 809, § 2; G.L. 1923, ch. 401, § 54; G.L. 1938, ch. 612, § 51; G.L. 1956, § 11-18-7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-8. - False representations as to continuing truth of financial statements.

§ 11-18-8. False representations as to continuing truth of financial statements.
No person knowing that a statement in writing has been made, respecting the financial condition or means or ability to pay, of himself or herself or the person, firm, or corporation, in which he or she is interested, or for whom he or she is acting, shall represent on a later day, either orally or in writing, that the statement previously made, if then again made on that day, would be then true, when in fact, that statement if then made would be false, and procure upon the faith of it, for the benefit either of himself or herself or of the person, firm, or corporation, either or any of the things of benefit as provided in § 11-18-6.
History of Section.
P.L. 1912, ch. 809, § 3; G.L. 1923, ch. 401, § 55; G.L. 1938, ch. 612, § 52; G.L. 1956, § 11-18-8.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-18 - Fraud and False DealingSection 11-18-9. - Penalty for financial misrepresentations.

§ 11-18-9. Penalty for financial misrepresentations.
Any person violating the provisions of §§ 11-18-6 — 11-18-8 shall be guilty of a misdemeanor, and, upon conviction, shall be punished for each offense by imprisonment not exceeding one year, or by a fine not exceeding five hundred dollars ($500), or both.
History of Section.
P.L. 1912, ch. 809, § 4; G.L. 1923, ch. 401, § 56; G.L. 1938, ch. 612, § 53; G.L. 1956, § 11-18-9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-1.1. - Lotteries permitted.

§ 11-19-1.1. Lotteries permitted.
(a)
Any state, city, town, ward, or district committee elected pursuant to the provisions of title 17 or certified candidates, but not both, as defined in title 17, shall be allowed to conduct that lottery commonly known as a “twenty (20) week club” or conduct a raffle once within a twelve (12) month period subsequent to notification to the Rhode Island lottery commission. For the purposes of this section a “certified candidate” does not include any state, city, town, ward, or district committee person.
(b)
Credit unions may conduct “savings promotion raffles” as authorized by § 19-5-29.
History of Section.
P.L. 1993, ch. 84, § 2; P.L. 2010, ch. 222, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-1. - Forms of gambling prohibited.

§ 11-19-1. Forms of gambling prohibited.
Every person who shall, directly or indirectly, set up, put forth, carry on, promote, or draw, publicly or privately, any lottery, chance, game, or device of any nature or kind whatsoever, or by whatsoever name it may be called, for the purpose of exposing, setting for sale or disposing of any money, houses, lands, merchandise, or articles of value, or shall sell or expose to sale lottery policies, purporting to be governed by the drawing of any public or private lottery, or shall sign or endorse any book, document, or paper whatsoever, for the purpose of enabling others to sell, or expose to sale, lottery policies, except as authorized in this chapter and in title 41 and chapters 61 and 61.2 of title 42, shall be deemed guilty of a felony and shall be imprisoned not exceeding two (2) years or be fined not exceeding two thousand dollars ($2,000).

History of Section.
G.L. 1896, ch. 283, § 1; G.L. 1909, ch. 349, § 1; G.L. 1923, ch. 401, § 1; G.L. 1938, ch. 612, § 1; G.L. 1956, § 11-19-1; P.L. 1975, ch. 41, § 1; P.L. 1979, ch. 309, § 1; P.L. 1979, ch. 389, § 1; P.L. 1980, ch. 406, § 4; P.L. 1982, ch. 72, § 1; P.L. 1983, ch. 279, § 1; P.L. 1993, ch. 84, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-10. - Distribution of illegal stamps or coupons.

§ 11-19-10. Distribution of illegal stamps or coupons.
No person or corporation shall sell, give, or distribute any stamp, trading-stamp, cash discount stamp, amusement stamp, check, coupon or other similar device, to any purchaser of goods, wares, or merchandise, which will entitle the holder of the stamp, trading-stamp, cash discount stamp, amusement stamp, check, coupon, or other similar device, on presentation of it, either singly or in definite numbers, to receive either directly from the vendor or indirectly through any other person or corporation, some indefinite and undescribed article, the nature and value of which are unknown to the purchaser of the goods, wares, and merchandise at the time of their purchase.
History of Section.
P.L. 1901, ch. 842, § 2; G.L. 1909, ch. 349, § 6; G.L. 1923, ch. 401, § 6; G.L. 1938, ch. 612, § 6; G.L. 1956, § 11-19-10.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-11. - Stamps and coupons as inducement to purchase goods.

§ 11-19-11. Stamps and coupons as inducement to purchase goods.
No person or corporation shall, either directly or indirectly, give, sell, or distribute any stamp, trading-stamp, cash discount stamp, amusement stamp, check, coupon, or other similar device with the promise, expressed or implied, as an inducement to the purchase of some article of goods, wares, or merchandise, that the holder of the stamp, trading-stamp, cash discount stamp, amusement stamp, check, coupon, or other similar device is to receive in return, on presentation, some gift, prize, or gratuity, the nature and value of which are unknown to the purchase of the goods, wares, or merchandise at the time of their purchase, the promise to be fulfilled only upon the presentation of the stamp, trading-stamp, cash discount stamp, amusement stamp, check, coupon, or other similar device, together with the number of like stamps, trading-stamps, cash discount stamps, amusement stamps, checks, coupons, or other similar devices, as the issuer or redeemer may elect shall be redeemed at any one time.
History of Section.
P.L. 1901, ch. 842, § 3; G.L. 1909, ch. 349, § 7; G.L. 1923, ch. 401, § 7; G.L. 1938, ch. 612, § 7; G.L. 1956, § 11-19-11.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-12. - Penalty for stamp and coupon violations.

§ 11-19-12. Penalty for stamp and coupon violations.
Whoever shall violate any provision of §§ 11-19-9 — 11-19-11 shall be guilty of a misdemeanor, and for each offense shall be punished by a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500), or by imprisonment for a term not exceeding three (3) months.
History of Section.
P.L. 1901, ch. 842, § 4; G.L. 1909, ch. 349, § 8; G.L. 1923, ch. 401, § 8; P.L. 1931, ch. 1691, § 1; G.L. 1938, ch. 612, § 8; G.L. 1956, § 11-19-12.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-13. - Door prizes exempt.

§ 11-19-13. Door prizes exempt.
Nothing in §§ 11-19-1 — 11-19-4 or in §§ 11-19-9 — 11-19-11 shall be deemed to prohibit or make illegal the annual or semiannual distribution by chance, of prizes, souvenirs, or favors by any club, society, lodge, or association at its dance, dinner, entertainment, or outing where the distribution is purely incidental to the dance, dinner, entertainment or outing or when the entire net proceeds of the dance, dinner, entertainment or outing is devoted to charity, if the club, society, lodge or association has first obtained the written permission for the distribution, in towns, from the town sergeant, in cities, from the police commission or police commissioner, if there is such an official, otherwise from the chief of police of the town or city where the dance, dinner, entertainment or outing is held, and that permitting authority is authorized to grant the permit when he or she is satisfied that the distribution comes within this section.
History of Section.
G.L. 1923, ch. 401, § 8; P.L. 1931, ch. 1691, § 1; G.L. 1938, ch. 612, § 8; G.L. 1956, § 11-19-13.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-14.1. - Bookmaking at racetrack or fronton — Entry by convicted bookmakers prohibited.

§ 11-19-14.1. Bookmaking at racetrack or fronton — Entry by convicted bookmakers prohibited.

(a)
Notwithstanding the provisions of § 11-19-14, any person who shall engage in bookmaking activities while on the premises of a racetrack or fronton facility shall be guilty of a felony and, upon conviction, shall be punished by a fine not to exceed one thousand dollars ($1,000) and/or imprisonment not exceeding five (5) years.
(b)
It shall be unlawful for any person who has been convicted of the crime of bookmaking in the state of Rhode Island or other state to enter or visit any racetrack or fronton facility and, upon conviction, that person shall be punished by a fine not to exceed five hundred dollars ($500) and/or imprisonment not exceeding one year.
History of Section.
P.L. 1980, ch. 236, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-14. - Bookmaking.

§ 11-19-14. Bookmaking.
Except as provided in chapter 4 of title 41 and excluding activities authorized by the division of lottery under chapters 61 and 61.2 of title 42, any person who shall engage in pool selling or bookmaking, or shall occupy or keep any room, shed, tenement, tent, or building, or any part of them, or shall occupy any place upon any public or private grounds within this state, with books, apparatus, or paraphernalia for the purpose of recording or registering bets or wagers or of buying or selling pools, or who shall record or register bets or wagers or sell pools upon the result of any trial or contest of skill, speed, or power of endurance of man or beast, or upon the result of any political nomination, appointment, or election, or, being the owner or lessee or occupant of any room, tent, tenement, shed, booth, or building, or part of them, knowingly shall permit it to be used or occupied for any of these purposes, or shall keep, exhibit, or employ any device or apparatus for the purpose of recording or registering bets or wagers, or the selling of pools, or shall become the custodian or depositary for gain, hire, or reward of any money, property, or thing of value staked, wagered, or pledged or to be wagered or pledged upon the result, or who shall receive, register, record, forward, or purport or pretend to forward to or for any race course, or person, within or outside this state, any money, thing, or consideration of value bet or wagered, or money, thing, or consideration of value offered for the purpose of being bet or wagered upon the speed or endurance of any man or beast; or who shall occupy any place or building or part of it with books, papers, apparatus, or paraphernalia for the purpose of receiving or pretending to receive, or for recording or registering, or for forwarding or pretending or attempting to forward in any manner whatsoever, any money, thing, or consideration of value bet or wagered or to be bet or wagered for any other person, or who shall receive or offer to receive any money, thing, or consideration of value bet or to be bet at any race track within or without this state, or who shall aid, assist, or abet in any manner in any of the acts forbidden by this section, shall upon conviction be punished by a fine not exceeding five hundred dollars ($500) or imprisonment not exceeding one year, and upon a second conviction of a violation of this section shall be imprisoned for a period not less than one nor more than five (5) years.
History of Section.
G.L. 1896, ch. 283, § 27; G.L. 1909, ch. 349, § 36; G.L. 1923, ch. 401, § 36; G.L. 1938, ch. 612, § 35; G.L. 1956, § 11-19-14; P.L. 2018, ch. 47, art. 4, § 7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-15. - Betting on horses.

§ 11-19-15. Betting on horses.
Except as provided in chapter 4 of title 41, every person who shall make any bet or lay any wager of any kind upon any horse, to start, run, or trot, shall be fined one hundred dollars ($100).
History of Section.
G.L. 1896, ch. 283, § 13; G.L. 1909, ch. 349, § 17; G.L. 1923, ch. 401, § 17; G.L. 1938, ch. 612, § 17; G.L. 1956, § 11-19-15.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-16. - Forfeiture of horses used in unlawful race.

§ 11-19-16. Forfeiture of horses used in unlawful race.
Except as provided in title 41, every person who shall knowingly suffer or permit any horse belonging to him or her or of which he or she has the care and charge to start, run, or trot for any bet or wager shall forfeit the horse starting, running, or trotting to the use of the state.
History of Section.
G.L. 1896, ch. 283, § 14; G.L. 1909, ch. 349, § 18; G.L. 1923, ch. 401, § 18; G.L. 1938, ch. 612, § 18; G.L. 1956, § 11-19-16.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-17. - Invalidity of instruments won in bets on races or fights.

§ 11-19-17. Invalidity of instruments won in bets on races or fights.
All bonds, notes, judgments, mortgages, deeds or other securities, as well as promises, given or made for money, lands, houses, or

other property, or article or piece of property, real, personal, or mixed, won at any game, or by betting at any race or fight, or for the repayment of money knowingly lent for such gaming or betting, shall be utterly void.
History of Section.
G.L. 1896, ch. 283, § 16; G.L. 1909, ch. 349, § 20; G.L. 1923, ch. 401, § 20; G.L. 1938, ch. 612, § 20; G.L. 1956, § 11-19-17.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-18. - Keeping of gambling places or devices — Acting as dealer, banker, or lookout.

§ 11-19-18. Keeping of gambling places or devices — Acting as dealer, banker, or lookout.
Every person who shall keep or suffer to be kept any building, room, booth, shed, tent, arbor, or any other place, or any automobile, bus, coach, van, truck, trainer, railway or railroad car, or any other vehicle in any city or town of this state, or in any vessel, boat, or raft upon any of the waters of Narragansett Bay, to be used or occupied for the purpose of gambling, or playing at any game or games of chance of any kind whatsoever, for money or other valuable consideration, or shall keep, exhibit, or suffer to be kept or exhibited upon premises or in a vehicle belonging to that person under his or her control, any cards, dice, table, bowls, wheel of fortune, shuffleboard, or billiard table, or any device, implement, or apparatus whatsoever to be used in gambling or playing at any game or games of chance for money or other valuable consideration, or who shall be guilty of dealing Faro, or banking for others to deal Faro, or acting as lookout, gamekeeper, or assistant for the game of Faro or any other banking game where money or property is dependent on the result, shall be taken and held to be a common gambler and shall be imprisoned not exceeding two (2) years or be fined not exceeding five thousand dollars ($5,000) nor less than five hundred dollars ($500).
History of Section.
G.L. 1896, ch. 283, § 5; G.L. 1909, ch. 349, § 9; G.L. 1923, ch. 401, § 9; G.L. 1938, ch. 612, § 9; P.L. 1956, ch. 3759, § 1; G.L. 1956, § 11-19-18.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-19. - Revocation of license of gambling place.

§ 11-19-19. Revocation of license of gambling place.
If a person in violation of § 11-19-18 is a tavernkeeper, innholder, retailer, or keeper of any other house or place of public resort which is licensed, that license shall in addition be declared null and void by the court in which he or she shall be convicted.
History of Section.
G.L. 1896, ch. 283, § 6; G.L. 1909, ch. 349, § 10; G.L. 1923, ch. 401, § 10; G.L. 1938, ch. 612, § 10; G.L. 1956, § 11-19-19; P.L. 1994, ch. 134, § 4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-2. - Unauthorized sale of lottery tickets.

§ 11-19-2. Unauthorized sale of lottery tickets.
Every person not authorized by the Rhode Island state police who shall sell or expose to sale any ticket, or certificate in the nature of a ticket, or share in any ticket or certificate in the nature of a ticket, in any lottery set up within or without this state, shall be fined for every such ticket, certificate or share of the ticket or certificate by that person sold or exposed to sale not exceeding fifty dollars ($50.00).
History of Section.
G.L. 1896, ch. 283, § 2; G.L. 1909, ch. 349, § 2; G.L. 1923, ch. 401, § 2; G.L. 1938, ch. 612, § 2; G.L. 1956, § 11-19-2; P.L. 1975, ch. 41, § 1; P.L. 1979, ch. 309, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-20. - Inducing others to visit gambling place.

§ 11-19-20. Inducing others to visit gambling place.
Every person who shall, on any pretext whatsoever, invite, entice, persuade, or induce any other person to visit any house, room, or other place kept for the purpose of gambling, with the intent that that other person shall at that place engage in gambling or playing at any game of chance, for money or other valuable consideration, shall be fined not less than five hundred dollars ($500) and be imprisoned one year.
History of Section.
G.L. 1896, ch. 283, § 7; G.L. 1909, ch. 349, § 11; G.L. 1923, ch. 401, § 11; G.L. 1938, ch. 612, § 11; G.L. 1956, § 11-19-20.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-21. - Frequenting gambling place.

§ 11-19-21. Frequenting gambling place.
Every person who shall frequent any gambling house or place where gaming is practiced or carried on, not in the performance of official duty and not being the landlord of that place entering to view the premises, shall be imprisoned not exceeding thirty (30) days.

History of Section.
G.L. 1896, ch. 283, § 19; G.L. 1909, ch. 349, § 28; G.L. 1923, ch. 401, § 28; G.L. 1938, ch. 612, § 27; G.L. 1956, § 11-19-21.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-22. - Renting for gambling purposes.

§ 11-19-22. Renting for gambling purposes.
Every person who shall let or knowingly permit to be occupied any house, shop, or place belonging to or under the control of that person, to be used as a gambling house or place where gambling is carried on, or as a place where pools are sold, shall be fined not exceeding five hundred dollars ($500).
History of Section.
G.L. 1896, ch. 283, § 20; G.L. 1909, ch. 349, § 29; G.L. 1923, ch. 401, § 29; G.L. 1938, ch. 612, § 28; G.L. 1956, § 11-19-22.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-23. - Lease voided by gambling.

§ 11-19-23. Lease voided by gambling.
Every lease of any house, shop, or place used as a gambling house or place where gaming is practiced or carried on, or where pools are bought or sold, shall be void, and no notice to the occupant other than a demand for the possession of the premises, shall be necessary to eject the occupant.
History of Section.
G.L. 1896, ch. 283, § 21; G.L. 1909, ch. 349, § 30; G.L. 1923, ch. 401, § 30; G.L. 1938, ch. 612, § 29; G.L. 1956, § 11-19-23.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-24. - Search warrants and forfeitures of gambling apparatus.

§ 11-19-24. Search warrants and forfeitures of gambling apparatus.
(a)(1)
Search warrants to search for and seize gambling implements, apparatus, paraphernalia, slips, tickets, and other property and devices kept, possessed or used in violation of any of the provisions of this chapter, or as a means of committing a violation of this chapter, may be issued as provided by law in chapter 5 of title 12; and all implements, apparatus, paraphernalia, slips, tickets, or other gambling apparatus or devices found by any officer in executing a search warrant or which shall be produced and brought into court shall be forfeited to the state, and further proceedings shall be had thereon for their forfeiture as is prescribed by law in chapter 21 of title 12 and upon entry of final judgment of forfeiture shall be destroyed by order of the court.
(2)
In addition, those items of personal property other than gambling apparatus and devices, including, but not limited to, motor vehicles and money or negotiable instruments which were kept, possessed, or used in violation of any of the provisions of this chapter and which have a monetary value may be seized and forfeited, and further proceedings shall be had for their forfeiture as is prescribed by law in chapter 21 of title 12 and the further provisions of this section; provided, that no property or money used by any person shall be forfeited under the provisions of this chapter unless it shall appear that the owner of the property or money had knowledge, actual or constructive, and was a consenting party to the alleged illegal act.
(b)
Property taken or detained under this section shall not be repleviable, but shall be deemed to be in the custody of the law enforcement agency making the seizure and whenever property or money is forfeited under this chapter it shall be utilized as follows:
(1)
Where the seized property is a vessel, vehicle, aircraft, or other personal property, it may be retained and used by the law enforcement agency that seized the property where the use of the property is reasonably related to the law enforcement duties of the seizing agency. If the seized property is a motor vehicle which is inappropriate for use by law enforcement agency due to style, size or color, the seizing agency shall be allowed to apply the proceeds of sale or the trade in value of the vehicle towards the purchase of an appropriate vehicle for use for activities reasonably related to law enforcement duties.
(2)
The law enforcement agency may sell any forfeited property which is not required by this chapter to be destroyed and which is not harmful to the public. The proceeds from the sale are to be distributed in accordance with subdivision (3) of this subsection.
(3)
As to the proceeds from the sale of seized property as referred to in subdivision (2) of this subsection and as to personal property referred to in subsection (a) of this section, the distribution shall be as follows:
(i)
All proceeds of the forfeiture of real or personal property shall be distributed as follows:
(A)
Twenty percent (20%) of the proceeds shall be provided to the attorney general’s department to be used to further law enforcement activities pursuant to this chapter including, but not limited to, investigations, prosecutions, and the administration of this chapter.

(B)
Eighty percent (80%) of the proceeds shall be divided among the state and local law enforcement agencies proportionately based upon their contribution to the investigation of the criminal activity related to the asset being forfeited.
(ii)
The law enforcement agencies involved in the investigation with the assistance of the attorney general shall by agreement determine the respective proportionate share to be received by each agency. If the agencies are unable to reach agreement, application shall be made by one or more of the agencies involved to the presiding justice of the superior court, who shall determine the respective proportionate share attributable to each law enforcement agency. The proceeds from all forfeitures shall be held by the general treasurer in a separate account until such time as an allocation is determined by agreement of the agencies or by the presiding justice. It shall be the duty and responsibility of the general treasurer to disburse the allocated funds from the separate account to the respective law enforcement agencies.
History of Section.
G.L. 1896, ch. 283, § 8; G.L. 1909, ch. 349, § 12; P.L. 1912, ch. 835, § 1; G.L. 1923, ch. 401, § 12; G.L. 1938, ch. 612, § 12; P.L. 1950, ch. 2464, § 1; G.L. 1956, § 11-19-24; P.L. 1965, ch. 168, § 7; P.L. 1989, ch. 232, § 1; P.L. 1994, ch. 175, § 1; P.L. 1994, ch. 370, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-26. - Destruction of apparatus seized.

§ 11-19-26. Destruction of apparatus seized.
Upon final judgment of forfeiture of implements or apparatus pursuant to § 11-19-24, either in the original or appellate court, or upon forfeiture of the recognizance given by the claimant to prosecute his or her appeal according to law, the court shall order in writing those implements and apparatus to be destroyed by any officer authorized to serve the criminal process of the court, which officer shall make return of his or her doings upon the order to the court as in other cases.
History of Section.
G.L. 1896, ch. 283, § 9; G.L. 1909, ch. 349, § 13; G.L. 1923, ch. 401, § 13; G.L. 1938, ch. 612, § 13; G.L. 1956, § 11-19-26; P.L. 1994, ch. 134, § 4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-28. - Fees for seizure and removal of gambling apparatus.

§ 11-19-28. Fees for seizure and removal of gambling apparatus.
In addition to the fees allowed by law, the officer who shall serve any warrant for the seizure of any gambling implements or apparatus under the provisions of this chapter shall be allowed the sum of one dollar ($1.00), and for the removing of any gambling implements or apparatus so seized to a place of safety, one dollar ($1.00) and all necessary expenses incurred in removal. These fees shall be included in the bill of costs and taxed by the court.
History of Section.
G.L. 1896, ch. 283, § 11; G.L. 1909, ch. 349, § 15; G.L. 1923, ch. 401, § 15; G.L. 1938, ch. 612, § 15; G.L. 1956, § 11-19-28.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-3. - Instruments given for lottery tickets void.

§ 11-19-3. Instruments given for lottery tickets void.
All notes, obligations, securities, or promises whatsoever, given for the purchase of any lottery ticket or certificate, lottery policy, or of any document or paper taken or received for the purpose of enabling others to sell or dispose of lottery tickets or lottery policies, shall be null and void.
History of Section.
G.L. 1896, ch. 283, § 3; G.L. 1909, ch. 349, § 3; G.L. 1923, ch. 401, § 3; G.L. 1938, ch. 612, § 3; G.L. 1956, § 11-19-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-30. - Definitions.

§ 11-19-30. Definitions.
The following definitions apply within this chapter:
(a)
“Charitable organization” means any benevolent, educational, philanthropic, humane, patriotic, social service, civic, fraternal, police, labor, religious, eleemosynary person, and/or persons holding themselves out to be a charitable organization.
(b)
“Charitable purpose” means any benevolent, educational, humane, patriotic, social service, civic, fraternal, police, labor, religious, or eleemosynary purpose, provided that no part of the net earnings inures to the benefit of any private shareholder or individual.
(c)
“Department” means the division of state police unless otherwise described.

(d)
“Director” means the superintendent of state police or the director’s designee.
(e)
“Permitted game of chance” means the game commonly known as “Bingo” or “Beano” or substantially the same game under any other name, or a raffle or lottery or that lottery commonly known as a “twenty (20) week club”.
History of Section.
P.L. 1983, ch. 188, § 2; P.L. 1993, ch. 84, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-31. - Registration of charitable organizations.

§ 11-19-31. Registration of charitable organizations.
(a)
No charitable organization which intends to conduct a permitted game of chance within the state of Rhode Island shall conduct a game unless it shall file a registration statement with the department upon prescribed forms and receives a certificate of approval.
(b)
In addition, in order to obtain a renewal of registration, charitable organizations shall file the statements required by this chapter prior to June 1st of each year.
(c)
It shall be the duty of the president, chair, or principal officer of a charitable organization to file the statements required under this chapter. These statements shall be sworn to and shall contain the following information:
(1)
The name of the organization and the purpose for which it was organized.
(2)
The principal address of the organization and the address of any offices in this state. If the organization does not maintain an office, the name and address of the person having custody of its financial records.
(3)
The place where and the date when the organization was legally established and the form of its organization.
(4)
The names and addresses of the officers, directors, and/or trustees of the organization and the names and addresses of officers, staff, and/or members who receive a salary or any other form of compensation, the source of which is the proceeds from the permitted games of chance subject to subdivision (9) of this subsection.
(5)
A copy of the annual financial statement of the organization audited by an independent public accountant licensed by the state of Rhode Island for the organization’s immediately preceding fiscal year, or a copy of a financial statement covering, in a consolidated report, complete information as to all the preceding year’s fund-raising from the above-mentioned games showing kind and amount of funds raised, costs and expenses incidental to it, and allocation or disbursements of funds raised.
(6)
The general purpose or purposes for which the proceeds from the game shall be used.
(7)
The name or names under which it intends to conduct the game.
(8)
The names of the individuals or officers of the organization who will have final responsibility for the custody of the proceeds from the game.
(9)
A listing of the names, addresses and the compensation of all individuals, directors, officers, agents, servants, and/or employees of the organization who receive compensation, commission, or other remuneration, directly or indirectly, from the gross receipts of such games in excess of seven hundred fifty dollars ($750) annually.
(10)
The names of the individuals or officers of the organization responsible for the final distribution of the proceeds. The director or the director’s designee shall examine each initial application of charitable organizations for the right to conduct the above-mentioned games and each renewal application of charitable organizations for the right to conduct such games and if found to be in conformity with the requirements of this chapter and all relevant rules and regulations it shall be approved for registration.
(d)
The registration forms and any other documents prescribed by the department shall be signed by an authorized officer, an independent public accountant, and by the chief fiscal officer of the charitable organization and shall be verified under oath.
(e)
The department shall make or cause to be made any investigation of any applicant that it shall deem necessary. As a result of its investigation and action, the department shall certify to the local police department or local licensing authority its approval or disapproval of the application. No applicant shall be approved if one or more of the following facts is found to exist:

(1)
That one or more of the statements in the application are not true;
(2)
That the applicant is or has engaged in a fraudulent transaction or enterprise;
(3)
That the game would be a fraud upon the public;
(4)
That game expenses during any of the three (3) years immediately preceding the date of application have exceeded twenty-five percent (25%) of the total gross money or gross receipts raised or received by reason of the games. In the event special facts or circumstances are presented showing that expenses higher than twenty-five percent (25%) were not unreasonable, the department, pursuant to rule and regulation, has the discretion to allow the higher expenses;
(5)
That the expected cost of conducting the games for the specific year for which the application will exceed twenty-five percent (25%) of the total gross money or receipts to be raised or received by reason of the games; or
(6)
That the activities to be financed will be incompatible with the health, safety, or welfare of the state of Rhode Island.
History of Section.
P.L. 1983, ch. 188, § 2; P.L. 1985, ch. 181, art. 23, § 1; P.L. 1985, ch. 321, § 1; P.L. 1993, ch. 84, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-32.1. - Senior citizens housing — Bingo allowed.

§ 11-19-32.1. Senior citizens housing — Bingo allowed.
Notwithstanding any other provision of this chapter to the contrary, any organization of senior citizens may promote, carry on or conduct within their own senior citizens housing project, a bingo game, with total daily prizes not to exceed four hundred dollars ($400). The game shall be for recreational purposes and shall be open only to senior citizens who are residents of the housing project where the game is held and their guests. Bingo games shall be limited to three (3) days per calendar week and shall be operated and managed solely by residents of the housing projects. Admission to a bingo game shall only be by admission ticket which may be purchased only by a resident. Each resident shall be allowed to purchase one ticket for a guest. The guest ticket must clearly indicate that the holder is a guest and must be purchased at least three (3) hours prior to the start of the bingo game.
History of Section.
P.L. 1987, ch. 273, § 1; P.L. 1992, ch. 341, § 1; P.L. 2007, ch. 453, § 1; P.L. 2007, ch. 531, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-32.2. - Senior citizens' center — Bingo allowed.

§ 11-19-32.2. Senior citizens' center — Bingo allowed.
(a)
Notwithstanding any other provision of this chapter to the contrary, any organization which operates a public senior citizens center or senior center may obtain a permit approved by the department to conduct bingo games in said senior citizens center or senior center for up to five (5) calendar days per week, excluding Sundays.
(b)
As used herein, the terms "senior citizens center" or "senior center" means an organization whose goal is the promotion of various recreational and educational activities to senior citizens and which receives a combination of federal, state, municipal and private funds to provide such services at a community facility.
(c)
A senior citizens center or senior center may conduct bingo games if it complies with all of the following requirements:
(1)
All bingo games are conducted only on the premises of the center's facility;
(2)
All participants are age fifty-five (55) years of age or older; provided, this shall not prohibit a person who is less than fifty-five (55) years of age from assisting a senior citizen in playing the game;
(3)
All bingo game operators are sixty (60) years of age or older and receive no compensation for serving as operators;
(4)
The total daily prizes shall not exceed four hundred dollars ($400); and
(5)
All proceeds of the game shall be limited in use to the following:
(i)
To pay winners monetary prizes;
(ii)

To defray any costs directly related to conducting the games; and/or
(iii)
To defray costs of services the center's facility provides.
History of Section.
P.L. 2013, ch. 515, § 1; P.L. 2013, ch. 529, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-32. - Operation of bingo games.

§ 11-19-32. Operation of bingo games.
Any charitable organization approved by the department may promote, carry on, or conduct the game of bingo provided as follows:
(1)
The game is conducted by members of the organization; provided, however, that the members shall be permitted to employ one or more persons to carry on or conduct the game who are not members of the organization; and provided, further, that any person who is a member or a worker of the organization which promotes, carries on or conducts the game shall be permitted to be a member or worker of another organization that promotes, carries on or conducts the game of bingo.
(2)
No person in the actual or constructive management and control of the game receives any compensation for services connected to the game or receives any compensation from the gross receipts of the game.
(3)
The entire net receipts of the game are applied solely to the charitable purposes of the organization. All expenses deducted from gross receipts must be reasonable and related to the actual conduct of the game.
(4)
The total amount of all expenses deducted from the gross receipts shall not exceed twenty-five percent (25%) of the total annual gross receipts raised through bingo, not including monies raised through the sale of pull-tab lottery tickets.
(5)
The total prizes, in the form of cash and/or retail merchandise including prizes from winner-take-all games, which are offered or awarded do not exceed the sum of seven thousand five hundred dollars ($7,500) in any one night.
(6)
The game is carried on or conducted not more than twice in any period of one calendar week under a license issued pursuant to the provisions of § 11-19-37.
(7)
That there be only one sponsor for each date of the proposed game and that the game shall be conducted only on the premises affiliated with the organization in conformance with rules and regulations.
(8)
That any building in which a game is played or conducted shall be used no more than three (3) times in any calendar week for conducting a game, and that no annex or subdivision of any building shall be permitted to be used to conduct a game in an attempt to increase the number of times the building may be used for bingo purposes.
(9)
The organization shall keep and maintain financial records relating to the game in accordance with rules and regulations and have the records available for inspection upon demand.
(10)
Payment of a prize in excess of two hundred fifty dollars ($250) shall be made by check.
(11)
"Winner-take-all" games are prohibited, with the exception that each organization shall be permitted to play one optional "winner-take-all" game per night.
(12)
No person under the age of eighteen (18) years shall be permitted to play the game.
(13)
Notwithstanding any regulation to the contrary, any approved charitable organization conducting a lawful game of bingo pursuant to the provisions of this section shall be permitted to advertise their game in print media. As used in this chapter, "advertise" means an advertisement or announcement in print media containing the date, time, and place of the game, the charitable organization sponsoring and/or benefiting from the game, whether the game shall provide for a bonus building/prize pool, and the total amount of the prize pool as set forth in subdivision (14) of this section.
(14)
The game may provide for a bonus building/prize pool which would start at five hundred dollars ($500) and increase at one hundred dollar ($100) increments each week until it reaches a maximum amount of one thousand dollars ($1,000).
(15)
Game workers may be compensated with a non-monetary gift, valued at not more than twenty-five dollars ($25.00) per quarter and/or a total of one hundred dollars ($100) per year. Beverages and food provided without charge to volunteer workers at the game

of bingo shall not be considered to be compensation for purposes of the subsection.
History of Section.
P.L. 1983, ch. 188, § 2; P.L. 1985, ch. 181, art. 23, § 1; P.L. 1993, ch. 84, § 1; P.L. 1995, ch. 96, § 1; P.L. 1996, ch. 380, § 1; P.L. 1998, ch. 447, § 1; P.L. 1999, ch. 439, § 1; P.L. 2005, ch. 356, § 1; P.L. 2005, ch. 419, § 1; P.L. 2011, ch. 337, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-33. - Bingo games — Announcement of prizes.

§ 11-19-33. Bingo games — Announcement of prizes.
Prior to each drawing or contest conducted in any game of “bingo” or “beano” as provided in this chapter, the sponsor shall announce or cause to be announced openly and clearly, so as to provide the participants with a clear understanding of the amount to be paid as a prize for each individual drawing or contest in any game of “bingo” or “beano” as provided in this chapter.
History of Section.
P.L. 1983, ch. 188, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-34.1. - Senior citizens housing — Raffles allowed.

§ 11-19-34.1. Senior citizens housing — Raffles allowed.
Notwithstanding any other provision of this chapter to the contrary, any organization of senior citizens may promote, carry on, or conduct within their own senior citizens housing project, a lottery, commonly known as a raffle, with total prizes not to exceed five hundred dollars ($500). Raffles shall be for recreational purposes and shall be open only to senior citizens who are residents of the housing project where the game is held. Raffles shall be limited to three (3) times per year and shall be operated and managed solely by residents of the housing projects.
History of Section.
P.L. 1988, ch. 257, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-34. - Use of name of charitable organization to conduct permitted games of chance.

§ 11-19-34. Use of name of charitable organization to conduct permitted games of chance.
A charitable organization, within the provisions of § 11-19-30 or 11-19-31, shall not allow or permit any individual, partnership, corporation, or any other entity to utilize the name of the charitable organization for the purpose of conducting or promoting bingo or other permitted games of chance.
History of Section.
P.L. 1983, ch. 188, § 2; P.L. 1993, ch. 84, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-35. - Pull-tab lottery tickets.

§ 11-19-35. Pull-tab lottery tickets.
(a)
The Rhode Island lottery is empowered to sell and regulate the sale of pull-tab lottery tickets to religious, fraternal, civic, educational, veterans’, or charitable organizations. The lottery shall determine, consistent with this section, those organizations that are authorized to sell pull-tab lottery tickets. As part of such determination, the Rhode Island lottery shall require criminal background checks of the applicant and any individual the lottery deems appropriate and said individuals shall apply to the bureau of criminal investigation of the Rhode Island state police or the Rhode Island department of the attorney general for a national criminal records check with fingerprinting. The individual whose criminal records check is being conducted shall be responsible for the payment of the costs of said criminal records check. The Rhode Island state police or the Rhode Island department of attorney general, as applicable, shall send the results of such criminal check to the Rhode Island lottery. Once said results are sent to and received by the Rhode Island Lottery, the Rhode Island state police and the Rhode Island department of attorney general shall promptly destroy said fingerprint record(s). On or before February 1, 2011, the agency shall adopt rules and regulations establishing criteria to be used in determining whether based upon a criminal records check an application will be approved.
(b)
The lottery shall insure that the pull tab lottery tickets to be distributed are secured for the purposes under which they are to be sold in terms of concealing the result of the tickets until the time that they are sold to the general public. Consistent with this section, those organizations authorized to sell the tickets are authorized to retain net profits as shall have been provided for by the commission.
(c)
Notwithstanding any other section of the general laws to the contrary, pull-tab lottery tickets authorized by this section are declared to be legal.
History of Section.

P.L. 1983, ch. 188, § 2; P.L. 2010, ch. 252, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-36. - Organizations permitted to conduct other permitted games of chance.

§ 11-19-36. Organizations permitted to conduct other permitted games of chance.
Any charitable organization may promote, carry on, or conduct any permitted game of chance authorized by the division of state police in connection with which prizes or prize monies are offered or awarded, provided as follows:
(1)
The game is conducted by members of the organization.
(2)
No person in the actual or constructive management and control of the game receives any compensation for services connected to the game.
(3)
The entire net receipts of the game, including the charges for admission to and participation in the game, are applied solely to the bona fide charitable purposes of the organization.
(4)
That the organization is granted a license issued pursuant to the provisions of § 11-19-37.
(5)
That the provisions of this section shall not apply to that lottery commonly known as a "twenty-week club" or a raffle conducted by a charitable organization.
History of Section.
P.L. 1983, ch. 188, § 2; P.L. 1993, ch. 84, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-37. - Issuance of licenses.

§ 11-19-37. Issuance of licenses.
(a)
Any charitable organization within the provisions of §§ 11-19-30 and/or 11-19-31 may be granted a license to conduct the game of bingo or other permitted game of chance authorized by the department.
(b) Bingo.
A license for the game of bingo shall be obtained as follows:
(1)
The charitable organization shall annually apply for approval to the department pursuant to § 11-19-31 and shall pay to the department an application fee of five dollars ($5.00).
(2)
Upon the receipt of notification of approval from the department, the charitable organization shall apply to the local licensing authorities upon forms furnished and pay the local licensing fee, if any;
(3)
The local licensing authority shall issue the license. A copy of the license shall be forwarded to the department by the local licensing authority;
(4)
The local licensing authority shall issue the license for a specific date or dates or a specific day or days during each calendar week;
(5)
Within seven (7) calendar days of the completion of every game of bingo, the charitable organization shall file a financial report, upon forms furnished by the department with the department and with the local licensing authority if it so requires.
(c) Other permitted games of chance.
(1)
The charitable organization shall apply for approval to the department pursuant to this section and shall pay to the department an application fee of five dollars ($5.00).
(2)
Upon the receipt of a notification of approval from the department, the charitable organization shall apply to the local licensing authority upon forms furnished by the department and pay the local licensing fee, if any;
(3)
The local licensing authority shall issue the license. A copy of the license shall be forwarded to the department by the local licensing authority;
(4)
The local licensing authority shall issue the license for a specific date or specific day or days;
(5)
The application for the local license shall be made at least thirty (30) days prior to the date or day for which the license is issued;

(6)
Within thirty (30) calendar days of the completion of the permitted game of chance, the charitable organization shall file a financial report upon forms furnished by the department, with the department.
History of Section.
P.L. 1983, ch. 188, § 2; P.L. 1993, ch. 84, § 1; P.L. 1993, ch. 138, art. 45, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-38. - Change of information.

§ 11-19-38. Change of information.
If, subsequent to approval by the department pursuant to § 11-19-31, there is a change in any information furnished by the organization to the department, the organization shall so inform the department within seven (7) days of the change. Failure to inform the department within seven (7) days will result in the automatic suspension of approval for a period of three (3) months.
History of Section.
P.L. 1983, ch. 188, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-39. - Enforcement and penalties.

§ 11-19-39. Enforcement and penalties.
(a)
If any charitable organization fails to file any registration application or statement, report, or other information required to be filed by the department under this chapter, or otherwise violates the provisions of this chapter, the department shall notify the delinquent charitable organization, by mailing a notice, certified mail, with return receipt requested, to its last known address. If the required registration application or statement, annual report, or other information is not filed or if the existing violation is not discontinued within ten (10) days after the formal notification or receipt of the notice, the department may cancel, suspend the registration, or refuse to accept a delinquent report from the charitable organization.
(b)
The department, upon its own motion or upon complaint of any person, may, if it has reasonable ground to suspect a violation, investigate any charitable organization, to determine whether it has violated the provisions of this chapter or has filed any application or other information required under this chapter which contains false or misleading statements. If the department finds that any application or other information contains false or misleading statements, or that a registrant under this chapter has violated its provisions, the registration may be suspended or cancelled. Any person whose registration is suspended or cancelled may, within fifteen (15) days from the date of written notification of the suspension or cancellation request in writing, a hearing before the department. This hearing shall be held within thirty (30) days from the date of the request. Any person who has exhausted all administrative remedies available within the department in accordance with the Administrative Procedures Act (chapter 35 of title 42), and who is aggrieved by a final decision of the department, is entitled to judicial review in accordance with the provisions of the Administrative Procedures Act (chapter 35 of title 42).
(c)
The certificate of approval of any charitable organization which knowingly makes a false or misleading statement in any registration application or statement, report, or other information required to be filed by the department or this chapter shall be revoked.
(d)
Any person who willfully and knowingly violates any provisions of this chapter, or who shall willfully and knowingly give false or incorrect information to the department in filing statements or reports required by this chapter, whether the report or statement is verified or not, shall be guilty of a misdemeanor. Upon conviction, that person shall be sentenced for the first offense to pay a fine of not more than one thousand dollars ($1,000), or undergo imprisonment for not more than one year, or both. For the second and any subsequent offense, that person shall pay a fine of not more than five thousand dollars ($5,000), or undergo imprisonment for not more than five (5) years, or both.
(e)
Whenever the attorney general shall have reason to believe or the attorney general has been advised by the director (who shall have given due notice and full hearing to the charitable organization) that the charitable organization: (1) is operating in violation of the provision of this chapter; (2) has knowingly and willfully made any false statements in any initial or any renewal application or in any other information required to be filed by this chapter; (3) has failed to file a registration statement required by this chapter; (4) there is employed or is about to be employed by a charitable organization any device, scheme, or artifice to defraud or to obtain money or property by means of any false pretense, representation, or promise; (5) the officers or representatives of any charitable organization failed after notice to produce any records of the organization; or (6) the funds raised by the game are not devoted or will not be devoted to the charitable purposes of the charitable organization; in addition to all other actions authorized by law, the attorney general of the state of Rhode Island may bring an action in the name of the state of Rhode Island against the charitable organization and its officers, or any other person who has violated this chapter to enjoin that charitable organization or person from continuing the violation or doing any acts in furtherance of it, and for any other relief that the court deems appropriate. The court may make any additional orders and/or judgments that may be necessary to restore to any person in interest any monies or property,

real or personal, which may have been acquired by means of any practice in this chapter declared to be unlawful. The department may refuse to grant an initial application to conduct a game, may refuse to renew an application, and may revoke a registration of any charitable organization which knowingly makes a false statement in any initial registration application or renewal application or statement, annual report, or other information required to be filed by the department or the chapter.
History of Section.
P.L. 1983, ch. 188, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-4. - Recovery of lottery ticket value by holder.

§ 11-19-4. Recovery of lottery ticket value by holder.
The purchaser or receiver of any lottery ticket or certificate in the nature of a lottery ticket, or share in either, not authorized by the Rhode Island state police whether it shall have been paid for in money, or however received, even though by way of gift, for the purpose of enabling the seller or giver to dispose of any article or piece of property, real, personal, or mixed, shall recover back the amount paid by him or her, or the value at which, according to the proof, the ticket or certificate may be reckoned in the transaction, as the case may be, from the person from whom the ticket or policy was purchased or received, in an action of the case for money had and received.
History of Section.
G.L. 1896, ch. 283, § 4; G.L. 1909, ch. 349, § 4; G.L. 1923, ch. 401, § 4; G.L. 1938, ch. 612, § 4; G.L. 1956, § 11-19-4; P.L. 1975, ch. 41, § 1; P.L. 1979, ch. 309, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-40. - Rules and regulations.

§ 11-19-40. Rules and regulations.
(a)
The director shall adopt and issue rules and regulations as may be necessary to carry out the provisions of §§ 11-19-30 — 11-19-40. These rules and regulations shall be promulgated in accordance with chapter 35 of title 42.
(b)
In promulgating the rules and regulations, the director shall, in addition to the standards set forth in other provisions of this chapter, be guided by the following standards setting forth conduct, conditions and activity deemed undesirable:
(1) Fraud.
The practice of any fraud or deception upon a participant in a permitted game of chance;
(2) Unsafe premises.
The conduct of permitted games of chance in, at or upon premises which may be unsafe due to fire hazard or other conditions;
(3) Charitable funds.
To assure that all the funds raised through bingo and permitted charitable games are maintained and expended for bona fide charitable purposes;
(4) Advertising.
That advertising for all permitted games of chance and bingo is conducted in accordance with rules and regulations.
(c)
The director may promulgate less stringent regulations for those charitable organizations that do not intend to run any permitted games more than once in any consecutive six (6) month period, and also for those charitable organizations where the prize for any permitted game will not exceed three hundred dollars ($300).
History of Section.
P.L. 1983, ch. 188, § 2; P.L. 1984, ch. 113, § 1; P.L. 1993, ch. 84, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-41. - Police regulation of bingo and permitted games of chance.

§ 11-19-41. Police regulation of bingo and permitted games of chance.
The division of state police shall have the power and authority to license, regulate, supervise and exercise general control over the operation of bingo and permitted games of chance including, but not limited to, the conduct of permitted games of chance, the distribution of prizes, and the use and licensing of equipment specifically designed to be utilized to conduct bingo and permitted games of chance, as well as the licensing of persons, firms, corporations in the business of the sale and rental of equipment concerning bingo and permitted games of chance. The Rhode Island state police shall have the power and authority to investigate as to the direct or indirect ownership or control of any licenses and to revoke or suspend any license for just cause after a hearing.
History of Section.
P.L. 1983, ch. 188, § 2; P.L. 1993, ch. 84, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-42. - Forfeiture of charter rights and privileges.

§ 11-19-42. Forfeiture of charter rights and privileges.
(a)
Upon conviction for a violation of this chapter or upon revocation of a certificate of approval, the attorney general may apply to the superior court:
(1)
For the forfeiture of any charter rights, franchise privileges or powers of the corporation held by the convicted person under the laws of this state;
(2)
For dissolution, if the person is a corporation or limited partnership organized under the laws of this state; or
(3)
For the suspension of the privilege to exist within this state.
(b)
The court, after giving due consideration to the public interest and to relevant competitive and economic circumstances, may grant as much of the requested relief as is deemed appropriate. A dissolution shall be conducted in accordance with the procedures specified by law for either voluntary or judicial dissolution of the particular type of corporation, association, firm, or partnership.
(c)
If any corporation, association, partnership, or limited partnership shall be dissolved or have its privilege to exist in this state suspended or revoked as provided in subsection (a) of this section, no assignee, transferee, or successor-in-interest of the corporation, association, partnership, or limited partnership shall be permitted to incorporate or to transact business in this state without first applying to the court for and receiving an order permitting incorporation or transaction of business. No order shall be granted unless the applicant proves to the satisfaction of the court that it will conduct its affairs in accordance with all applicable laws.
History of Section.
P.L. 1983, ch. 188, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-43. - Acts of officers, directors, representatives, or agents acting within the scope of their authority.

§ 11-19-43. Acts of officers, directors, representatives, or agents acting within the scope of their authority.
(a)
A corporation, association, firm, partnership, or limited partnership is liable for the acts of its officers, directors, representatives, or agents acting within the scope of their authority. Proof of the acts of any officer, director, representative, or agent shall be received as prima facie proof of the acts of the corporation, association, firm, partnership, or limited partnership itself.
(b)
When a corporation, association, firm, partnership, or limited partnership violates this chapter, the violation shall be deemed to be that of the individual directors, members, officers, managers, employees, or agents of the corporation, association, firm, partnership, or limited partnership who knowingly authorized, ordered, aided, abetted, or advised in the acts or omissions constituting in whole or in part the violation, whether the individuals acted on their own behalf and for their own benefit, or for the corporation, association, firm, partnership, or limited partnership and in their representative capacity. The individuals, in their capacity as individuals, are subject to the provisions of this chapter and may be joined, if subject to personal jurisdiction, as additional parties defendant in the proceedings against the corporation, association, partnership, or limited partnership.
History of Section.
P.L. 1983, ch. 188, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-44. - Remedies cumulative.

§ 11-19-44. Remedies cumulative.
The remedies provided in this chapter are cumulative of each other and of existing powers and remedies inherent in the court.
History of Section.
P.L. 1983, ch. 188, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-45. - Severability.

§ 11-19-45. Severability.
If any section of this chapter or its application to any person or circumstance is held invalid by a court of competent jurisdiction, the remainder of the chapter and the application of the section to other persons or circumstances shall not be affected. The invalidity or unconstitutionality of any section or sections or part of any section or sections of this chapter shall not affect the validity of the remainder of this chapter and to this end the sections of this chapter are severable.
History of Section.
P.L. 1983, ch. 188, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-5. - Acts in aid of policy game.

§ 11-19-5. Acts in aid of policy game.

Whoever not authorized by the Rhode Island state police keeps, sets up, promotes, or is concerned as owner, agent clerk, or in any other manner, in managing any policy-lottery or policy-shop, or writes, prints, sells, transfers, or delivers any ticket, certificate, slip, bill, token, or other device purporting or designed to guarantee or assure to any person, or to entitle any person to a chance of drawing or obtaining any prize or thing of value to be drawn in any lottery, or in the game or device commonly known as policy-lottery or policy, or for that person or another person writes, prints, sells, or transfers or delivers, or has in his or her possession for the purpose of sale, transfer, or delivery, or in any way aids in selling, exchanging, negotiating, transferring, or delivering, a chance or ticket in any lottery, or in the game or device commonly known as policy-lottery or policy, or any such bill, slip, certificate, token, or other device, or who sells or offers to sell what are commonly called lottery-policies, or who endorses a book or other document, for the purpose of enabling others to sell or offer to sell lottery-policies, or shall receive, register, record, forward or purport or pretend to forward, or undertake to forward, or receive, and agree to forward, to or for a lottery, or to or for any particular lottery, or to any person, within or without this state, any money, thing, or consideration of value, to purchase an interest or share in any lottery, or to obtain or secure for any person what is commonly called a lottery-policy, or a chance of drawing or obtaining any prize or thing of value to be drawn in any lottery, or in the game or device commonly called policy-lottery or policy, or who shall receive or offer to receive any money, thing, or consideration of value to be forwarded to or for a lottery, or to or for any particular lottery, or to any person to invest in a lottery within or outside this state, whether it actually exists or not, or whether any drawing of it, or any act to allot any prize or thing of value, takes place or not, or whether there is any such person or not, or whoever shall have in his or her possession, knowingly, any bill, slip, certificate, token, or other device, or article of any kind such as is used in carrying on, promoting, or playing the game commonly known as policy-lottery or policy, shall, upon conviction, be punished by fine not exceeding five hundred dollars ($500) or imprisonment not exceeding one year, and upon a second conviction of a violation of this section shall be imprisoned for a period not less than one nor more than five (5) years. Provided, that the prohibition against possession of these items shall not apply to lottery tickets of any kind if the state of origin of the tickets or devices has legally authorized its issuance or sale.

History of Section.

G.L. 1896, ch. 283, § 28; G.L. 1909, ch. 349, § 37; P.L. 1909, ch. 376, § 1; G.L. 1923, ch. 401, § 37; G.L. 1938, ch. 612, § 36; G.L. 1956, § 11-19-5; P.L. 1972, ch. 50, § 1; P.L. 1975, ch. 41, § 1; P.L. 1979, ch. 309, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-6. - Possession of policy devices as evidence of knowledge.

§ 11-19-6. Possession of policy devices as evidence of knowledge.

The possession, by any person not authorized by the Rhode Island state police other than a public official in the course of his or her duty, of any bill, slip, certificate, token, or other device, or article of any kind such as is used in carrying on, promoting, or playing the game commonly known as lottery-policy or policy, shall be presumptive evidence of possession of that item knowingly and in violation of § 11-19-5.

History of Section.

P.L. 1909, ch. 376, § 2; G.L. 1923, ch. 401, § 37; G.L. 1938, ch. 612, § 36; G.L. 1956, § 11-19-6; P.L. 1975, ch. 41, § 1; P.L. 1979, ch. 309, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-7. - Judicial notice of policy methods.

§ 11-19-7. Judicial notice of policy methods.

Any court or magistrate having criminal jurisdiction may take judicial notice of the general methods and character of lotteries, policy-lotteries, of the game called policy, pools, or combination bets, and the buying and selling of pools and registering of bets, not authorized by the Rhode Island state police.

History of Section.

P.L. 1909, ch. 376, § 3; G.L. 1923, ch. 401, § 37; G.L. 1938, ch. 612, § 36; G.L. 1956, § 11-19-7; P.L. 1975, ch. 41, § 1; P.L. 1979, ch. 309, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-8. - Policy devices as evidence of existence of game.

§ 11-19-8. Policy devices as evidence of existence of game.

In the trial of a complaint or indictment to which it may be relevant any lottery, policy, or pool ticket, certificate, slip, or check, manifold, or other policy or pool book or sheet, or memorandum of any pool or sale of pools, or of a bet or odds, or combination bet, or any other implement, apparatus, materials, or articles of a character commonly employed in or in connection with lotteries, policy-lotteries, or policy, the buying or selling of pools, or registering of bets, or other form of gaming not authorized by the Rhode Island state police shall be prima facie evidence of the existence and unlawful character of a lottery, policy-lottery, or game, pool or

pools, bet, game, or hazard, or other form of gaming in which like articles are commonly used, and that the article has relation to it.
History of Section.
P.L. 1909, ch. 376, § 3; G.L. 1923, ch. 401, § 37; G.L. 1938, ch. 612, § 36; G.L. 1956, § 11-19-8; P.L. 1975, ch. 41, § 1; P.L. 1979, ch. 309, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-19 - Gambling and LotteriesSection 11-19-9. - Illegal trading stamps and coupons.

§ 11-19-9. Illegal trading stamps and coupons.
All schemes and devices by which any person or corporation shall sell, give, or distribute any stamp, trading-stamp, cash discount stamp, amusement stamp, check, coupon, or other similar device to any purchaser of goods, wares, or merchandise, which will entitle the holder of the stamp, trading-stamp, cash discount stamp, amusement stamp, check, coupon, or other similar device, on presentation of it, either singly or in definite numbers, to receive either directly from the vendor or indirectly through any other person or corporation, some indefinite and undescribed article, the nature and value of which are unknown to the purchaser of the goods, wares, and merchandise at the time of the purchase of the merchandise, are declared to partake so much of the nature of a lottery as to be detrimental to the public morals, and are declared to be illegal.
History of Section.
P.L. 1901, ch. 842, § 1; G.L. 1909, ch. 349, § 5; G.L. 1923, ch. 401, § 5; G.L. 1938, ch. 612, § 5; G.L. 1956, § 11-19-9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-2 - Abandonment and NonsupportSection 11-2-1.1. - Failure to pay child support.

§ 11-2-1.1. Failure to pay child support.
(a)
Every person who is obligated to pay child support pursuant to an order or decree established by or registered with the family court pursuant to chapter 11 of title 15, who has incurred arrearage of past-due child support in the amount of ten thousand dollars ($10,000), and who shall willfully thereafter, having the means to do so, fail to pay three (3) or more installments of child support in an amount previously set by the court, according to the terms previously set by the court, shall be guilty of a felony for each instance of failure to make the subsequent payments and upon conviction shall be punished by imprisonment for a period not to exceed five (5) years.
(b)
Every person who has for a period of three (3) years willfully failed to pay any installments of child support in an amount previously set by the court, according to the terms previously set by the court, and who shall thereafter, having the means to do so, fail to pay three (3) or more installments of child support in an amount previously set by the court, according to the terms previously set by the court, shall be guilty of a felony for each instance of failure to make the subsequent payments and upon conviction shall be punished by imprisonment for a period not to exceed five (5) years.
(c)
For purposes of this section, “subsequent payments” means those payments or installments due and owing after a person has incurred an arrearage of ten thousand dollars ($10,000) as specified in subsection (a) of this section or those payments or installments due and owing after a person has failed to pay an installment for a period of three (3) years.
(d)
The court may in its discretion direct that the sentence be served pursuant to § 12-19-2(b).
[See § 12-1-15 of the General Laws.]
History of Section.
P.L. 1995, ch. 370, art. 29, § 2; P.L. 1995, ch. 374, § 2; P.L. 1996, ch. 404, § 7; P.L. 2003, ch. 208, § 1; P.L. 2003, ch. 367, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-2 - Abandonment and NonsupportSection 11-2-1. - Abandonment or nonsupport of spouse or children.

§ 11-2-1. Abandonment or nonsupport of spouse or children.
Every person who shall abandon his or her spouse or children, leaving them in danger of becoming a public charge, or who shall neglect to provide according to his or her means for the support of his or her spouse or children, or who shall neglect or refuse to aid in the support of his or her spouse and/or children, except as otherwise provided for in § 11-2-1.1, shall be deemed guilty of a misdemeanor and shall be punished by imprisonment for not more than six (6) months.
[See § 12-1-15 of the General Laws.]
History of Section.
G.L. 1896, ch. 281, § 38; P.L. 1907, ch. 1447, § 2; G.L. 1909, ch. 347, § 39; G.L. 1923, ch. 399, § 38; G.L. 1938, ch. 610, § 38; G.L. 1956, § 11-2-1; P.L. 1979, ch. 304, § 2; P.L. 1995, ch. 370, art. 29, § 1; P.L. 1995, ch. 374, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-2 - Abandonment and NonsupportSection 11-2-2. - Desertion by leaving state — Decree as evidence.

§ 11-2-2. Desertion by leaving state — Decree as evidence.
Any husband or father who without just cause deserts his wife or minor child by going into another state, and leaves them or any or either of them without making reasonable provisions for their support, shall be punished by a fine of not more than one thousand dollars ($1,000), or by imprisonment for not more than five (5) years, or both. No civil proceeding in any court shall be held to be a bar to a prosecution pursuant to this section for desertion or nonsupport. In a prosecution pursuant to this section for desertion or nonsupport against a husband, a decree or judgment of any court in a proceeding in which the husband appeared or was personally served with process, establishing the right of the wife to live apart, or her freedom to convey and deal with her property, or the right to the custody of the children, shall be admissible and shall be prima facie evidence of that right.
History of Section.
G.L. 1938, ch. 423, § 9; P.L. 1949, ch. 2238, § 1; G.L. 1956, § 11-2-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-2 - Abandonment and NonsupportSection 11-2-3. - Complaints for nonsupport — Liability for costs.

§ 11-2-3. Complaints for nonsupport — Liability for costs.
(a)
The director of the department of human services or his or her designee, or chief of police, or director of public welfare of any city or town, or any officer that the town council of any town or the city council of any city may appoint for the purpose, may make a complaint against any person for any of the offenses mentioned in § 11-2-1; and whenever any complaint shall be made by any of the officers listed in this subsection on account of the violation of § 11-2-1, the officer complainant shall not be required to give surety for costs, but shall give his or her personal recognizance and be liable in his or her individual capacity.
(b)
Pursuant to § 11-2-1.1, the department of human services, after an investigation to determine the extent of an arrearage and the ability of the obligor to pay the arrearage or some portion of it may refer the case to the attorney general for prosecution in the family court for the county in which the obligor resides, unless the person does not reside within the state, then the prosecution may be brought in the family court for Providence County.
[See § 12-1-15 of the General Laws.]
History of Section.
P.L. 1979, ch. 304, § 3; P.L. 1995, ch. 370, art. 29, § 1; P.L. 1995, ch. 374, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-20 - Graves and CorpsesSection 11-20-1.1. - Mutilation of dead human bodies — Penalties — Exemptions.

§ 11-20-1.1. Mutilation of dead human bodies — Penalties — Exemptions.
(a)
Except as provided in this section, a person who dissects or mutilates a dead human body is guilty of a felony punishable by imprisonment for not more than three (3) years, or a fine of not more than five thousand dollars ($5,000), or both.
(b)
This section does not apply to:
(1)
A physician or surgeon acting on the order of a court of competent jurisdiction, a coroner or other qualified officer, a licensed funeral director or a licensed embalmer;
(2)
Dissection to determine the cause of death when authorized by the nearest living kin of the deceased;
(3)
Unclaimed dead human bodies delivered by state or county authorities to regularly chartered institutions for scientific research;
(4)
The necessary mutilation incident to embalming a dead human body when authorized by nearest living kin, a court of competent jurisdiction or other qualified officer; or
(5)
Conduct authorized by the Uniform Anatomical Gift Act, chapter 18.6 of title 23.
History of Section.
P.L. 1998, ch. 433, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-20 - Graves and CorpsesSection 11-20-1.2. - Necrophilia.

§ 11-20-1.2. Necrophilia.
Any person who performs the act of first degree sexual assault upon a dead human body shall be guilty of the crime of necrophilia. Any person convicted of the crime of necrophilia shall be punished by imprisonment for not less than one nor more than ten (10) years and may be fined in an amount not to exceed ten thousand dollars ($10,000).
History of Section.

P.L. 1998, ch. 433, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-20 - Graves and CorpsesSection 11-20-1. - Disinterment of body.

§ 11-20-1. Disinterment of body.
Every person who shall, without proper authorization, disinter, dig up, remove, or carry away any human body from its place of sepulture, or who shall knowingly conceal any such body so disinterred or carried away, shall be imprisoned not exceeding ten (10) years or fined not exceeding one thousand dollars ($1,000).
History of Section.
G.L. 1896, ch. 281, § 21; G.L. 1909, ch. 347, § 22; G.L. 1923, ch. 399, § 22; G.L. 1938, ch. 610, § 22; G.L. 1956, § 11-20-1; P.L. 1991, ch. 66, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-20 - Graves and CorpsesSection 11-20-2. - Desecration of grave.

§ 11-20-2. Desecration of grave.
Every person who shall willfully and maliciously destroy, mutilate, deface, cover over, injure or remove any tomb, monument, gravestone, American Flag, or other structure or thing placed or designed for a memorial of the dead, or any fence, railing, curb, or other thing intended for the protection or for the ornament of any tomb, monument, gravestone, or other structure of the like character and designed for that purposes, or of any enclosure for the sepulture of the dead, or dig or plow up, cultivate or build upon or within any enclosure or plot of ground used and occupied for the sepulture of the dead, or shall commit any nuisance in it, or wantonly disturb, remove, or in any way desecrate the contents of any grave in any enclosure or plot of ground, shall be guilty of a felony and shall be imprisoned not less than one year and not exceeding three (3) years, and/or be fined not more than five thousand dollars ($5,000), or both and shall, in addition to imprisonment and/or fine, be ordered to make full restitution to any person, business or entity incurring the expense of repairing the grave.
History of Section.
G.L. 1896, ch. 281, § 22; G.L. 1909, ch. 347, § 23; G.L. 1923, ch. 399, § 23; G.L. 1938, ch. 610, § 23; G.L. 1956, § 11-20-2; P.L. 1976, ch. 229, § 1; P.L. 1977, ch. 141, § 1; P.L. 1989, ch. 82, § 1; P.L. 2011, ch. 341, § 1; P.L. 2011, ch. 375, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-20 - Graves and CorpsesSection 11-20-3. - Removal of marker on veteran’s grave.

§ 11-20-3. Removal of marker on veteran’s grave.
(a)
Every person who maliciously or without authorization removes an American Flag in the vicinity of a veteran’s grave or from a flag staff in a cemetery shall be imprisoned not exceeding sixty (60) days or fined not exceeding one hundred dollars ($100).
(b)
Every person who shall, without right, remove from any grave a marker that was authorized to be placed by the cemetery to designate that the grave was the grave of a deceased veteran shall be imprisoned not exceeding one hundred and twenty (120) days or fined not exceeding five hundred dollars ($500) for a first offense, and shall be imprisoned not exceeding one hundred and twenty (120) days or fined not exceeding one thousand dollars ($1,000) for a second offense.
(c)
Every person, firm, partnership or corporation who shall purchase, sell or destroy any veteran’s grave marker shall be subject to the same penalties provided in subsection (b) of this section.
History of Section.
G.L. 1896, ch. 279, § 46; G.L. 1909, ch. 345, § 49; G.L. 1923, ch. 397, § 49; G.L. 1938, ch. 608, § 49; G.L. 1956, § 11-20-3; P.L. 1982, ch. 219, § 1; P.L. 1990, ch. 490, § 1; P.L. 1991, ch. 66, § 1; P.L. 2000, ch. 109, § 6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-21 - HazingSection 11-21-1. - Penalty for hazing.

§ 11-21-1. Penalty for hazing.
(a)
Any organizer of, or participant in, an activity constituting hazing, as defined in subsection (b) of this section, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars ($500), or punished by imprisonment for not less than thirty (30) days nor more than one year, or both.
(b)
“Hazing” as used in this chapter, means any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. This conduct shall include, but not be limited to, whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug, or other substance, or any brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of the student or any other person, or which subjects the student or other person to extreme

mental stress, including extended deprivation of sleep or rest or extended isolation.
History of Section.
G.L. 1909, ch. 277, § 29; P.L. 1909, ch. 431, § 1; G.L. 1923, ch. 395, § 31; G.L. 1938, ch. 606, § 31; G.L. 1956, § 11-21-1; P.L. 1986, ch. 194, § 1; P.L. 1990, ch. 494, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-21 - HazingSection 11-21-2. - Penalty for school official permitting hazing.

§ 11-21-2. Penalty for school official permitting hazing.
Every person, being a teacher, superintendent, commandant, or other person in charge of any public, private, parochial, or military school, college or other educational institution, who shall knowingly permit any activity constituting hazing, as defined in § 11-21-1, shall be guilty of a misdemeanor and shall be fined not less than ten dollars ($10.00) nor more than one hundred dollars ($100).
History of Section.
G.L. 1909, ch. 277, § 30; P.L. 1909, ch. 431, § 1; G.L. 1923, ch. 395, § 32; G.L. 1938, ch. 606, § 32; G.L. 1956, § 11-21-2; P.L. 1986, ch. 195, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-21 - HazingSection 11-21-3. - Tattooing or permanent disfigurement.

§ 11-21-3. Tattooing or permanent disfigurement.
Every person being a student, or being a person in attendance at any public, private, parochial, or military school, college, or other educational institution, who shall tattoo or knowingly and willfully permanently disfigure the body, limbs, or features of any fellow student or person attending the institution by the use of nitrate of silver or any like substance, or by any other means, shall be held guilty of a crime of the degree of mayhem, and shall, upon conviction, be imprisoned not exceeding ten (10) years nor less than one year.
History of Section.
G.L. 1909, ch. 277, § 31; P.L. 1909, ch. 431, § 1; G.L. 1923, ch. 395, § 33; G.L. 1938, ch. 606, § 33; G.L. 1956, § 11-21-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-1. - Injuring highway boundary markers.

§ 11-22-1. Injuring highway boundary markers.
Every person who shall willfully break down, remove, injure, or destroy any monuments, walls, fences, or bounds, erected for the purpose of designating the boundaries of any public highway, shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars ($500). In addition, any and all costs incurred by the state of Rhode Island due to damages/loss under this section shall be fully reimbursed by the party or parties causing the damage.
History of Section.
G.L. 1896, ch. 279, § 35; G.L. 1909, ch. 345, § 39; G.L. 1923, ch. 397, § 39; G.L. 1938, ch. 608, § 39; G.L. 1956, § 11-22-1; P.L. 1990, ch. 494, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-10. - Scattering debris on highway.

§ 11-22-10. Scattering debris on highway.
Every person who shall knowingly throw or place or cause to be thrown or placed, in or upon any highway, or bridge any tacks, nails, wire, scrap metal, glass, crockery, or other substance injurious to the feet of persons or animals, or to the tires or wheels of bicycles or other vehicles, shall be fined not less than one hundred dollars ($100) nor more than five hundred dollars ($500). Any violation shall be heard by the traffic tribunal in accordance with chapter 41.1 of title 31.
History of Section.
P.L. 1896, ch. 318, § 1; G.L. 1909, ch. 87, § 14; G.L. 1923, ch. 99, § 14; G.L. 1938, ch. 81, § 2; G.L. 1956, § 11-22-10; P.L. 1976, ch. 287, § 1; P.L. 1980, ch. 153, § 1; P.L. 1981, ch. 325, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-11. - Testing speed of horse.

§ 11-22-11. Testing speed of horse.
Every person who shall drive any horse over any of the public highways, for the purpose of racing or trying the speed of the horse, shall be fined not more than twenty dollars ($20.00) or imprisoned not exceeding ten (10) days.
History of Section.
G.L. 1896, ch. 74, § 6; P.L. 1901, ch. 925, § 2; G.L. 1909, ch. 87, § 6; G.L. 1923, ch. 99, § 6; G.L. 1938, ch. 81, § 3; G.L. 1956, § 11-22-11.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-12. - Crawford Street Bridge in Providence.

§ 11-22-12. Crawford Street Bridge in Providence.
Every person who shall fasten any vessel to any part of Crawford Street Bridge shall forfeit twenty dollars ($20.00) for each offense to the use of city of Providence.
History of Section.
G.L. 1896, ch. 75, § 1; G.L. 1909, ch. 89, § 1; G.L. 1923, ch. 101, § 1; G.L. 1938, ch. 84, § 1; G.L. 1956, § 11-22-12.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-13. - Apponaug River Bridge.

§ 11-22-13. Apponaug River Bridge.
Every person who shall lay any sloop or other vessel to the bridge over Apponaug River, or there load or unload wood or other heavy merchandise, shall forfeit twenty dollars ($20.00) for each offense; one-half (½) to the use of the city of Warwick and one-half (½) to the use of the person who shall sue for it.
History of Section.
G.L. 1896, ch. 75, § 2; G.L. 1909, ch. 89, § 2; G.L. 1923, ch. 101, § 2; G.L. 1938, ch. 84, § 2; G.L. 1956, § 11-22-13.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-14. - Pawtuxet Falls bridge.

§ 11-22-14. Pawtuxet Falls bridge.
Every person who shall make fast any canoe or boat to either of the abutments or any part of the bridge at Pawtuxet Falls, or throw any stones off from the bridge, shall forfeit five dollars ($5.00); one-half (½) to the use of the city of Warwick and the city of Cranston and one-half (½) to the use of the person who shall sue for it. The city of Warwick and the city of Cranston may each appoint one suitable person to take care of the bridge and to prevent damage or injury being done to it. Each of the persons so appointed shall prosecute for every forfeiture incurred under this section.
History of Section.
G.L. 1896, ch. 75, §§ 3-5; G.L. 1909, ch. 89, §§ 3-5; G.L. 1923, ch. 101, §§ 3-5; G.L. 1938, ch. 84, §§ 3-5; G.L. 1956, § 11-22-14.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-15. - Wire strung across highways.

§ 11-22-15. Wire strung across highways.
No wire shall be strung across a highway less than fourteen (14) feet above the surface of the highway. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than one hundred dollars ($100) nor more than five hundred dollars ($500).
History of Section.
P.L. 1979, ch. 203, § 1; P.L. 1981, ch. 325, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-16. - Motorist aid call system — False reports — Damage to equipment.

§ 11-22-16. Motorist aid call system — False reports — Damage to equipment.
Any person who willfully gives or causes to be given a false report or false information through the use of a telephone call-box installed along any highway by the department of transportation through its motorist aid call system, or who willfully damages, destroys, or removes any telephone call-box or other equipment of the system, shall be guilty of a misdemeanor and shall be fined two hundred dollars ($200). For a second or subsequent conviction under this section, a fine of five hundred dollars ($500) shall be imposed.
History of Section.
P.L. 1980, ch. 290, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-2. - Injuries to road signs — Advertising on highway.

§ 11-22-2. Injuries to road signs — Advertising on highway.
A person who willfully or maliciously: (1) displaces, removes, injures, destroys, or places a political advertisement on a mile board, mile stone, danger sign or signal, or guide sign or post, or any inscription on it, lawfully within a public highway; (2) in any manner paints, prints, places, puts, or affixes, or causes to be painted, printed, placed, or affixed, any business, commercial advertisement on or to any stone, tree, fence, stump, pole, building, or other object which is the property of another, without first obtaining the written consent of the owner, or (3) in any manner paints, prints, places, puts, or affixes, or causes to be painted, placed, or affixed, an advertisement on or to any stone, tree, fence, stump, pole, mile board, mile stone, danger sign, danger signal, guide sign, guide post, billboard, building, or other object within the limits of a public highway, without first obtaining the written consent of the chief of police of the city or town in which the highway is located; is punishable by a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500), or by imprisonment for not more than ten (10) days, or both. In addition, the person shall be

required to pay any and all expenses incurred in the repair or replacement of the mile board, mile stone, danger sign or signal, or guide sign or post. Any advertisement in or upon a public highway in violation of the provisions of this section may be taken down, removed or destroyed by anyone. Any and all costs incurred by the state of Rhode Island due to damages/loss under this section shall be fully reimbursed by the party or parties causing the damage.
History of Section.
G.L. 1896, ch. 279, § 37; G.L. 1909, ch. 345, § 41; P.L. 1915, ch. 1203, § 1; G.L. 1923, ch. 397, § 41; G.L. 1938, ch. 608, § 41; P.L. 1953, ch. 3207, § 1; G.L. 1956, § 11-22-2; P.L. 1976, ch. 250, § 1; P.L. 1981, ch. 281, § 1; P.L. 1990, ch. 494, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-3. - Billboards near grade crossings or intersections.

§ 11-22-3. Billboards near grade crossings or intersections.
No person, partnership, or corporation shall erect, construct, or maintain any billboard along the line of any public highway or street within three hundred (300) feet of any place where a railroad crosses a public highway or street at grade, nor within a distance of fifty (50) feet of the intersection of any public highway or street. The provisions of this section shall not be construed to apply to the erection, construction, or maintenance of any billboard whenever it shall be erected, constructed, or maintained upon the top of any building or buildings not less than ten (10) feet in height. Any person, partnership, or corporation violating any of the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not exceeding fifty dollars ($50.00).
History of Section.
P.L. 1914, ch. 1075, §§ 1, 2; G.L. 1923, ch. 119, §§ 26, 27; G.L. 1938, ch. 376, §§ 1, 2; G.L. 1956, § 11-22-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-4. - Windmills in proximity to highway.

§ 11-22-4. Windmills in proximity to highway.
No windmill shall be erected, placed, or continued within twenty-five (25) rods of any traveled street or road.
History of Section.
G.L. 1896, ch. 125, § 1; G.L. 1909, ch. 151, § 1; G.L. 1923, ch. 181, § 1; G.L. 1938, ch. 385, § 1; G.L. 1956, § 11-22-4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-5. - Penalty for unlawful windmill.

§ 11-22-5. Penalty for unlawful windmill.
Every person who shall erect, locate, or run any windmill within twenty-five (25) rods of any traveled street or road shall be fined for every offense not exceeding five hundred dollars ($500) nor less than one hundred dollars ($100), one-half (½) inuring to the use of the city or town where the offense shall have been committed and one-half (½) to the use of the state.
History of Section.
G.L. 1896, ch. 125, § 2; G.L. 1909, ch. 151, § 2; G.L. 1923, ch. 181, § 2; G.L. 1938, ch. 385, § 2; G.L. 1956, § 11-22-5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-6. - Removal of unlawful windmills.

§ 11-22-6. Removal of unlawful windmills.
The city council of any city and the town council of any town may remove all windmills within their cities and towns respectively that are located, continued, or run contrary to the provisions of § 11-22-4.
History of Section.
G.L. 1896, ch. 125, § 3; G.L. 1909, ch. 151, § 3; G.L. 1923, ch. 181, § 3; G.L. 1938, ch. 385, § 3; G.L. 1956, § 11-22-6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-7. - Council authority for location of windmill.

§ 11-22-7. Council authority for location of windmill.
The city council of any city and town council of any town may, upon petition in writing to them presented, authorize or continue the location of any mill in their discretion at any place within the limits of their respective towns.
History of Section.
G.L. 1896, ch. 125, § 4; G.L. 1909, ch. 151, § 4; G.L. 1923, ch. 181, § 4; G.L. 1938, ch. 385, § 4; G.L. 1956, § 11-22-7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-8. - Windmills exempt.

§ 11-22-8. Windmills exempt.
The provisions of §§ 11-22-4 — 11-22-7 shall not apply to any mill which shall be located by decree of the town council of the town in which it is situated, nor to any mill situated in the towns of New Shoreham or Jamestown, nor to any patented wind engine or mill.
History of Section.

G.L. 1896, ch. 125, § 5; G.L. 1909, ch. 151, § 5; G.L. 1923, ch. 181, § 5; G.L. 1938, ch. 385, § 5; G.L. 1956, § 11-22-8.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-22 - HighwaysSection 11-22-9. - Letting team go at large.

§ 11-22-9. Letting team go at large.
Every person having charge of any wheel carriage of any kind, or sled or sleigh, with any kind of team, who shall negligently or willfully let the team go at large in any highway, shall be fined five dollars ($5.00).
History of Section.
G.L. 1896, ch. 74, § 4; G.L. 1909, ch. 87, § 4; G.L. 1923, ch. 99, § 4; G.L. 1938, ch. 81, § 1; G.L. 1956, § 11-22-9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-23 - HomicideSection 11-23-1. - Murder.

§ 11-23-1. Murder.
The unlawful killing of a human being with malice aforethought is murder. Every murder perpetrated by poison, lying in wait, or any other kind of willful, deliberate, malicious, and premeditated killing, or committed in the perpetration of, or attempt to perpetrate, any arson or any violation of § 11-4-2, 11-4-3, or 11-4-4, rape, any degree of sexual assault or child molestation, burglary or breaking and entering, robbery, kidnapping, or committed during the course of the perpetration, or attempted perpetration, of felony manufacture, sale, delivery, or other distribution of a controlled substance otherwise prohibited by the provisions of chapter 28 of title 21, or committed against any law enforcement officer in the performance of his or her duty or committed against an assistant attorney general or special assistant attorney general in the performance of his or her duty, or perpetrated from a premeditated design unlawfully and maliciously to effect the death of any human being other than him or her who is killed, is murder in the first degree. Any other murder is murder in the second degree. The degree of murder may be charged in the indictment or information, and the jury may find the degree of murder, whether the murder is charged in the indictment or information or not, or may find the defendant guilty of a lesser offense than that charged in the indictment or information, in accordance with the provisions of § 12-17-14.
History of Section.
G.L. 1909, ch. 343, § 1; P.L. 1915, ch. 1258, § 6; G.L. 1923, ch. 395, § 1; P.L. 1929, ch. 1392, § 1; P.L. 1932, ch. 1943, § 1; G.L. 1938, ch. 606, § 1; G.L. 1956, § 11-23-1; P.L. 1974, ch. 118, § 5; P.L. 1979, ch. 178, § 1; P.L. 1980, ch. 247, § 3; P.L. 1990, ch. 259, § 1; P.L. 1990, ch. 284, § 4; P.L. 1996, ch. 152, § 1; P.L. 2008, ch. 128, § 1; P.L. 2008, ch. 199, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-23 - HomicideSection 11-23-2.1. - Penalty for murder of a kidnapped person under the age of eighteen (18).

§ 11-23-2.1. Penalty for murder of a kidnapped person under the age of eighteen (18).
If any person under the age of eighteen (18) who is kidnapped in violation of § 11-26-1 by a person other than his or her natural or adopted parent dies as a direct result of the kidnapping, then the person convicted of the offense shall be guilty of murder in the first degree and shall be punished by imprisonment for life, and the court may, pursuant to chapter 19.2 of title 12, order that that person not be eligible for parole.
History of Section.
P.L. 1984, ch. 362, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-23 - HomicideSection 11-23-2.2. - Penalty for murder in the first degree.

§ 11-23-2.2. Penalty for murder in the first degree.
Every person guilty of murder in the first degree shall serve not less than fifteen (15) years of his or her sentence before being eligible for parole.
History of Section.
P.L. 1989, ch. 415, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-23 - HomicideSection 11-23-2. - Penalties for murder.

§ 11-23-2. Penalties for murder.
Every person guilty of murder in the first degree shall be imprisoned for life. Every person guilty of murder in the first degree: (1) committed intentionally while engaged in the commission of another capital offense or other felony for which life imprisonment may be imposed; (2) committed in a manner creating a great risk of death to more than one person by means of a weapon or device or substance which would normally be hazardous to the life of more than one person; (3) committed at the direction of another person in return for money or any other thing of monetary value from that person; (4) committed in a manner involving torture or an aggravated battery to the victim; (5) committed against any member of the judiciary, law enforcement officer, corrections employee, assistant attorney general or special assistant attorney general, or firefighter arising from the lawful performance of his or her official duties; (6) committed by a person who at the time of the murder was committed to confinement in the adult correctional

institutions or the state reformatory for women upon conviction of a felony; or (7) committed during the course of the perpetration or attempted perpetration of felony manufacture, sale, delivery or other distribution of a controlled substance otherwise prohibited by the provisions of chapter 28 of title 21; shall be imprisoned for life and if ordered by the court pursuant to chapter 19.2 of title 12 that person shall not be eligible for parole from imprisonment. Every person guilty of murder in the second degree shall be imprisoned for not less than ten (10) years and may be imprisoned for life.
History of Section.
G.L. 1896, ch. 277, §§ 1, 2; G.L. 1909, ch. 343, §§ 1, 2; P.L. 1915, ch. 1258, § 6; G.L. 1923, ch. 395, § 2; G.L. 1938, ch. 606, § 2; G.L. 1956, § 11-23-2; P.L. 1973 (Ex. Sess.), ch. 280, § 1; P.L. 1984, ch. 221, § 1; P.L. 1990, ch. 284, § 4; P.L. 1996, ch. 152, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-23 - HomicideSection 11-23-3. - Manslaughter.

§ 11-23-3. Manslaughter.
(a)
Every person who shall commit manslaughter shall be imprisoned not exceeding thirty (30) years.
(b)
Where the provisions of The Domestic Violence Prevention Act, chapter 29 of title 12, are applicable, the penalties for violation of this section shall also include the penalties as provided in § 12-29-5.
History of Section.
G.L. 1896, ch. 277, § 3; G.L. 1909, ch. 343, § 3; G.L. 1923, ch. 395, § 3; G.L. 1938, ch. 606, § 3; G.L. 1956, § 11-23-3; P.L. 1985, ch. 421, § 1; P.L. 1988, ch. 539, § 9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-23 - HomicideSection 11-23-4. - Joinder of murder count with count for concealment of birth.

§ 11-23-4. Joinder of murder count with count for concealment of birth.
Any woman, who shall be indicted or charged by information for the murder of her infant child born out of wedlock, may also be charged in the same indictment or information with either or both of the offenses mentioned in § 11-18-4, and if, upon trial, the jury shall acquit her on the charge of murder and find her guilty of the other offenses, or either of them, judgment and sentence may be awarded against her accordingly.
History of Section.
G.L. 1896, ch. 281, § 11; G.L. 1909, ch. 347, § 11; G.L. 1923, ch. 399, § 11; P.L. 1926, ch. 858, § 1; G.L. 1938, ch. 610, § 11; G.L. 1956, § 11-23-4; P.L. 1974, ch. 118, § 5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-23 - HomicideSection 11-23-6. - Controlled substance transaction resulting in death of minor.

§ 11-23-6. Controlled substance transaction resulting in death of minor.
Any person who sells, delivers, or distributes a controlled substance, the sale of which would constitute a felony under chapter 28 of title 21, to a minor, or knowingly provides a controlled substance for sale, delivery, or distribution to a minor, and death has resulted to the minor because of the ingestion orally or the injection or inhalation of the controlled substance, shall be imprisoned for life.
History of Section.
P.L. 1981, ch. 287, § 1; P.L. 2018, ch. 105, § 2; P.L. 2018, ch. 111, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-23 - HomicideSection 11-23-7. - Controlled substance delivery resulting in death.

§ 11-23-7. Controlled substance delivery resulting in death.
(a)
A person is guilty of a controlled substance delivery resulting in death when, as a result of an unlawful delivery of a controlled substance in exchange for anything of value to an adult, death results to that adult because of the ingestion orally, or the injection or inhalation of the controlled substance.
(b)
A person is guilty of a controlled substance delivery resulting in death when, as a result of an unlawful delivery of a controlled substance to another person who subsequently delivers such controlled substance to an adult, death results to that adult because of the ingestion orally or the injection or inhalation of the controlled substance.
(c)
Those in violation of subsection (a) or (b), upon conviction, shall be imprisoned up to life.
(d)
For the purposes of this section only, any person who, in good faith, without malice and in the absence of evidence of an intent to defraud, seeks medical assistance for someone experiencing a controlled substance overdose shall not be charged or prosecuted for a violation of this section, if the evidence for the charge was gained as a result of the seeking of medical assistance.
(e)

The phrase “in exchange for anything of value” does not apply to the act of sharing a controlled substance when the sharing results in the proximate cause of a person’s death under this section.
History of Section.
P.L. 2018, ch. 105, § 3; P.L. 2018, ch. 111, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-24 - Hotels and Public PlacesSection 11-24-1. - All persons entitled to full and equal accommodations.

§ 11-24-1. All persons entitled to full and equal accommodations.
All persons within the jurisdiction of this state shall be entitled to the full and equal accommodations, advantages, facilities, and privileges of any place of public accommodation, resort or amusement, subject only to the conditions and limitations established by law and applicable alike to all persons.
History of Section.
G.L. 1896, ch. 277, § 27; G.L. 1909, ch. 343, § 28; G.L. 1923, ch. 395, § 28; P.L. 1925, ch. 658, § 1; G.L. 1938, ch. 606, § 28; P.L. 1952, ch. 2958, § 2; G.L. 1956, § 11-24-1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-24 - Hotels and Public PlacesSection 11-24-2.1. - Discrimination based on disability, age, or sex prohibited.

§ 11-24-2.1. Discrimination based on disability, age, or sex prohibited.
(a)
Whenever in this chapter there shall appear the words “ancestral origin” there shall be inserted immediately thereafter the words “disability, age, or sex.”
(b)
“Disability” means a disability as defined in § 42-87-1.
(c)
The terms, as used regarding persons with disabilities, “auxiliary aids and services” and “reasonable accommodation” have the same meaning as those terms are defined in § 42-87-1.1.
(d)
“Otherwise qualified” means a person with a disability who meets the essential eligibility requirements for participation in or receipt of benefits from the program or activity.
(e)
Any person with a disability shall be entitled to full and equal access, as other members of the general public to all public accommodations, subject to the conditions and limitations established by law and applicable alike to all persons.
(f)
Every person with a disability who has a personal assistive animal or who obtains a personal assistive animal, shall be entitled to full and equal access to all public accommodations provided for in this chapter, and shall not be required to pay extra compensation for a personal assistive animal, but shall be liable for any damage done to the premises by a personal assistive animal.
(g)
Nothing in this section shall require any person providing a place of public accommodation to, in any way, incur any greater liability or obligation, or provide a higher degree of care for a person with a disability than for a person who is not disabled.
(h)
“Sexual orientation” means having or being perceived as having an orientation for heterosexuality, bisexuality, or homosexuality.
(i)
“Gender identity or expression” includes a person’s actual or perceived gender, as well as a person’s gender identity, gender-related self image, gender-related appearance, or gender-related expression, whether or not that gender identity, gender-related self image, gender-related appearance, or gender-related expression is different from that traditionally associated with the person’s sex at birth.
History of Section.
P.L. 1979, ch. 144, § 5; P.L. 1988, ch. 227, § 1; P.L. 1995, ch. 32, § 6; P.L. 1997, ch. 150, § 1; P.L. 2000, ch. 499, § 1; P.L. 2000, ch. 507, § 1; P.L. 2001, ch. 340, § 5; P.L. 2009, ch. 96, § 1; P.L. 2009, ch. 97, § 1; P.L. 2021, ch. 124, § 2, effective July 2, 2021; P.L. 2021, ch. 125, § 2, effective July 2, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-24 - Hotels and Public PlacesSection 11-24-2.2. - Discrimination based on sexual orientation.

§ 11-24-2.2. Discrimination based on sexual orientation.
Whenever in this chapter the terms “race or color, religion or country of ancestral origin, handicap, age or sex” shall appear, there shall be inserted immediately thereafter the words “sexual orientation”.
History of Section.
P.L. 1995, ch. 32, § 7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-24 - Hotels and Public PlacesSection 11-24-2.3. -

Discrimination based on gender identity or expression.

§ 11-24-2.3. Discrimination based on gender identity or expression.
Whenever in this chapter the terms “race or color, religion, country of ancestral origin, handicap, age, sex, or sexual orientation” shall appear, there shall be inserted immediately thereafter the words “gender identity or expression”.
History of Section.
P.L. 2001, ch. 340, § 6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-24 - Hotels and Public PlacesSection 11-24-2. - Discriminatory practices prohibited.

§ 11-24-2. Discriminatory practices prohibited.
No person, being the owner, lessee, proprietor, manager, superintendent, agent, or employee of any place of public accommodation, resort, or amusement shall directly or indirectly refuse, withhold from, or deny to any person on account of race or color, religion, country of ancestral origin, disability, age, sex, sexual orientation, gender identity or expression, any of the accommodations, advantages, facilities, or privileges of that public place. No person shall directly or indirectly publish, circulate, issue, display, post, or mail any written, printed or painted communication, notice, or advertisement, to the effect that any of the accommodations, advantages, facilities, and privileges of any public accommodation place shall be refused, withheld from, or denied to any person on account of race or color, religion, country of ancestral origin, disability, sex or sexual orientation, gender identity or expression, or age or that the patronage or custom at that place of any person belonging to or purporting to be of any particular race or color, religion, country of ancestral origin, disability, age, sex, sexual orientation, or gender identity or expression is unwelcome, objectionable, or not acceptable, desired, or solicited. The production of any written, printed, or painted communication, notice, or advertisement, purporting to relate to any public place and to be made by any person being its owner, lessee, proprietor, superintendent, or manager, shall be presumptive evidence in any action that its production was authorized by that person.
History of Section.
G.L. 1896, ch. 277, § 27; G.L. 1909, ch. 343, § 28; G.L. 1923, ch. 395, § 28; P.L. 1925, ch. 658, § 1; G.L. 1938, ch. 606, § 28; P.L. 1952, ch. 2958, § 2; G.L. 1956, § 11-24-2; P.L. 1979, ch. 144, § 5; P.L. 1988, ch. 227, § 1; P.L. 1993, ch. 126, § 1; P.L. 1995, ch. 32, § 6; P.L. 1997, ch. 150, § 1; P.L. 2001, ch. 340, § 5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-24 - Hotels and Public PlacesSection 11-24-3.1. - Sex discrimination — Limitation on prohibition.

§ 11-24-3.1. Sex discrimination — Limitation on prohibition.
Nothing contained in this chapter that refers to “sex” shall be construed to mandate joint use of restrooms, bath houses, and dressing rooms by males and females.
History of Section.
P.L. 1979, ch. 144, § 5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-24 - Hotels and Public PlacesSection 11-24-3.2. - Age discrimination — Limitation on prohibition.

§ 11-24-3.2. Age discrimination — Limitation on prohibition.
For the purposes of this chapter, “age” is construed as anyone over the age of eighteen (18).
History of Section.
P.L. 1979, ch. 144, § 5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-24 - Hotels and Public PlacesSection 11-24-3. - “Places of public accommodation” construed.

§ 11-24-3. “Places of public accommodation” construed.
A “Place of public accommodation, resort, or amusement” within the meaning of §§ 11-24-1 — 11-24-3 includes, but is not limited to: (1) inns, taverns, roadhouses, hotels, whether conducted for the entertainment or accommodation of transient guests or of those seeking health, recreation or rest; (2) restaurants, eating houses or any place where food is sold for consumption on the premises; (3) buffets, saloons, barrooms, or any stores, parks, or enclosures where spirituous or malt liquors are sold; (4) ice cream parlors, confectioneries, soda fountains, and all stores where ice cream, ice and fruit preparations or their derivatives, or beverages of any kind are retailed for consumption on the premises; (5) retail stores and establishments, dispensaries, clinics, hospitals, rest rooms, bath houses, barber shops, beauty parlors, theaters, motion picture houses, music halls, airdromes, roof gardens, race courses, skating rinks, amusement and recreation parks, fairs, bowling alleys, golf courses, gymnasiums, shooting galleries, billiard and pool parlors, swimming pools, seashore accommodations and boardwalks, and public libraries; (6) garages; (7) all public conveyances operated on land, water or in the air as well as their stations and terminals; (8) public halls and public elevators of buildings occupied by two (2) or more tenants or by the owner and one or more tenants; and (9) public housing projects. Nothing in this section shall be construed to include any place of accommodation, resort, or amusement which is in its nature distinctly private.
History of Section.

G.L. 1938, ch. 606, § 28; P.L. 1952, ch. 2958, § 2; G.L. 1956, § 11-24-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-24 - Hotels and Public PlacesSection 11-24-4. - Enforcement of anti-discrimination provisions.

§ 11-24-4. Enforcement of anti-discrimination provisions.
The Rhode Island commission for human rights is empowered and directed, as provided in this section, to prevent any person from violating any of the provisions of §§ 11-24-1 — 11-24-3; provided, that before instituting a formal hearing it shall attempt by informal methods of conference, persuasion, and conciliation to induce compliance with those sections. Upon the commission's own initiative or whenever an aggrieved individual or an organization chartered for the purpose of combating discrimination or racism or of safeguarding civil liberties, or rights of persons with disabilities (that individual or organization being subsequently referred to as the complainant), makes a charge to the commission that any person, agency, bureau, corporation, or association, subsequently referred to as the respondent, has violated or is violating any of the provisions of §§ 11-24-1 — 11-24-3 the commission may proceed in the same manner and with the same powers as provided in §§ 28-5-16 — 28-5-26 and the provisions of §§ 28-5-13 and 28-5-16 — 28-5-36 as to the powers, duties and rights of the commission, its members, hearing examiners, the complainant, respondent, interviewer and the court shall apply in any proceedings under this section.
History of Section.
G.L. 1938, ch. 606, § 29; P.L. 1952, ch. 2958, § 3; G.L. 1956, § 11-24-4; P.L. 1997, ch. 150, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-24 - Hotels and Public PlacesSection 11-24-5. - Liberal construction of provisions.

§ 11-24-5. Liberal construction of provisions.
The provisions of §§ 11-24-1 — 11-24-6 shall be construed liberally for the accomplishment of their purposes, and any law inconsistent with their provisions shall not apply. Nothing contained in these sections shall be deemed to repeal any of the provisions of any law of this state relating to discrimination because of race or color, religion or country of ancestral origin, disability, age, sex, sexual orientation, or gender identity or expression.
History of Section.
P.L. 1952, ch. 2958, § 4; G.L. 1956, § 11-24-5; P.L. 1979, ch. 144, § 5; P.L. 1988, ch. 227, § 1; P.L. 1995, ch. 32, § 6; P.L. 1997, ch. 150, § 1; P.L. 2001, ch. 340, § 5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-24 - Hotels and Public PlacesSection 11-24-6. - Severability of provisions.

§ 11-24-6. Severability of provisions.
If any clause, sentence, paragraph, or part of §§ 11-24-1 — 11-24-6 or their application to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, the judgment shall not affect, impair, or invalidate the remainder of the sections or their application to other persons or circumstances.
History of Section.
P.L. 1952, ch. 2958, § 5; G.L. 1956, § 11-24-6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-24 - Hotels and Public PlacesSection 11-24-7. - Discrimination against members of armed forces prohibited.

§ 11-24-7. Discrimination against members of armed forces prohibited.
It shall be unlawful for any common carrier, innkeeper, or proprietor or lessee of any place of public amusement or entertainment, or any agent, servant, or representative of any common carrier, innkeeper, proprietor, or lessee, to debar from the full and equal enjoyment of the accommodations, advantages, facilities, or privileges of any public conveyance on land or water, of any inn, or of any place of public amusement or entertainment, any person in the military, air, or naval service of the United States or of this state wearing the uniform prescribed for him or her at that time or place by law, regulation of the service, or custom, on account of his or her wearing the uniform, or being in the military service.
History of Section.
G.L. 1896, ch. 283, § 31; P.L. 1908, ch. 1562, § 1; G.L. 1909, ch. 349, § 46; G.L. 1923, ch. 401, § 49; G.L. 1938, ch. 612, § 47; G.L. 1956, § 11-24-7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-24 - Hotels and Public PlacesSection 11-24-8. - Civil action for discrimination against armed forces.

§ 11-24-8. Civil action for discrimination against armed forces.
Any person who is debarred from the enjoyment, contrary to the provision of § 11-24-7, shall be entitled to recover, in a civil action, from any corporation, association, or person guilty of the violation, his or her actual damages and one hundred dollars ($100) in addition, and evidence that the person debarred was at the time sober, orderly, and able and willing to pay for enjoyment in accordance with the rates fixed therefor for civilians shall be prima facie evidence in an action that he or she was debarred on

account of his or her wearing the uniform or being in the military service.
History of Section.
G.L. 1896, ch. 283, § 32; P.L. 1908, ch. 1562, § 1; G.L. 1909, ch. 349, § 47; G.L. 1923, ch. 401, § 50; G.L. 1938, ch. 612, § 48; G.L. 1956, § 11-24-8.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-1.1. - Escape from municipal detention facility.

§ 11-25-1.1. Escape from municipal detention facility.
Every prisoner, detainee, or other person incarcerated or confined at the Donald W. Wyatt Detention Facility in the City of Central Falls who shall attempt to escape, or who shall escape, from the lawful custody of the director of the Donald W. Wyatt Detention Facility created under chapter 54 of title 45 shall, upon conviction, be imprisoned at the adult correctional institutions not more than three (3) years or be fined not more than five hundred dollars ($500). This term shall commence at the expiration of the original term of imprisonment of the prisoner.
History of Section.
P.L. 2000, ch. 362, § 1; P.L. 2000, ch. 477, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-1. - Escape from correctional institutions.

§ 11-25-1. Escape from correctional institutions.
Every prisoner who shall attempt to escape, or who shall escape, from the lawful custody of the warden of the adult correctional institutions, or from the custody of the director of behavioral healthcare, developmental disabilities and hospitals pursuant to the provisions of § 40.1-5.3-1, shall, upon conviction, be imprisoned not more than three (3) years or be fined not more than five hundred dollars ($500). However, nothing in this section shall be construed to include the offense of breaking jail.
History of Section.
G.L. 1896, ch. 276, § 13; G.L. 1909, ch. 342, § 13; P.L. 1920, ch. 1856, § 1; G.L. 1923, ch. 394, § 13; P.L. 1931, ch. 1791, § 1; G.L. 1938, ch. 605, § 13; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 11-25-1; P.L. 1979, ch. 244, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-10. - Conveyance of intoxicants to prisoner.

§ 11-25-10. Conveyance of intoxicants to prisoner.
Every person who shall convey or cause to be conveyed to any prisoner committed to the adult correctional institutions any wine or strong liquor, without the consent of the warden, shall be fined not exceeding fifty dollars ($50.00).
History of Section.
G.L. 1896, ch. 276, § 12; G.L. 1909, ch. 342, § 12; G.L. 1923, ch. 394, § 12; G.L. 1938, ch. 605, § 12; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 11-25-10.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-11. - Prisoners committed for violation of city or town ordinances.

§ 11-25-11. Prisoners committed for violation of city or town ordinances.
The several cities and towns shall have the right to use the correctional institutions of the state for the confinement of persons committed under the authority of the ordinances of the cities or towns; provided, that the director of corrections shall not be liable for damages or costs in any suit which may be brought by any person or persons who may be committed to the correctional institutions under the authority of this section.
History of Section.
P.L. 1976, ch. 290, § 9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-12. - Earnings of city or town prisoners.

§ 11-25-12. Earnings of city or town prisoners.
No law of this state shall be so construed as to give any city or town a claim upon the state for the labor or services of any person committed to the correctional institutions under its authority.
History of Section.
P.L. 1976, ch. 290, § 9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-13. - Federal prisoners.

§ 11-25-13. Federal prisoners.
Prisoners arrested within this state under the authority of the United States or sentenced under the authority of any court under the

authority of the United States held within the territorial limits of the first, second, or third judicial circuit of the United States as constituted on April 26, 1956, except Puerto Rico, shall be committed under the authority of the United States to any adult correctional institution and payment shall be made of the expense of maintaining and supervising those prisoners. The director of corrections of the adult correctional institutions shall receive the prisoners and safely keep them in the institutions until they are discharged by due course of the laws of the United States, under the like penalties and liabilities, civil and criminal, as in the case of prisoners committed by the authority of this state.
History of Section.
P.L. 1976, ch. 290, § 9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-14.1. - Unlawful possession of telecommunications devices.

§ 11-25-14.1. Unlawful possession of telecommunications devices.
(a)
It shall be unlawful for any prisoner to possess any portable electronic communication device, including, but not limited to, cellular telephones, cloned cellular telephones, two-way radios, pagers, personal digital assistants, or any other device capable of transmitting or intercepting cellular or radio signals between providers and users of telecommunication and data services. Any violation of this provision shall be punishable by a fine not to exceed five thousand dollars ($5,000), a prison term not to exceed five (5) years, or both.
(b)
For the purposes of this section, “prisoner” includes all persons incarcerated at the adult correctional institution, in the custody of any other officer while outside the confines of the custodial unit, or in the custody of the state director of behavioral health, developmental disabilities and hospitals pursuant to § 40.1-5.3-1. It shall not include those offenders on home confinement pursuant to § 42-56-20.2, nor those offenders serving on parole.
History of Section.
P.L. 2011, ch. 78, § 1; P.L. 2011, ch. 83, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-14. - Conveyance of unauthorized articles to or from institutions.

§ 11-25-14. Conveyance of unauthorized articles to or from institutions.
(a)
Every person who shall convey or cause to be conveyed into the adult correctional institutions any article without first obtaining the consent of the director of corrections, or who shall convey from the institutions any article without the consent of the director of corrections, shall be punished, upon conviction, by imprisonment for not more than ten (10) years, or by a fine of not more than five thousand dollars ($5,000), or both.
(b)
Every person who shall convey or cause to be conveyed to any prisoner any drugs, tobacco or any article that could be used as a weapon, without first obtaining the consent of the director of corrections, may be punished, upon conviction, by imprisonment for not more than ten (10) years, or by a fine of not more than five thousand dollars ($5,000), or both.
(c)
For the purposes of subsection (b), “prisoner” includes all persons committed to the adult correctional institution, in the custody of the warden, in the custody of any other officer while outside the confines of the custodial unit, in the custody of the state director of behavioral healthcare, developmental disabilities and hospitals pursuant to § 40.1-5.3-1, regardless of whether that prisoner is held upon conviction or upon any criminal charge. “Prisoner” shall not include persons on home confinement.
History of Section.
P.L. 1976, ch. 290, § 9; P.L. 2008, ch. 146, § 1; P.L. 2008, ch. 170, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-15. - Imprisonment for failure to appear at a court ordered hearing.

§ 11-25-15. Imprisonment for failure to appear at a court ordered hearing.
(a)
This section shall apply to every person who has been or shall be detained at or in the adult correctional institutions for failure to appear at a court ordered ability to pay hearing. After that person has completed his or her detention for lack of bail for failure to appear at an ability to pay hearing, he or she shall receive a reduction in fines and fees owed to the court, if any, in the amount of fifty dollars ($50.00) per day served (or any fraction thereof) to be applied against the amount of his/her outstanding fines or costs, or both.
(b)
Provided further, any person detained at the adult correctional institution for failure to appear who also claims an inability to pay his or her fines or costs shall be entitled to an evidentiary hearing in the district court within forty-eight (48) hours of the detention on the issue of ability to pay. Should the forty-eight (48) hours fall on a weekend or holiday, the hearing shall be scheduled on the next

available court date. If, after the hearing, it is determined there is no ability to pay, then that person shall immediately be released from detention. This section shall not deter or preclude any available alternatives to payment of the fines or costs.
History of Section.
P.L. 1976, ch. 290, § 9; P.L. 2006, ch. 374, § 1; P.L. 2006, ch. 443, § 1; P.L. 2012, ch. 367, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-16.1. - Escape after certification.

§ 11-25-16.1. Escape after certification.
(a)
Any person who violates the provisions of § 11-25-16 after having been certified and adjudicated by the family court pursuant to § 14-1-7.2 may, after a hearing by a justice of the family court to determine that probable cause exists to believe that the child has escaped from the institution, have the jurisdiction over his or her sentence transferred to the department of corrections to be served in facilities under the control of the department.
(b)
A finding pursuant to subsection (a) of this section shall constitute presumptive evidence of the nonamenability of the person of further treatment in facilities available to the family court. The court shall transfer the jurisdiction over his or her sentence to the department of corrections to be served in facilities under the control of that department, unless the presumption is rebutted by clear and convincing evidence which demonstrates that the person is amenable to treatment in facilities available to the family court.
(c)
A finding pursuant to subsection (a) of this section shall constitute presumptive evidence of the nonamenability of the person to further treatment in facilities available to the family court and the court shall waive jurisdiction over the offense and all subsequent offenses. The child shall be prosecuted for those offenses by the court which would have jurisdiction if committed by an adult, unless the presumption is rebutted by clear and convincing evidence which demonstrates that the person is amenable to treatment in the facilities available to the family court.
(d)
A waiver of jurisdiction over a child pursuant to subsection (c) of this section shall constitute a waiver of jurisdiction over the child for that offense, as well as for all subsequent offenses of whatever nature. The child shall be referred to the court which would have had jurisdiction if the offense had been committed by an adult.
History of Section.
P.L. 1990, ch. 15, § 4; P.L. 1990, ch. 18, § 4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-16. - Juvenile escapees.

§ 11-25-16. Juvenile escapees.
(a)
Any person sixteen (16) years or older who shall escape from the Rhode Island training school for youth after having been placed in the institution by the order of a family court judge, or who shall escape from the adult correctional institutions after having been placed in the institution by an order of a family court judge, shall, upon conviction, be imprisoned for a term not exceeding two (2) years and/or a fine not exceeding one thousand dollars ($1,000).
(b)
In any case provided by subsection (a) of this section, the family court shall hold a hearing to determine whether or not the family court’s jurisdiction over the child shall be waived and may, if it so finds, order the child held for trial under the regular procedure of the district and/or superior courts.
(c)
If the family court elects to keep jurisdiction over the child, the court shall follow its regular procedure.
(d)
In the adjudication of any case under this section, the fact that the person has been found delinquent for the offense of escaping from the Rhode Island training school for youth on one or more occasions shall be prima facie evidence that the person cannot be rehabilitated under chapter 10 of title 8. The superintendent of the Rhode Island training school shall notify the department of attorney general, the Rhode Island state police, and the Cranston Police Department of any escape, or attempted escape from the Rhode Island training school.
History of Section.
P.L. 1976, ch. 290, § 9; P.L. 1994, ch. 107, § 1; P.L. 1994, ch. 183, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-17. - Receipt, safekeeping and record of prisoners.

§ 11-25-17. Receipt, safekeeping and record of prisoners.
The director of corrections shall receive into his or her custody and safely keep in the institutions every person who shall be committed to the adult correctional institutions until the prisoner shall be legally discharged. The liability of the committing officer

shall cease and the liabilities of the director of corrections shall commence immediately upon the entering and signing of the commitment by the committing officer in the book of those institutions kept for that purpose. The director shall cause to be maintained a record in which shall be entered the reception, discharge, death, pardon or escape of every prisoner, all disciplinary action for breach of institution regulations, and all medical care received.
History of Section.
P.L. 1976, ch. 290, § 9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-18. - Receipt of gifts by employees of department of corrections.

§ 11-25-18. Receipt of gifts by employees of department of corrections.
No employee of the department of corrections shall receive from any prisoner confined in the adult correctional institutions, nor from anyone on behalf of such a prisoner, any reward or gift, or promise of any reward or gift, either for services or supplies or as a gratuity. Any employee in violation of this provision shall, upon conviction, be punished by imprisonment for not more than thirty (30) days and shall, upon final conviction, be immediately dismissed from employment.
History of Section.
P.L. 1976, ch. 290, § 9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-19. - Record of visitors.

§ 11-25-19. Record of visitors.
A record of every visitor to any institution within the department of corrections including, but not limited to, the adult correction institutions, women's division, adult correctional institutions, and training school for youth, shall be maintained and each visitor shall identify himself or herself and shall sign his or her proper legal name. Any person who shall give false information for that record shall be punished, upon conviction, by imprisonment for not more than three (3) years.
History of Section.
P.L. 1976, ch. 290, § 9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-2.1. - Assault by a municipal detention inmate.

§ 11-25-2.1. Assault by a municipal detention inmate.
Every prisoner, detainee, or other person incarcerated or confined in the Donald W. Wyatt Detention Facility, created under chapter 54 of title 45 who shall assault the director or other detention center employees, shall be sentenced by the court to imprisonment at the adult correctional institutions, for not less than one year and no more than twenty (20) years. This term shall commence at the expiration of the original term of imprisonment of the prisoner.
History of Section.
P.L. 2000, ch. 362, § 1; P.L. 2000, ch. 477, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-2. - Assault or escape by a custodial unit inmate.

§ 11-25-2. Assault or escape by a custodial unit inmate.
Every prisoner confined in any custodial unit of the adult correctional institutions or in the custody of the warden or other correctional employee while outside the confines of the institutions or in the custody of the director of behavioral healthcare, developmental disabilities and hospitals pursuant to the provisions of § 40.1-5.3-1, who shall assault the warden, or other correctional employee of the institution, or shall escape, or attempt to effect an escape, shall be sentenced by the court to a term of imprisonment in the adult correctional institutions for not less than one year nor more than twenty (20) years, that term to commence from the expiration of the original term of the prisoner.
History of Section.
G.L. 1896, ch. 276, § 14; G.L. 1909, ch. 342, § 14; G.L. 1923, ch. 394, § 14; P.L. 1936, ch. 2388, § 1; G.L. 1938, ch. 605, § 14; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 11-25-2; P.L. 1979, ch. 244, § 1; P.L. 1984, ch. 65, § 1; P.L. 1991, ch. 56, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-20. - Habeas corpus for production of prisoner.

§ 11-25-20. Habeas corpus for production of prisoner.
Whenever a writ of habeas corpus shall issue from either the supreme or superior court for the production and appearance before it of a prisoner confined in the adult correctional institutions, the writ shall be delivered to the division of sheriffs. Whenever the writ is issued from any other court, it shall be delivered to the division of sheriffs or to any town sergeant or chief of police or police constable, who shall duly present it to the director of corrections of the institutions. The director of corrections shall upon receipt of the writ deliver the prisoner to the custody of the officer. The officer shall take and receive the prisoner into his or her custody, shall

duly present the prisoner before the court pursuant to the command of the writ, and shall keep and hold the prisoner until by order of the court he or she shall be recommitted to the institutions or otherwise disposed of. Upon the delivery of the custody of the prisoner by the director of corrections to the officer, the director of corrections shall endorse the delivery upon the writ, and the officer shall receipt on the books of the institutions for custody. The officer, upon the production of the prisoner in court, shall further endorse that fact on the writ and deliver it to the clerk or (if there is no clerk) the presiding justice; but shall, as an officer of the court, maintain safe custody of the prisoner until he or she is, by further order, recommitted or discharged.
History of Section.
P.L. 1976, ch. 290, § 9; P.L. 2012, ch. 324, § 34.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-21. - Habeas corpus — Training school for youth.

§ 11-25-21. Habeas corpus — Training school for youth.
Whenever a writ of habeas corpus shall issue from either the supreme, superior or family court for the production and appearance before it of a prisoner confined in the training school for youth, the writ shall be delivered to the division of sheriffs. Whenever the writ is issued from any other court, it shall be delivered to the division of sheriffs or to any town sergeant or chief of police or police constable who shall duly present it to the superintendent of the training school for youth. The superintendent shall upon receipt of the writ deliver the prisoner to the custody of the officer. The officer shall take and receive the prisoner into his or her custody, shall duly present him or her before the court pursuant to the commands of the writ, and shall keep and hold the prisoner until by order of the court the prisoner shall be recommitted to the institution or otherwise disposed of. Upon the delivery of the custody of the prisoner by the superintendent to the officer, the superintendent shall endorse the delivery upon the writ, and the officer shall receipt on the books of the training school for youth for the custody. The officer, upon the production of the prisoner in court, shall further endorse that fact on the writ and deliver it to the clerk or (if there is no clerk) the presiding justice; but shall, as an officer of the court, maintain safe custody of the prisoner until he or she is, by further order, recommitted or discharged.
History of Section.
P.L. 1976, ch. 290, § 9; P.L. 1977, ch. 69, § 1; P.L. 2012, ch. 324, § 34.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-22. - Escape from custody.

§ 11-25-22. Escape from custody.
Any person who shall attempt to escape, or who shall escape, from any lawful custody where a penalty is not otherwise provided by law, shall, upon conviction, be deemed guilty of a misdemeanor.
History of Section.
P.L. 1984, ch. 116, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-23. - Allowing prisoners to have controlled substances.

§ 11-25-23. Allowing prisoners to have controlled substances.
(a)
Every person who shall voluntarily permit any prisoner to unlawfully have access to any controlled substances as defined in § 21-28-1.02 shall be punished by imprisonment for not more than ten (10) years, or by a fine of not more than ten thousand dollars ($10,000), or both.
(b)
For the purposes of this section, “prisoner” includes all persons committed to the adult correctional institutions, in the custody of the warden, in the custody of any other officer while outside the confines of the custodial unit, in the custody of the state director of behavioral healthcare, developmental disabilities and hospitals pursuant to § 40.1-5.3-1, or the Rhode Island training school for youth, regardless of whether that prisoner is held upon conviction or upon any criminal charge.
History of Section.
P.L. 1989, ch. 393, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-24. - Correctional employees — Sexual relations with inmates — Felony.

§ 11-25-24. Correctional employees — Sexual relations with inmates — Felony.
Every employee of the department of corrections or the employee of a contractor who is under contract to provide services in a correctional institution who engages in sexual penetration as defined in § 11-37-1 with an inmate confined in a correction institution or who is otherwise under the direct custodial supervision and control of that employee shall be guilty of a felony punishable by imprisonment for not more than five (5) years, or by a fine of not more than ten thousand dollars ($10,000), or both.
History of Section.
P.L. 1995, ch. 119, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-3. - Fatal assault by maximum custodial inmate deemed murder.

§ 11-25-3. Fatal assault by maximum custodial inmate deemed murder.
In case the warden or any under-keeper or any other officer of a maximum custodial unit is killed in any assault by a prisoner, the killing shall be deemed to be a murder.
History of Section.
G.L. 1896, ch. 276, § 15; G.L. 1909, ch. 342, § 15; G.L. 1923, ch. 394, § 15; G.L. 1938, ch. 605, § 15; impl. am. P.L. 1956, ch. 3721, § 1; P.L. 1956, § 11-25-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-4.1. - Sentence for assault or escape by prisoner — Consecutive term.

§ 11-25-4.1. Sentence for assault or escape by prisoner — Consecutive term.
The sentence for assault or escape, as prescribed in § 11-25-4, shall run consecutively to the original term of incarceration.
History of Section.
P.L. 1988, ch. 145, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-4. - Assault or escape by prisoner of medium or minimum custodial unit.

§ 11-25-4. Assault or escape by prisoner of medium or minimum custodial unit.
Every prisoner confined in the medium or minimum custodial unit of the adult correctional institutions or in the custody of the warden or other officer while outside the confines of the custodial unit, or in the custody of the director of behavioral healthcare, developmental disabilities and hospitals pursuant to the provisions of § 40.1-5.3-1 who shall assault the warden or other officer of that institution, or shall escape, or attempt to effect an escape, either from those institutions or the custody of the warden or officers, or the director, including that custody which pertains to the work release program, shall be sentenced by the court to a term of imprisonment in the adult correctional institutions for not less than one year nor more than twenty (20) years. This term shall commence from the expiration of the original term of the prisoner.
History of Section.
G.L., ch. 394, § 25, as enacted by P.L. 1936, ch. 2388, § 2; G.L. 1938, ch. 605, § 25; P.L. 1950, ch. 2467, § 1; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 11-25-4; P.L. 1970, ch. 70, § 1; P.L. 1974, ch. 105, § 1; P.L. 1979, ch. 244, § 1; P.L. 1991, ch. 58, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-5. - Officer voluntarily allowing prisoner to escape.

§ 11-25-5. Officer voluntarily allowing prisoner to escape.
Every jailer or other officer, who shall voluntarily suffer any prisoner in his or her custody upon conviction or upon any criminal charge to escape, shall be punished by imprisonment for not more than ten (10) years, or by a fine of not more than one thousand dollars ($1,000), or both.
History of Section.
G.L. 1896, ch. 276, § 8; G.L. 1909, ch. 342, § 8; P.L. 1915, ch. 1258, § 5; G.L. 1923, ch. 394, § 8; G.L. 1938, ch. 605, § 8; G.L. 1956, § 11-25-5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-6. - Officer negligently allowing escape.

§ 11-25-6. Officer negligently allowing escape.
Every jailer or other officer, who shall be convicted of negligently suffering any prisoner in his or her custody upon conviction or upon any criminal charge to escape, shall be punished by imprisonment for not more than five (5) years, or by a fine of not more than five hundred dollars ($500), or both.
History of Section.
G.L. 1896, ch. 276, § 9; G.L. 1909, ch. 342, § 9; P.L. 1915, ch. 1258, § 5; G.L. 1923, ch. 394, § 9; G.L. 1938, ch. 605, § 9; G.L. 1956, § 11-25-6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-7. - Rescue of prisoner.

§ 11-25-7. Rescue of prisoner.
Every person who shall set at liberty or rescue, either by force or stratagem, any person convicted of any crime or offense or in the custody of any officer upon any criminal charge, or confined in any jail, lock-up, police station or other place of detention upon any criminal charge, shall be punished by imprisonment for not more than ten (10) years, or by a fine of not more than one thousand dollars ($1,000), or both.
History of Section.

G.L. 1896, ch. 276, § 6; G.L. 1909, ch. 342, § 6; P.L. 1915, ch. 1258, § 5; G.L. 1923, ch. 394, § 6; G.L. 1938, ch. 605, § 6; G.L. 1956, § 11-25-7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-8. - Conveyance to prisoner of instruments for escape.

§ 11-25-8. Conveyance to prisoner of instruments for escape.
Every person who shall convey to any prisoner confined upon any criminal charge or upon conviction in any prison, jail, lock-up, police station, or other place of detention, without the knowledge of the warden, jailer, or officer in charge of the prison, jail, lock-up, police station, or place of detention, any disguise, instrument, tool, weapon, or other thing which is adapted or useful to aid a prisoner in making his or her escape, shall if any prisoner escapes by means of a disguise, instrument, tool, weapon, or other thing so conveyed, be punished by imprisonment for not more than ten (10) years, or by a fine of not more than one thousand dollars ($1,000), or both. If there is no escape by means of the disguise, instrument, tool, weapon, or other thing so conveyed, then the person so conveying it shall be punished by imprisonment for not more than five (5) years, or by a fine of not more than one thousand dollars ($1,000), or both.
History of Section.
G.L. 1896, ch. 276, § 10; G.L. 1909, ch. 342, § 10; P.L. 1915, ch. 1258, § 5; P.L. 1920, ch. 1857, § 1; G.L. 1923, ch. 394, § 10; G.L. 1938, ch. 605, § 10; G.L. 1956, § 11-25-8.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-25 - Jails and PrisonsSection 11-25-9. - Assisting inmate of correctional institutions to escape.

§ 11-25-9. Assisting inmate of correctional institutions to escape.
Every person who shall convey any tools to, or shall have any communication without lawful authority therefor or hold any conversation with any prisoner confined in the adult correctional institutions, from the outside of the institutions, or shall convey any tools or instruments to or in any way assist in the escape or attempted escape of any person from any institution under the management and control of the department of corrections, or shall harbor or assist that person, shall be deemed guilty of a misdemeanor and shall be fined not exceeding five hundred dollars ($500) or be imprisoned not exceeding three (3) years.
History of Section.
G.L. 1896, ch. 276, § 11; G.L. 1909, ch. 342, § 11; P.L. 1915, ch. 1258, § 5; P.L 1922, ch. 2216, § 1; G.L. 1923, ch. 394, § 11; G.L. 1938, ch. 605, § 11; impl. am. P.L. 1939, ch. 660, § 80; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 11-25-9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-26 - KidnappingSection 11-26-1.1. - Childsnatching.

§ 11-26-1.1. Childsnatching.
(a)
Any person who intentionally removes, causes the removal of, or detains any child under the age of eighteen (18) years, whether within or without the state of Rhode Island, with intent to deny another person’s right of custody under an existing decree or order of the family court, shall be guilty of a felony, and, upon conviction, shall be punished by imprisonment for a term not more than two (2) years, or a fine of not more than ten thousand dollars ($10,000), or both.
(b)
It shall be an affirmative defense that:
(1)
The person at the time of the alleged violation had lawful custody of the child pursuant to a court order granting legal custody or visitation rights;
(2)
The person had physical custody of the child pursuant to a court order granting legal custody or visitation rights and failed to return the child as a result of circumstances beyond his or her control, and the person notified and disclosed to the other parent or legal custodian the specific whereabouts of the child and a means by which the child could be contacted or made a reasonable attempt to notify the other parent or lawful custodian of the child of the circumstances and made that disclosure within twenty-four (24) hours after the visitation period had expired and returned the child as soon as possible; or
(3)
The person was fleeing an incidence or pattern of domestic violence.
History of Section.
P.L. 1980, ch. 217, § 1; P.L. 1988, ch. 251, § 1; P.L. 1988, ch. 349, § 1; P.L. 1988, ch. 539, § 10; P.L. 1989, ch. 542, § 6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-26 - KidnappingSection 11-26-1.2. - Abduction of child prior to court order.

§ 11-26-1.2. Abduction of child prior to court order.
(a)

Any parent, or any person acting pursuant to directions from the parent, who shall, after being served with process in an action affecting the family, but prior to the issuance of a temporary or final order determining custody of a minor child, take or entice a child away from the family unit, whether within or without the state of Rhode Island, for the purpose of depriving the other parent of physical custody of the child for a period greater than fifteen (15) days, shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for a term up to two (2) years, or a fine of not more than ten thousand dollars ($10,000), or both.
(b)
No person shall be deemed to have violated this section if the action:
(1)
Is taken to protect the child from imminent physical harm;
(2)
Is taken by a parent fleeing from imminent physical harm to himself or herself;
(3)
Is consented to by both parents; or
(4)
Is otherwise authorized by law.
History of Section.
P.L. 1988, ch. 251, § 1; P.L. 1988, ch. 349, § 2; P.L. 1989, ch. 542, § 6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-26 - KidnappingSection 11-26-1.3. - Missing child — Duty to investigate.

§ 11-26-1.3. Missing child — Duty to investigate.
Whenever a parent notifies a local or state police department that his or her minor child and the child's other parent have been missing for at least one week and that their whereabouts are unknown, the police department shall immediately conduct an investigation to ascertain the location of the missing parent and child. However, there shall not be a duty to investigate when the notification is provided by a noncustodial parent denied visitation pursuant to an order of the family court and the parent in possession of the child has custody of the child pursuant to an order of the family court.
History of Section.
P.L. 1988, ch. 251, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-26 - KidnappingSection 11-26-1.4. - Kidnapping of a minor.

§ 11-26-1.4. Kidnapping of a minor.
Whoever, without lawful authority, forcibly or secretly confines or imprisons any child under the age of sixteen (16) years within this state against the child's will, or forcibly carries or sends the child out of this state, or forcibly seizes, confines, inveigles, or kidnaps the child with intent either to cause the child to be secretly confined or imprisoned within this state against his or her will, or with the intent of sexually assaulting or molesting the child as defined in chapter 37 of this title, or with the intent to abuse the child as defined in chapter 9 of this title, shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for life or for any term not less than twenty (20) years. However, nothing contained in this section shall be deemed to make the reasonable lawful acts of a parent in caring for his or her child a violation of this section.
History of Section.
P.L. 1989, ch. 192, § 1; P.L. 2004, ch. 451, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-26 - KidnappingSection 11-26-1.5. - Enticement of children.

§ 11-26-1.5. Enticement of children.
(a)
A person shall be guilty of a felony if that person attempts to persuade, or persuades a minor child under the age of sixteen (16) years, whether by words or actions or both, with intent to engage in felonious conduct against that child to either:
(1)
Leave the child's home or school;
(2)
Enter a vehicle or building; or
(3)
Enter an area, with the intent that the child shall be concealed from public view; while the person is acting without the authority of: (i) the custodial parent of the child, (ii) the state of Rhode Island or a political subdivision of the state, or (iii) one having legal custody of the minor child. Nothing contained in this section shall be construed to prevent the lawful detention of a minor child or the rendering of aid or assistance to a minor child.
(b)
Every person convicted of a violation of the provisions of this section shall be guilty of a felony, and shall be punished by

imprisonment for not more than five (5) years, or by a fine of not more than five thousand dollars ($5,000), or by both fine and imprisonment.
(c)
Every person convicted of, or placed on probation for a violation of this section, may be ordered to attend appropriate professional counseling to address his or her behavior.
History of Section.
P.L. 1997, ch. 122, § 1; P.L. 2008, ch. 135, § 1; P.L. 2008, ch. 203, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-26 - KidnappingSection 11-26-1. - Kidnapping.

§ 11-26-1. Kidnapping.
(a)
Whoever, without lawful authority, forcibly or secretly confines or imprisons another person within this state against his or her will, or forcibly carries or sends another person out of this state, or forcibly seizes or confines or inveigles or kidnaps another person with intent either to cause him or her to be secretly confined or imprisoned within this state against his or her will or to cause him or her to be sent out of this state against his or her will, shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for not more than twenty (20) years.
(b)
Where the provisions of The Domestic Violence Prevention Act, chapter 29 of title 12, are applicable, the penalties for violation of this section shall also include the penalties as provided in § 12-29-5.
History of Section.
G.L. 1896, ch. 277, § 21; G.L. 1909, ch. 343, § 21; P.L. 1909, ch. 455, § 1; P.L. 1915, ch. 1258, § 7; G.L. 1923, ch. 395, § 21; P.L. 1932, ch. 1866, § 1; G.L. 1938, ch. 606, § 21; G.L. 1956, § 11-26-1; P.L. 1988, ch. 539, § 10.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-26 - KidnappingSection 11-26-2. - Kidnapping with intent to extort.

§ 11-26-2. Kidnapping with intent to extort.
Whoever commits any of the offenses mentioned in this chapter with intent to extort money or other valuable thing shall be guilty of a felony, and, upon conviction, shall be punished by imprisonment for life or for any term not less than five (5) years.
History of Section.
G.L. 1923, ch. 395, § 21; P.L. 1932, ch. 1866, § 1; G.L. 1938, ch. 606, § 21; G.L. 1956, § 11-26-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-26 - KidnappingSection 11-26-3. - Venue of prosecutions.

§ 11-26-3. Venue of prosecutions.
Any violation of the provisions of this chapter may be alleged to have been committed, and the offender may be prosecuted and punished, in any county from, through, or into which he or she has transported or carried or caused to be transported or carried another, or in which the person so transported may be found or in which the offender may be found.
History of Section.
G.L. 1909, ch. 343, § 21; P.L. 1915, ch. 1258, § 7; G.L. 1923, ch. 395, § 21; P.L. 1932, ch. 1866, § 1; G.L. 1938, ch. 606, § 21; G.L. 1956, § 11-26-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-1. - “Hold himself or herself out” and “person” defined.

§ 11-27-1. “Hold himself or herself out” and “person” defined.
(a)
“Hold himself or herself out” as used in this chapter includes the following: the assumption, use, or advertisement of the title of lawyer, attorney, attorney at law, counselor, counselor at law, solicitor, or any term or terms conveying the idea that the person in connection with whose name they or any of them are used is competent, qualified, authorized, or entitled to practice law, or the use of any kind of sign, token, symbol, card, letterhead, envelope, stationery, circular, or other writing, printing, or painting, or any representation by word or act, the purpose or tendency of which is to convey that idea.
(b)
“Person” when used in the phrase “another person” in this chapter, unless the context otherwise requires, includes partnerships, corporations, and associations.
History of Section.
G.L. 1923, ch. 401, § 44; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 42; G.L. 1956, § 11-27-1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-10. - Agreement or offer to furnish legal services.

§ 11-27-10. Agreement or offer to furnish legal services.
No person or persons, except members of the bar, either in his, her or their own name or names or under any firm or trade name, shall furnish or agree to furnish legal advice, service or counsel, nor furnish or agree to furnish an attorney at law, nor advertise in any manner that he, she, or they will furnish or agree to furnish legal services or advice or the services of an attorney at law. This prohibition shall not be deemed to apply to an organization, or its representatives, meeting the criteria contained in subsection 11-27-3(b). Nothing in this section shall be deemed to permit members of the bar to advertise contrary to the ethics of their profession.
History of Section.
G.L. 1923, ch. 401, § 45; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 43; G.L. 1956, § 11-27-10; P.L. 2006, ch. 578, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-11. - Practices permitted to persons not members of bar.

§ 11-27-11. Practices permitted to persons not members of bar.
Nothing in §§ 11-27-5 — 11-27-11 shall be construed to limit or prevent:
(1)
Clerks of court and recorders of deeds from the drafting of any legal instruments that may be necessary for the proper conduct and discharge of their respective offices and duties.
(2)
Clerks or registered students in law offices from acting under the direction of a member of the bar of this state whose authority as a member to practice law is in full force and effect.
(3)
Any person from occasionally collecting or adjusting any unassigned claim of or against any member of his or her household or of or against his or her regular and principal employer.
(4)
The performance of any service personally performed by any natural person acting as administrator, executor, guardian, trustee, or other fiduciary in the preparation, rendering, and allowance of inventories, accounts, tax returns, or other services personally performed by him or her in relation to the fiduciary estate without the intervention of another person.
(5)
Town clerks from drafting deeds and mortgages and transfers and discharges of deeds and mortgages for recording in their own offices.
(6)
Any person from drawing, in the regular course of his or her regular business or employment, any note, bill, draft, bill of sale, conditional bill of sale, or any ordinary business agreement, to which he or she or his or her regular and principal employer is a party.
(7)
Any certified public accountant or member of the American Institute of Accountants from appearing or acting as a representative of another person before any federal, state, or municipal department, board, division, department, commission, agency, or any body other than a court, authorized or constituted by law to determine any question of fact, affecting the imposition or adjustment of taxes or regarding any financial or accounting matter, or from preparing for or on behalf of another person any federal, state, or municipal return or report of any nature or description, or advising another person in relation to the preparation of any such return or report.
(8)
Any person registered to practice before the Interstate Commerce Commission or member of the Association of Practitioners before the Interstate Commerce Commission from appearing or acting as representative of another person before any federal, state, or municipal department, board, commission, agency, or any body other than a court, authorized or constituted by law to determine any question of fact, affecting the rights of any carrier of persons or property in intrastate or interstate commerce, or from preparing for or on behalf of another person any federal, state, or municipal application, report or other writing of any nature or description, or advising another person in relation to the preparation of the application, report, or other writing.
(9)
Any public accountant from advising a taxpayer in connection with the imposition or adjustment of taxes or any person from preparing for or on behalf of a taxpayer any federal, state, or municipal tax return or tax report, provided the person or public accountant regularly audits or examines the accounting records of the taxpayer or any person from preparing for or on behalf of a taxpayer any federal, state, or municipal personal income tax return.
History of Section.
G.L. 1923, ch. 401, § 45; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 43; P.L. 1940, ch. 947, § 1; P.L. 1954, ch. 3319, § 1; G.L. 1956, § 11-27-11; P.L. 1983, ch. 240, § 1; P.L. 1987, ch. 416, § 1; P.L. 2000, ch. 109, § 7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-12. - Unauthorized holding out as qualified to practice law.

§ 11-27-12. Unauthorized holding out as qualified to practice law.

No person, except a duly admitted member of the bar of this state, whose authority as a member to practice law is in full force and effect, shall assume to be an attorney or counselor at law or hold himself or herself out in any manner to the public or to another person as being competent, qualified, authorized, or entitled to practice law in this state.
History of Section.
P.L. 1907, ch. 1450, § 1; G.L. 1909, ch. 349, § 44; P.L. 1917, ch. 1494, § 1; G.L. 1923, ch. 401, §§ 44, 45; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 42; G.L. 1956, § 11-27-12.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-13. - Visiting attorneys.

§ 11-27-13. Visiting attorneys.
The provisions of §§ 11-27-1, 11-27-2, and 11-27-5 — 11-27-14 shall not apply to visiting attorneys at law, duly authorized to practice law before the courts of record in another state, while temporarily in this state on legal business, or while permitted to conduct or argue any case in this state according to the rules of practice of the supreme court, but no visiting attorney shall issue or indorse, as attorney, any writ of any court of this state.
History of Section.
G.L. 1923, ch. 401, § 44; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 42; G.L. 1956, § 11-27-13.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-14. - Penalties for violations.

§ 11-27-14. Penalties for violations.
Any person violating any of the provisions of this chapter shall, upon a first conviction, be imprisoned for a term not exceeding one year, or fined not exceeding five hundred dollars ($500), or both. Any firm, corporation, or other entity violating any of the provisions of this chapter shall, upon a first conviction, be fined not exceeding five hundred dollars ($500). Every person having been convicted of a subsequent offense involving the unauthorized practice of law in this state or in any other jurisdiction shall, for each offense, be imprisoned for a term not exceeding five (5) years, or be fined not exceeding five thousand dollars ($5,000), or both. Every firm, corporation, or other entity having been convicted of a subsequent offense involving the unauthorized practice of law in this state or in any other jurisdiction shall, for each offense, be fined not exceeding five thousand dollars ($5,000).
History of Section.
P.L. 1907, ch. 1450, § 1; G.L. 1909, ch. 349, § 44; P.L. 1917, ch. 1494, § 1; G.L. 1923, ch. 401, §§ 44, 45; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, §§ 42, 43; G.L. 1956, § 11-27-14; P.L. 1987, ch. 161, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-15. - [Superseded.]

§ 11-27-15. [Superseded.]

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-16. - Practices permitted to corporations and associations.

§ 11-27-16. Practices permitted to corporations and associations.
(a)
Nothing in §§ 11-27-2 — 11-27-11 or §§ 11-27-16 — 11-27-18 shall be construed to limit or prevent:
(1)
Any corporation, or its officers or agents, lawfully engaged in the insuring of titles to real property from conducting its business, and the drawing of deeds, mortgages, and other legal instruments in or in connection with the conduct of the business of the corporation;
(2)
Any public utility corporation or insurance company, or its officers or agents, from adjusting claims against the corporation or company or those insured by the company with the restrictions provided in § 11-27-9, or the company, or its officers or agents, from advertising to furnish or from furnishing any attorney at law to represent those insured by the company as provided in its policies;
(3)
Any corporation or association, or its officers or agents, from drawing, in the regular course of its business, any note, bill, draft, bill of sale, conditional bill of sale, or any ordinary business agreement to which it is a party;
(4)
Any corporate administrator, executor, guardian, trustee, or other fiduciary, or its officers or agents, from preparing and filing inventories and accounts and income, inheritance, and estate tax returns, and from attending to the allowance of uncontested accounts in relation to the fiduciary estates;
(5)
Any nonprofit sharing credit corporation or association, or its officers or agents, licensed under former Chapter 1782 of the Public Laws, 1931, from collecting or adjusting, as incidental to its main purposes, contract claims of its own members. However, if the aid of any court is to be invoked on a claim, it shall be turned back to the creditor member for reference to his or her own attorney at law;

(6)
Any nonprofit sharing automobile service corporation or association, or its officers or agents, from furnishing the services of an attorney at law, who resides and practices exclusively in another state or country, to its members who reside in this state;
(7)
Any person or corporation, or its officers or clerks, whose principal source of income is his or its commissions or profits from his, her, or its selling or leasing real estate, or both, and who regularly maintains an office for that purpose, from drafting deeds, mortgages, leases, and agreements in connection with sales or leases made or negotiated by him, her, or it; provided, that in every such case the drafter shall so endorse his or her full name and business address upon the face of the instrument that the endorsement will be recorded if the instrument is recorded;
(8)
Any automobile club or association from paying or agreeing to pay for the services of an attorney to advise and defend its members, providing the attorney is of the member's own selection and is not subject to the control of the club or association; or
(9)
Any nonprofit credit counseling corporation or association, or its officers or agents, from providing financial and budgetary advice and judgment to individuals in connection with:
(i)
The creation of a budgetary plan;
(ii)
The creation of a plan whereby an individual turns over an agreed amount of his or her income to a nonprofit credit counseling corporation which distributes it to his or her creditors in accordance with a plan which they have approved and which may provide for smaller payments or a longer term than the original contract;
(iii)
The providing of educational services relating to the use of credit; or
(iv)
Any combination of paragraphs (i) through (iii) of this subdivision.
(b)
No corporation established for the purpose of providing credit counseling shall engage in the practice of law, and an individual receiving credit counseling shall, when necessary, be referred to an attorney of his or her own choice, the local bar association referral service, or a local legal aid program, whichever may seem most appropriate.
History of Section.
P.L. 1917, ch. 1494, § 2; G.L. 1923, ch. 401, § 46; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 44; G.L. 1956, § 11-27-16; P.L. 1991, ch. 349, § 3; P.L. 1992, ch. 368, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-17. - Penalty for violations by corporation.

§ 11-27-17. Penalty for violations by corporation.
Any corporation violating any of the provisions of §§ 11-27-3, 11-27-4, and 11-27-16 — 11-27-18 shall be fined not exceeding five thousand dollars ($5,000), and every officer, director, trustee, agent, or employee of any corporation or association who, directly or indirectly, engages in any of the acts prohibited in this chapter, or assists a corporation or association to do any prohibited acts, shall be guilty of a misdemeanor, and shall be subject to the penalty prescribed in § 11-27-14. The fact that any officer, trustee, director, agent, or employer shall be entitled to practice law in this state shall not be held to permit or allow any corporation or association to do any of the acts prohibited in this chapter, nor shall that fact be a defense upon the trial of any corporation or of any of the persons mentioned in this section for a violation of any of the provisions of §§ 11-27-3, 11-27-4, and 11-27-16 — 11-27-18.
History of Section.
P.L. 1917, ch. 1494, § 2; G.L. 1923, ch. 401, § 46; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 44; G.L. 1956, § 11-27-17.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-18. - Legal Aid Society — Powers of supreme court.

§ 11-27-18. Legal Aid Society — Powers of supreme court.
Nothing in §§ 11-27-1 — 11-27-17 shall be deemed to apply to the Legal Aid Society of Rhode Island, or be construed in any way as an attempt to affect or as affecting the right of the supreme court to regulate and discipline members of the bar for breach of their duties.
History of Section.
G.L. 1923, ch. 401, § 46; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 44; G.L. 1956, § 11-27-18.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-19. - Unauthorized practice of law committee — Powers and duties — Duties of attorney general.

§ 11-27-19. Unauthorized practice of law committee — Powers and duties — Duties of attorney general.
(a)

There is established an unauthorized practice of law committee to be appointed by the supreme court consisting of any number that shall be determined by the supreme court.
(b)
It shall be the duty of the attorney general and the unauthorized practice of law committee to enforce the provisions of this chapter and to investigate and prosecute all violations. It shall be the duty of the attorney general to prosecute all criminal violations. The superior court shall have jurisdiction to restrain and enjoin any of the acts prohibited in this chapter upon a complaint brought by the attorney general, by any member of the bar of this state whose authority as a member to practice law is in full force and effect, or by the unauthorized practice of law committee.
(c)
The unauthorized practice of law committee may sue in its own name for the purpose of civil litigation as provided by this section.
(d)
The unauthorized practice of law committee shall have the following duties and powers:
(1)
To adopt, amend, and rescind any rules and regulations that it deems necessary to carry out the provisions of this section which shall be approved and promulgated by the supreme court;
(2)
To investigate all reports of activities that may constitute unauthorized practice of law and to hold hearings to determine whether the charges are substantiated or unsubstantiated;
(3)
To appoint legal counsel and any assistants that the committee deems necessary to act for the committee in investigating complaints brought before it;
(4)
To make contracts and arrangements for the performance of administrative and similar services required or appropriate in the performance of the committee's duties;
(5)
To issue subpoenas and administer oaths in connection with any investigations, hearings, or other proceedings held under the authority of this chapter;
(6)
To take or cause depositions to be taken as needed in any investigation, hearing, or proceeding; and
(7)
To summon and examine witnesses during any investigation, hearing, or proceeding conducted by the committee.
(e)
There shall be no liability on the part of, and no cause of action of any nature shall arise against, the unauthorized practice of law committee, its agents, or its employees, or its members or against any organization or its members or other witnesses and parties to the committee's proceedings for any statements made by them in documents, reports, communications, or testimony concerning any investigation of the conduct of any person, firm, corporation, or other entity alleged to be engaged in the unauthorized practice of law.
(f)
Subpoenas may be issued by the committee on its own motion to compel the production of documents or other written records or the attendance of witnesses at any investigation or hearing. The committee may issue subpoenas at the request and on behalf of the accused. In the event that any person contumaciously refuses to obey a subpoena or answer any proper question put to that person during a hearing or proceeding, the superior court shall have jurisdiction upon application by the committee to issue that person an order requiring the person to appear before the committee, there to produce evidence if so ordered, or there to give testimony concerning the matter under investigation. The committee shall have the power to request the superior court to punish all intentional disregard of the court orders as contempt.
(g)
Within thirty (30) days, if practical, after holding a hearing, the committee shall make a written report of its findings of fact and its recommendation, and the report shall be immediately transmitted to the chief justice of the supreme court with a transcript of the evidence. A copy of the report shall be furnished to the accused.
(h)
The administration of the committee shall be funded from annual fees to be determined by the supreme court. These fees shall be charged to and apportioned among the licensed attorneys and counselors of the supreme court of this state, the payment of which shall be a condition to practicing in the state of Rhode Island. Monies shall be received by the supreme court in the same manner as lawyers' registration fees and credited to a fund known as the unauthorized practice of law committee administration fund. All monies in the fund shall be utilized only for the purpose of maintaining, managing, operating, and administering the unauthorized practice of law committee in carrying out its functions. The committee shall make an annual financial report to the supreme court of Rhode Island.
History of Section.
P.L. 1917, ch. 1494, § 3; G.L. 1923, ch. 401, § 47; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 45; G.L. 1956, § 11-27-19; P.L.

1982, ch. 420, § 1; P.L. 1984, ch. 407, § 1; P.L. 2007, ch. 56, § 1; P.L. 2007, ch. 64, § 1; P.L. 2021, ch. 127, § 1, effective July 2, 2021; P.L. 2021, ch. 128, § 1, effective July 2, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-2. - "Practice of law" defined.

§ 11-27-2. "Practice of law" defined.
"Practice law" as used in this chapter means the doing of any act for another person usually done by attorneys at law in the course of their profession, and, without limiting the generality of the definitions in this section, includes the following:
(1)
The appearance or acting as the attorney, solicitor, or representative of another person before any court, referee, master, auditor, division, department, commission, board, judicial person, or body authorized or constituted by law to determine any question of law or fact or to exercise any judicial power, or the preparation of pleadings or other legal papers incident to any action or other proceeding of any kind before or to be brought before the court or other body;
(2)
The giving or tendering to another person for a consideration, direct or indirect, of any advice or counsel pertaining to a law question or a court action or judicial proceeding brought or to be brought;
(3)
The undertaking or acting as a representative or on behalf of another person to commence, settle, compromise, adjust, or dispose of any civil or criminal case or cause of action;
(4)
The preparation or drafting for another person of a will, codicil, corporation organization, amendment, or qualification papers, or any instrument which requires legal knowledge and capacity and is usually prepared by attorneys at law.
History of Section.
G.L. 1923, ch. 401, § 45; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 43; G.L. 1956, § 11-27-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-3. - Receipt of fees as practice of law.

§ 11-27-3. Receipt of fees as practice of law.
(a)
Except as provided in subsection (b), any person, partnership, corporation, or association that receives any fee or any part of a fee for the services performed by an attorney at law shall be deemed to be practicing law contrary to the provisions of this chapter.
(b)
A lawyer or law firm may agree to share a statutory or tribunal-approved fee award, or a settlement in a matter eligible for such an award, with an organization that referred the matter to the lawyer or law firm if: (i) the organization is one that is not for profit; (ii) the organization is tax-exempt under federal law; (iii) the fee award or settlement is made in connection with a proceeding to advance one or more of the purposes by virtue of which the organization is tax-exempt; and (iv) the client consents in a written representation that a division of fees will be made.
History of Section.
G.L. 1923, ch. 401, § 46; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 44; G.L. 1956, § 11-27-3; P.L. 2006, ch. 578, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-4. - Forwarding of claim not deemed practice of law.

§ 11-27-4. Forwarding of claim not deemed practice of law.
The sending of a claim of a nonresident by a nonresident collection agency to an attorney at law in this state, who is to act solely as agent of the creditor and who is not to be subject to the direction or control of the collection agency, and who does not divide with the collection agency either his or her commission or fee for legal services, shall not be deemed to be practicing law.
History of Section.
G.L. 1923, ch. 401, § 46; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 44; G.L. 1956, § 11-27-4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-5. - Practice restricted to members of bar.

§ 11-27-5. Practice restricted to members of bar.
No person, except a duly admitted member of the bar of this state, whose authority as a member to practice law is in full force and effect, shall practice law in this state.
History of Section.
P.L. 1917, ch. 1494, § 1; G.L. 1923, ch. 401, § 45; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 43; G.L. 1956, § 11-27-5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-6. - Compensation of unqualified persons for legal services prohibited.

§ 11-27-6. Compensation of unqualified persons for legal services prohibited.
No person, who is not a member of the bar under § 11-27-5, shall receive any pay or compensation, directly or indirectly, except any forwarding fee of an attorney at law of another state, for any services of any legal nature that are usually done by attorneys at law pertaining to any action or proceeding in any court or before any referee, master, auditor, commission, division, department, board, or other judicial person or body, or for the preparation of any legal instrument, and no court or other judicial person or body shall allow any pay or fee for that service to any person not a member of the bar under § 11-27-5, nor shall any executor, administrator, guardian, trustee, fiduciary, or another person employ or pay for the services any person not a member of the bar under § 11-27-5. This section shall not be deemed to apply to an organization, or its representatives, meeting the criteria contained in subsection 11-27-3(b).
History of Section.
G.L. 1923, ch. 401, § 45; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 43; G.L. 1956, § 11-27-6; P.L. 2006, ch. 578, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-7. - Filling out and signing of process and communications — Business association with laymen.

§ 11-27-7. Filling out and signing of process and communications — Business association with laymen.
No attorney at law shall sell any writ of judicial process to any person, except to a member of the bar under § 11-27-5, nor shall he or she deliver any writ or judicial process to another person, and authorize him, her, or it to fill out and issue the writ or judicial process with his or her name on it as the attorney at law, except that the attorney may so authorize any clerk employed by him or her or registered student in his or her office, acting under his or her direction, or any person who is a member of the bar under § 11-27-5, and no person, who is not a member of the bar under § 11-27-5, or not a clerk or student so acting, shall fill out or issue any writ or judicial process for another person, except that nothing in this section shall apply to any justice, or judge or clerk of court, or any notary public or justice of the peace or other official or public boards or commissions acting within his, her, or their authority under the laws of this state. No attorney at law shall authorize any person, except a clerk employed by him or her or a registered student in his or her office acting under his or her direction, or a member of the bar, to use or sign the attorney's name in writing or print in or to any letter or communication calling for the payment of any bill or account or threatening any suit or legal proceeding. No attorney at law shall, together with any other person who is not a member of the bar under § 11-27-5, have or conduct, or advertise or represent in any manner, that they have or conduct a law office or a law and collection office.
History of Section.
G.L. 1923, ch. 401, § 45; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 43; G.L. 1956, § 11-27-7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-8. - Solicitation of business by agents prohibited.

§ 11-27-8. Solicitation of business by agents prohibited.
No person, partnership, corporation, or association shall act in any manner or in any capacity as an agent for an attorney at law in the solicitation or procurement of any law business, and every contract for professional services secured by an attorney at law through the services of an agent shall be void.
This section shall not be deemed to apply to an organization, or its representatives, meeting the criteria contained in subsection 11-27-3(b).
History of Section.
G.L. 1923, ch. 401, § 45; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 43; G.L. 1956, § 11-27-8; P.L. 2006, ch. 578, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-27 - Law PracticeSection 11-27-9. - Restriction on acts of insurance claim adjusters.

§ 11-27-9. Restriction on acts of insurance claim adjusters.
No insurance claim adjuster or claim agent of any insurance company or public utility corporation shall advise any claimant, who has suffered injury or damage to his or her person or property, or his or her parent, guardian, next friend or other personal representative in respect to his or her legal rights or lack of legal rights arising out of any claim for that injury or damage, or advise any of them not to employ an attorney at law relative to that injury, damage or claim, or represent to any of them that if an attorney at law should be employed the claim would not be settled, or convey that idea by any other words, and no insurance claim adjuster, claim agent, or other agent of the corporation or company shall compromise, or attempt to compromise, any claim through or by means of the intervention of any person other than the claimant, a member of his or her family, his or her guardian or other personal representative, or his or her attorney at law; provided, that a violation of this section shall in no way affect civil rights.
History of Section.
G.L. 1923, ch. 401, § 45; P.L. 1935, ch. 2190, § 1; G.L. 1938, ch. 612, § 43; G.L. 1956, § 11-27-9; P.L. 1985, ch. 169, § 6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-28 - Malfeasance and Misfeasance in OfficeSection 11-28-1. - Failure to pay state funds into treasury.

§ 11-28-1. Failure to pay state funds into treasury.

Every officer or other person receiving or having in his or her hands money belonging to the state that should be paid into the state treasury, shall pay that money to the general treasurer within seven (7) business days after he or she shall receive it or at any other times that may be deemed necessary by the general treasurer. In the case of funds which have been received by the state court system, he or she shall pay at any other times that may be initially approved by the director of finance of the supreme court and then approved by the general treasurer or unless otherwise provided by law. Every person who shall, without just cause, neglect or refuse to pay over that money, shall be fined not exceeding five hundred dollars ($500) or be imprisoned not exceeding five (5) years.
History of Section.
P.L. 1896, ch. 29, § 20; G.L. 1909, ch. 39, § 20; G.L. 1923, ch. 37, § 16; G.L. 1938, ch. 605, § 26; G.L. 1956, § 11-28-1; P.L. 1987, ch. 137, § 1; P.L. 1990, ch. 418, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-28 - Malfeasance and Misfeasance in OfficeSection 11-28-2. - Failure of officer to pay over fines, forfeitures, or penalties.

§ 11-28-2. Failure of officer to pay over fines, forfeitures, or penalties.
Every officer who shall receive any fines, forfeitures, or penalties shall immediately pay them into the proper office where by law they ought to be paid. Every judicial, executive, or ministerial officer who shall refuse or neglect for three (3) months to pay over any fine, forfeiture, or penalty or any part of which that may have come to his or her hands to the proper officer to whom by law they should be paid or delivered, shall be fined three (3) times the value or amount of the fine, forfeiture, or penalty that was withheld or not paid over.
History of Section.
G.L. 1896, ch. 276, § 22; G.L. 1909, ch. 342, § 22; G.L. 1923, ch. 394, § 22; G.L. 1938, ch. 605, § 22; G.L. 1956, § 11-28-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-28 - Malfeasance and Misfeasance in OfficeSection 11-28-3. - Failure of presiding officer or clerk of municipal governing body to perform duties.

§ 11-28-3. Failure of presiding officer or clerk of municipal governing body to perform duties.
The presiding officer of any city council or town council who shall refuse or neglect, when acting as the presiding officer, to put to a vote of the body over which he or she presides any appeal made by a member of the body from any ruling of the presiding officer, or who, when the appeal has been sustained, shall refuse or willfully neglect to put to the body the question which caused the appeal to be made, and any clerk or recording officer of any body who shall refuse or neglect to record in full the proceedings of any body of which he or she may be clerk as described in this section, shall be fined for each neglect or refusal not less than two hundred dollars ($200) nor more than one thousand dollars ($1,000), and be disqualified for the term of five (5) years from holding the office of the presiding officer or the office by virtue of which he is the presiding officer.
History of Section.
G.L. 1896, ch. 276, § 19; G.L. 1909, ch. 342, § 19; G.L. 1923, ch. 394, § 19; G.L. 1938, ch. 605, § 19; G.L. 1956, § 11-28-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-28 - Malfeasance and Misfeasance in OfficeSection 11-28-4. - Omission or delay of duty by sheriff, sergeant, or constable.

§ 11-28-4. Omission or delay of duty by sheriff, sergeant, or constable.
A deputy sheriff, town sergeant, city sergeant or constable, who shall receive from any defendant or any other person any money or other valuable thing as a consideration, reward, or inducement for omitting or delaying to perform any duty pertaining to his or her office, shall be imprisoned not exceeding six (6) months or be fined not exceeding five hundred dollars ($500).
History of Section.
G.L. 1896, ch. 276, § 21; G.L. 1909, ch. 342, § 21; G.L. 1923, ch. 394, § 21; G.L. 1938, ch. 605, § 21; G.L. 1956, § 11-28-4; P.L. 2012, ch. 324, § 35.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-29 - MayhemSection 11-29-1. - Penalty for mutilation or disabling.

§ 11-29-1. Penalty for mutilation or disabling.
Every person who shall voluntarily, maliciously or of purpose put out an eye, slit the nose, ear, or lip, or cut off, bite off, or disable any limb or member of another, shall be imprisoned not exceeding twenty (20) years nor less than one year.
History of Section.
G.L. 1896, ch. 277, § 6; G.L. 1909, ch. 343, § 6; G.L. 1923, ch. 395, § 6; G.L. 1938, ch. 606, § 6; G.L. 1956, § 11-29-1; P.L. 1990, ch. 84, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-30 - NuisancesSection 11-30-1. - Definitions.

§ 11-30-1. Definitions.
For the purpose of this chapter and chapter 1 of title 10, the terms “nuisance or common nuisance”, “person”, or “place” are defined as follows:
(1)

“Nuisance” or “common nuisance” means and includes any place as defined in this section in or upon which lewdness, assignation, or prostitution is conducted, permitted, continued, or exists, and the personal property used in conducting or maintaining any place for that purpose, and all buildings, places, or tenements used as houses of ill fame, for illegal gaming, or where intemperate, idle, dissolute, noisy, or disorderly persons are in the habit of resorting;
(2)
“Person” includes any individual, corporation, association, partnership, trustee, lessee, agent, or assignee; and
(3)
“Place” includes any building, structure, or tenement, or any separate part or portion of a building or structure, or the ground itself.
History of Section.
G.L. 1896, ch. 92, § 1; G.L. 1909, ch. 108, § 1; G.L. 1923, ch. 120, § 1; P.L. 1925, ch. 672, § 1; P.L. 1932, ch. 1858, § 1; G.L. 1938, ch. 598, § 1; G.L. 1956, § 11-30-1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-30 - NuisancesSection 11-30-10. - Unlawful sale of beverages by club or association.

§ 11-30-10. Unlawful sale of beverages by club or association.
All buildings, places, or tenements located within any town or city used by any club or other association, whether incorporated or not, for the purpose of selling, distributing, or dispensing intoxicating liquors to its members or others for beverage purposes, shall be deemed to be common nuisances, unless it shall be used for the sale, distribution, or dispensing of intoxicating or alcoholic beverages to its members under a validly existing license issued for that purpose by some board, body or official authorized to issue it. Whoever keeps, maintains, or assists in keeping or maintaining, a common nuisance shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) and all costs of prosecution and conviction. Upon the conviction of any incorporated club or association or any officer, member, agent, or employee, under the provisions of this chapter, the charter of the club or association shall become null and void.
History of Section.
P.L. 1905, ch. 1235, § 1; G.L. 1909, ch. 108, § 10; G.L. 1923, ch. 120, § 10; G.L. 1938, ch. 598, § 7; G.L. 1956, § 11-30-10.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-30 - NuisancesSection 11-30-11. - Injunction.

§ 11-30-11. Injunction.
Any person who shall use, occupy, establish, or conduct a nuisance, or aid or abet in it, either as principal or as the agent of any other person, shall be guilty of maintaining a nuisance and shall be enjoined as provided in chapter 1 of title 10.
History of Section.
P.L. 1925, ch. 672, § 2; G.L. 1938, ch. 598, § 8; G.L. 1956, § 11-30-11.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-30 - NuisancesSection 11-30-12. - Slaughterhouses, rendering plants, garbage plants, and brick kilns.

§ 11-30-12. Slaughterhouses, rendering plants, garbage plants, and brick kilns.
All buildings, places, or lands used as slaughterhouses, rendering establishments, garbage plants, or brick kilns, and located within three hundred (300) feet of any public park or public hospital, are declared to be common nuisances. This section shall not apply to any slaughterhouse or rendering establishment previously located by the proper authorities of any city or town. Every person who shall maintain any common nuisance of this type shall be punished by a fine not exceeding one thousand dollars ($1,000), or by imprisonment not exceeding one year, or both.
History of Section.
P.L. 1905, ch. 1240, §§ 1, 2; P.L. 1906, ch. 1345, § 1; G.L. 1909, ch. 109, §§ 6, 7; G.L. 1923, ch. 122, §§ 6, 7; G.L. 1938, ch. 600, §§ 6, 7; G.L. 1956, § 11-30-12.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-30 - NuisancesSection 11-30-13. - Burning of decaying and waste substances.

§ 11-30-13. Burning of decaying and waste substances.
No owner, lessee, or occupant of any land used or suffered to be used as a dumping ground shall burn or suffer to be burned on it, and no other person shall ignite or burn on it, any refuse or decaying animal, fish or vegetable substances, or any waste materials or substances of any kind, in any manner that the burning shall be a nuisance to any person or persons owning or occupying any adjoining or neighboring land. Any person who shall violate any of the provisions of this section shall be fined not exceeding twenty dollars ($20.00) for each offense.
History of Section.
P.L. 1908, ch. 1523, §§ 1, 2; G.L. 1909, ch. 109, §§ 8, 9; G.L. 1923, ch. 122, §§ 8, 9; G.L. 1938, ch. 600, §§ 8, 9; G.L. 1956, § 11-30-13.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-30 - NuisancesSection 11-30-2. - Unlicensed manufacture or distribution of intoxicating liquor.

§ 11-30-2. Unlicensed manufacture or distribution of intoxicating liquor.
(a)
All buildings, places, tenements, vehicles, or vessels used for the manufacture for sale, the transportation for sale, the sale, or the keeping for sale, of intoxicating liquor for beverage purposes are declared to be common nuisances unless it shall be used, manufactured, kept for sale, or sold under a validly existing license issued for that purpose by some board, body, or official authorized to issue it.
(b)
"Liquor" or "intoxicating liquor" means any liquid fit for beverage purposes containing more than three and two-tenths per cent (3.2%) of alcohol by weight.
History of Section.
G.L. 1896, ch. 92, § 1; G.L. 1909, ch. 108, § 1; G.L. 1923, ch. 120, § 1; P.L. 1932, ch. 1858, § 1; P.L. 1933, ch. 2045, § 1; G.L. 1938, ch. 598, § 1; G.L. 1956, § 11-30-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-30 - NuisancesSection 11-30-3. - Penalty for common nuisance.

§ 11-30-3. Penalty for common nuisance.
Every person keeping or maintaining any common nuisance enumerated in § 11-30-1 shall be punished by a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500), and be imprisoned not less than thirty (30) days nor more than three (3) years.
History of Section.
G.L. 1896, ch. 92, § 2; G.L. 1909, ch. 108, § 2, G.L. 1923, ch. 120, § 2; P.L. 1928, ch. 1176, § 1; P.L. 1932, ch. 1858, § 2; G.L. 1938, ch. 598, § 2; G.L. 1956, § 11-30-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-30 - NuisancesSection 11-30-4. - Penalty for nuisance involving intoxicating liquors.

§ 11-30-4. Penalty for nuisance involving intoxicating liquors.
Every person keeping or maintaining any common nuisance enumerated in § 11-30-2, or aiding in so doing, shall for the first offense be punished by a fine of not more than six hundred dollars ($600), and for a second and each subsequent offense shall be fined not more than one thousand dollars ($1,000), or be imprisoned for not more than two (2) years in the adult correctional institutions, or both, in the discretion of the court. Money arising from fines imposed under this section shall be paid one-half (½) to the general treasurer of the state and one-half (½) to the treasurer of the town or city where the offense occurred.
History of Section.
G.L. 1896, ch. 92, § 2; G.L. 1909, ch. 108, § 2; G.L. 1923, ch. 120, § 2; P.L. 1928, ch. 1176, § 1; P.L. 1932, ch. 1858, § 2; G.L. 1938, ch. 598, § 2; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 11-30-4; P.L. 1997, ch. 291, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-30 - NuisancesSection 11-30-5. - Evidence as to intoxicating liquors.

§ 11-30-5. Evidence as to intoxicating liquors.
It shall not be necessary to prove an actual sale of intoxicating liquors in any building, place, or tenement, in order to establish the character of such premises as a common nuisance as provided in § 11-30-2 The notorious character of any premises, the notoriously bad or intemperate character of persons visiting them, the keeping of the implements or appurtenances usually appertaining to grog-shops, tippling-shops, or places where intoxicating liquors are sold, shall be evidence that the premises are nuisances within the meaning of §§ 11-30-1 and 11-30-2. Evidence of the sale or keeping of intoxicating liquors for sale in any building, place or tenement shall be evidence that the sale or keeping is illegal, and that the premises are nuisances within the meaning of §§ 11-30-1 and 11-30-2.
History of Section.
G.L. 1896, ch. 92, § 3; G.L. 1909, ch. 108, § 3; G.L. 1923, ch. 120, § 3; G.L. 1938, ch. 598, § 13; G.L. 1956, § 11-30-5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-30 - NuisancesSection 11-30-6. - Annulment of lease by maintenance of nuisance.

§ 11-30-6. Annulment of lease by maintenance of nuisance.
If any person, being a tenant or occupant under any lawful title of any building or tenement not owned by him or her, shall use the premises or any part for any of the purposes enumerated in §§ 11-30-1 and 11-30-2, that use shall annul the lease or other title under which the occupant holds, and, without any act of the owner, shall cause the right of possession to revert and vest in him or her, and the owner may make immediate entry on it and repossess himself or herself of the premises without process of law.
History of Section.
G.L. 1896, ch. 92, § 4; G.L. 1909, ch. 108, § 4; G.L. 1923, ch. 120, § 4; G.L. 1938, ch. 598, § 3; G.L. 1956, § 11-30-6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-30 - NuisancesSection 11-30-7. - Landlord's

liability for nuisance.

§ 11-30-7. Landlord’s liability for nuisance.

Every person who shall let any building or tenement owned by him or her or under his or her control, for any of the purposes enumerated in §§ 11-30-1 and 11-30-2, or who shall knowingly permit any building, tenement, or part of one to be so used while under his or her control, or who shall after five (5) days notice from any officer or magistrate of that use of the building or tenement omit to take all reasonable measures to eject the tenant or occupant from the premises as soon as it may lawfully be done, shall be deemed and taken to be guilty of aiding in the maintenance of the nuisance, and shall be fined not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) or be imprisoned in the adult correctional institutions not less than sixty (60) days nor more than one year.

History of Section.

G.L. 1896, ch. 92, § 5; G.L. 1909, ch. 108, § 5; G.L. 1923, ch. 120, § 5; G.L. 1938, ch. 598, § 4; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 11-30-7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-30 - NuisancesSection 11-30-8. - Entry by police officers of premises — Commanding departure of persons found.

§ 11-30-8. Entry by police officers of premises — Commanding departure of persons found.

The sheriffs of the several counties and their deputies, and the town sergeants, constables, and chiefs of police of the several towns and cities may, within their respective towns and counties, enter any house or building that they have cause to suspect to be inhabited for purposes of prostitution and lewdness, to be resorted to by persons of ill fame or by persons of dissolute, idle, or disorderly character, or in which they have reasonable cause to believe intoxicating liquors are sold in violation of law, or unlawful games are carried on or permitted, or in which they have reasonable cause to believe a common nuisance is kept or maintained. Upon entering the house or building, they may command all persons assembled there to immediately depart from the house or building. In the event of the neglect or refusal of any person so commanded to leave, they may arrest that person and hold him or her for a period not exceeding twenty-four (24) hours for prosecution. Every person who shall so refuse or neglect shall be deemed guilty of a misdemeanor and shall be fined not exceeding twenty dollars ($20.00) or be imprisoned not exceeding thirty (30) days.

History of Section.

G.L. 1896, ch. 92, § 8; G.L. 1909, ch. 108, § 8; G.L. 1923, ch. 120, § 8; G.L. 1938, ch. 598, § 5; G.L. 1956, § 11-30-8; P.L. 2015, ch. 260, § 15; P.L. 2015, ch. 275, § 15.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-30 - NuisancesSection 11-30-9. - Officers commanding aid in execution.

§ 11-30-9. Officers commanding aid in execution.

Any of the officers referred to in § 11-30-8 may command aid in the execution of the authority conferred to them by that section.

History of Section.

G.L. 1896, ch. 92, § 9; G.L. 1909, ch. 108, § 9; G.L. 1923, ch. 120, § 9; G.L. 1938, ch. 598, § 6; G.L. 1956, § 11-30-9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-31.1 - Adjudication of Obscene PublicationsSection 11-31.1-1 - — 11-31.1-12. [Transferred.]

§ 11-31.1-1 — 11-31.1-12. [Transferred.]

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-31 - Obscene and Objectionable Publications and ShowsSection 11-31-1. - Circulation of obscene publications and shows.

§ 11-31-1. Circulation of obscene publications and shows.

(a)

Every person who willfully or knowingly promotes for the purpose of commercial gain within the community any show, motion picture, performance, photograph, book, magazine, or other material which is obscene shall, upon conviction, be punished by a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000), or by imprisonment for not more than two (2) years, or both.

(b)

For the purpose of this section:

(1)

In determining whether or not a show, motion picture, performance, photograph, book, magazine, or other material is obscene the trier of the fact must find:

(i)

That the average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to the prurient interest;

(ii)

That the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by this chapter; and

(iii)
That the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.
(2)
“Community standards” means the geographical area of the state of Rhode Island.
(3)
“Knowingly” means having knowledge of the character and content of the material or failure on notice to exercise reasonable inspection which would disclose the content and character of it.
(4)
“Material” means anything tangible which is capable of being used or adapted to arouse prurient interest through the medium of reading, or observation.
(5)
“Patently offensive” means so offensive on its face as to affront current standards of decency.
(6)
“Performance” means any play, motion picture, dance, or other exhibition performed before an audience.
(7)
“Promote” means to manufacture, issue, sell, give, provide, lend, mail, deliver, transfer, transmit, publish, distribute, circulate, disseminate, present, exhibit, or advertise or to offer or agree to do it for resale.
(8)
“Sexual conduct” means:
(i)
An act of sexual intercourse, normal or perverted, actual or simulated, including genital-genital, anal-genital, or oral-genital intercourse, whether between human beings or between a human being and an animal.
(ii)
Sado-masochistic abuse, meaning flagellation or torture by or upon a person in an act of apparent sexual stimulation or gratification.
(iii)
Masturbation, excretory functions, and lewd exhibitions of the genitals.
(9)
“Standards of decency” means community standards of decency.
(c)
If any of the depictions and descriptions of sexual conduct described in this section are declared by a court of competent jurisdiction to be unlawfully included because the depictions or descriptions are constitutionally protected or for any other reason, that declaration shall not invalidate this chapter as to other sexual conduct included in this chapter.
History of Section.
P.L. 1978, ch. 218, § 2; P.L. 1979, ch. 406, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-31 - Obscene and Objectionable Publications and ShowsSection 11-31-10. - Sale or exhibition to minors of indecent publications, pictures, or articles.

§ 11-31-10. Sale or exhibition to minors of indecent publications, pictures, or articles.
(a)
Every person who shall willfully or knowingly engage in the business of selling, lending, giving away, showing, advertising for sale, or distributing to any person under the age of eighteen (18) years, has in his or her possession with intent to engage in that business or to otherwise offer for sale or commercial distribution to any person under the age of eighteen (18) years, or who shall display at newsstands or any other business establishment frequented by persons under the age of eighteen (18) years or where persons under the age of eighteen (18) years are or may be invited as a part of the general public, any motion picture, any still picture, photograph, or any book, pocket book, pamphlet, or magazine of which the cover or content consists of explicit representations of “sexual conduct”, “sexual excitement”, “nudity” and which is indecent for minors or which is predominantly made up of descriptions of “sexual conduct”, “sexual excitement”, “nudity” and which is indecent, shall, upon conviction, be punished by a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000), or by imprisonment for not more than two (2) years, or both.
(b)
As used in this section, the following words have the following meaning:
(1)
“Indecent for minors” means:
(i)
Appealing to the prurient interest in sex of minors;
(ii)
Patently offensive to prevailing standards in the adult community with respect to what is suitable material for minors; and
(iii)
Lacking serious literary, artistic, political, or scientific value for minors;

(2)
“Knowingly” means having knowledge of the character and content of the publication or failure on notice to exercise reasonable inspection which would disclose its content and character;
(3)
“Nudity” means less than completely and opaquely covered; human genitals, pubic regions, buttock, and female breast below a point immediately above the top of the areola;
(4)
“Sexual conduct” means act of human masturbation, sexual intercourse, sodomy, fondling, or other erotic touching of human genitals, pubic region, buttock, or female breasts; and
(5)
“Sexual excitement” means human genitals in a state of sexual stimulation or arousal.
History of Section.
G.L. 1938, ch. 610, § 48; P.L. 1956, ch. 3686, § 1; G.L. 1956, § 11-31-10; P. L. 1960, ch. 134, § 3; P.L. 1966, ch. 259, § 2; P.L. 1971, ch. 30, § 1; P.L. 1979, ch. 406, § 1; P.L. 1981, ch. 221, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-31 - Obscene and Objectionable Publications and ShowsSection 11-31-11. - Severability.

§ 11-31-11. Severability.
If any section or provision or the application of the section or provision of this chapter to any person or circumstances shall be held invalid, the validity of the remainder of the sections and the applicability of the sections or provisions to other persons or circumstances shall not be affected.
History of Section.
P.L. 1979, ch. 276, § 1; P.L. 1979, ch. 406, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-31 - Obscene and Objectionable Publications and ShowsSection 11-31-12. - Penalty for making receipt of obscene publications a condition to delivery of other publications.

§ 11-31-12. Penalty for making receipt of obscene publications a condition to delivery of other publications.
(a)
Any person, firm, corporation, or association who shall as a condition to a sale, allocation, consignment, or delivery for resale of any book, periodical, publication, pamphlet, magazine, ballad, printed paper, print, photograph, or any other thing require that the purchaser or consignee receive for resale any other book, periodical, publication, pamphlet, magazine, ballad, printed paper, print, picture, photograph, or other thing which is obscene or shall deny or threaten to deny any franchise or impose or threaten to impose any penalty financial or otherwise, by reason of the failure of any person to accept the book, periodical, publication, pamphlet, magazine, ballad, printed paper, print, picture, photograph, or other thing, or by reason of the return of it, shall be imprisoned for a term not to exceed two (2) years or shall pay a fine of not more than one thousand dollars ($1,000) nor less than one hundred dollars ($100).
(b)
For the purpose of this section, “obscene” has the same meaning as defined in § 11-31-1.
History of Section.
P.L. 1959, ch. 86, § 2; P.L. 1966, ch. 259, § 2; P.L. 1978, ch. 218, § 3; P.L. 1979, ch. 406, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-31 - Obscene and Objectionable Publications and ShowsSection 11-31-13. - Injunctive proceedings by attorney general.

§ 11-31-13. Injunctive proceedings by attorney general.
The attorney general, upon complaint being made to him or her under oath that any person is violating any of the provisions of §§ 11-31-1 and 11-31-12, may institute in his or her name as attorney general of the state of Rhode Island an action to enjoin the violation in a court of competent jurisdiction. The Rhode Island Superior Court Rules of Civil Procedure shall apply to all such actions whenever possible. Any person against whom an action has been brought shall be entitled to a trial of the issues within one day after the joinder of issue and to a decision by the court within forty-eight (48) hours of the conclusion of the trial. No restraining orders or preliminary injunctions shall be issued under this section, and the hearing shall be upon the merits of the case. After the hearing, the court may restrain and/or enjoin any person, firm, corporation, or association from violating any of the provisions of §§ 11-31-1 and 11-31-12 with regard to whether criminal proceedings have already been or may be instituted.
History of Section.
P.L. 1959, ch. 86, § 2; P.L. 1966, ch. 259, § 2; P.L. 1978, ch. 218, § 3; P.L. 1979, ch. 406, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-31 - Obscene and Objectionable Publications and ShowsSection 11-31-2. - Forfeiture of obscene publications.

§ 11-31-2. Forfeiture of obscene publications.

Any obscene book, pamphlet, ballad, printed paper, or other thing mentioned in § 11-31-1 found by any officer in executing a search warrant or which shall be produced and brought into court shall be forfeited to the state. Further proceedings shall be had on them for their forfeiture as is prescribed by law in chapter 21 of title 12, and upon entry of final judgment of forfeiture the item shall be destroyed by order of the court. However, if any book, pamphlet, ballad, printed paper or other thing mentioned in § 11-31-1 is seized by any officer in executing a search warrant, it shall not be forfeited to the state unless the person, firm, corporation, or association claiming a proprietary interest in and to it or in whose possession it is found has been accorded the opportunity for a hearing on the question of whether it is obscene as provided by § 12-5-8.
History of Section.
G.L. 1896, ch. 281, § 14; G.L. 1909, ch. 347, § 15; P.L. 1915, ch. 1219, § 2; G.L. 1923, ch. 399, § 15; G.L. 1938, ch. 610, § 15; G.L. 1956, § 11-31-2; P.L. 1965, ch. 168, § 6; P.L. 1966, ch. 259, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-31 - Obscene and Objectionable Publications and ShowsSection 11-31-8. - Entry of premises by deputies.

§ 11-31-8. Entry of premises by deputies.
Any deputy sheriff, when so directed by the director of the department of public safety, may, in the discharge of their duties, enter any exhibition, performance, or place mentioned in this chapter or chapter 22 of title 5.
History of Section.
G.L. 1896, ch. 103, § 8; P.L. 1905, ch. 1249, § 1; G.L. 1909, ch. 124, § 13; G.L. 1923, ch. 129, § 13; G.L. 1938, ch. 362, § 13; G.L. 1956, § 11-31-8; P.L. 2012, ch. 324, § 36.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-32 - Obstructing JusticeSection 11-32-1. - Obstructing officer in execution of duty.

§ 11-32-1. Obstructing officer in execution of duty.
Every person who shall obstruct any officer, civil, military, or otherwise, including any state, city, or town police, deputy sheriff, or fire fighter, while in the execution of his or her office or duty, shall be imprisoned not exceeding one year or be fined not exceeding five hundred dollars ($500).
History of Section.
G.L. 1896, ch. 276, § 7; G.L. 1909, ch. 342, § 7; G.L. 1923, ch. 394, § 7; G.L. 1938, ch. 605, § 7; G.L. 1956, § 11-32-1; G.L. 1971, ch. 220, § 1; P.L. 1980, ch. 186, § 1; P.L. 2012, ch. 324, § 37.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-32 - Obstructing JusticeSection 11-32-2. - False report of crime.

§ 11-32-2. False report of crime.
Every person who shall knowingly make or cause to be made a false statement of a crime, either oral or written, with intent that it be relied upon by a police officer of any city or town or by any member of the state police, shall be deemed guilty of obstructing an officer and shall be imprisoned not exceeding one year and/or be fined not exceeding five hundred dollars ($500), and shall in addition to this imprisonment and/or fine be ordered to make restitution to the person falsely accused of a crime for any damage which the person sustained as a result of the false complaint.
History of Section.
P.L. 1971, ch. 184, § 1; P.L. 1985, ch. 176, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-32 - Obstructing JusticeSection 11-32-3. - Obstruction of the judicial system.

§ 11-32-3. Obstruction of the judicial system.
Whoever corruptly, maliciously, recklessly, by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any grand or petit juror or officer in or of any court of this state or officer who may be serving at any examination or other proceeding before any justice, magistrate, or other officer of the court, in the discharge of his or her duty; or injures any party on his or her person or property on account of his or her attending or having attended such court or examination before such justice, magistrate, or other officer, or on account of his or her testifying or having testified to any matter pending in it; or injures any grand or petit juror in his or her person or property on account of any verdict or indictment assented to by him or her, or on account of being or having been a juror, or injures any justice, magistrate, or other officer in his or her person or property on account of the performance of his or her official duties; or corruptly, maliciously, recklessly, or by threats or force, or by any threatening letter or communication, influences, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice; shall be fined not more than five thousand dollars ($5,000), or imprisoned not more than five (5) years, or both.
History of Section.
P.L. 1977, ch. 193, § 1; P.L. 1980, ch. 91, § 1; P.L. 1998, ch. 442, § 5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-32 - Obstructing JusticeSection 11-32-4. -

Definitions.

§ 11-32-4. Definitions.
For the purposes of this chapter, the following terms mean:
(1)
“Malice” means an intent to vex, annoy, harm, or injure in any way another person, or to thwart or interfere in any manner with the orderly administration of justice.
(2)
“Victim” means any natural person against whom any crime as defined under the laws of this state or any other state or of the United States is being or has been perpetrated or attempted to be perpetrated.
(3)
“Witness” means any natural person:
(i)
Having knowledge of the existence or nonexistence of facts relating to any crime;
(ii)
Whose declaration under oath is received or has been received as evidence for any purpose;
(iii)
Who has reported any crime to any peace officer, prosecutor, probation or parole officer, correctional officer or judicial officer;
(iv)
Who has been served with a subpoena issued under the authority of any court in the state, or of any other state or of the United States; or
(v)
Who would be believed by any reasonable person to be an individual described in paragraphs (i) — (iv) of this subdivision.
History of Section.
P.L. 1980, ch. 91, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-32 - Obstructing JusticeSection 11-32-5. - Intimidation of witnesses and victims of crimes.

§ 11-32-5. Intimidation of witnesses and victims of crimes.
(a)
Any person who, by expressly or impliedly threatening to commit any unlawful act, maliciously and knowingly communicates with another person with the specific intent to intimidate a victim of a crime or a witness in any criminal proceeding with respect to that person’s participation in any criminal proceeding shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars ($500), or imprisoned not more than one year, or both.
(b)
Any person who, with the specific intent to intimidate a victim of a crime or a witness in any criminal proceeding with respect to that person’s participation in any criminal proceeding, causes a physical injury to or damages the property of any person or expressly or impliedly threatens to cause physical injury to or damage to the property of any person, or, with specific intent to intimidate, acts for pecuniary gain shall be guilty of a felony and, upon conviction, shall be fined not more than five thousand dollars ($5,000), or imprisoned not more than five (5) years, or both.
(c)
As used in this section, “criminal proceeding” means the filing of a criminal complaint, any grand jury proceedings, any trial or hearing conducted in any court relating to a criminal matter, any proceeding before the parole board or any official inquiry into an alleged criminal violation.
(d)
Nothing in this section shall be construed to prevent an attorney from interviewing any witness or victim or from otherwise investigating a matter on behalf of a client in an otherwise lawful manner.
History of Section.
P.L. 1980, ch. 91, § 2; P.L. 1982, ch. 372, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-32 - Obstructing JusticeSection 11-32-6. - Jurisdiction of district, superior and family courts.

§ 11-32-6. Jurisdiction of district, superior and family courts.
(a)
Any court with jurisdiction over any criminal matter, including the family court when it has jurisdiction of a juvenile by virtue of a wayward or delinquent petition alleging the violation of any criminal statute of the state of Rhode Island, may, in its discretion, upon good cause (which may include, but is not limited to, credible hearsay or the declaration of the prosecutor or defense attorney) that intimidation or dissuasion of any person who is a victim or who is a witness, has occurred or is reasonably likely to occur, issue orders including, but not limited to, the following:

(1)
An order that a defendant not violate any provision of this chapter.
(2)
An order that a person before the court other than a defendant, including, but not limited to, a subpoenaed witness or other person entering the courtroom of the court, not violate any provisions of this chapter.
(3)
An order that any person described in this subsection maintain a prescribed geographic distance from any specified witness or victim.
(4)
An order that any person described in this subsection have no communication whatsoever with any specified witness or any victim, except through an attorney under any reasonable restrictions that the court may impose.
(5)
An order calling for a hearing to determine if an order as described in subdivisions (1) through (4) of this subsection should be issued.
(6)
An order that a particular law enforcement agency within the jurisdiction of the court provide protection for a victim and/or witness.
(b)
Every person violating any order made pursuant to subsection (a) of this section may be punished in any or all manner as follows:
(1)
For any substantive offense described in § 11-32-5.
(2)
As a contempt of the court making the order. No finding of contempt shall be a bar to prosecution for a substantive offense under § 11-32-5, but any conviction or acquittal for any substantive offense under § 11-32-5 shall be a bar to subsequent punishment for contempt arising out of the same act.
(3)
By revocation of any form of pretrial release and/or the forfeiture of bail and the issuance of a bench warrant for the defendant's arrest or remanding him or her into custody. Revocation may, after a hearing and upon showing by clear and convincing evidence, in the sound discretion of the court, be made whether the violation order complained of has been personally committed by the defendant or was in any way caused or encouraged to have been committed by the defendant.
History of Section.
P.L. 1980, ch. 91, § 2; P.L. 1981, ch. 134, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-32 - Obstructing JusticeSection 11-32-7. - Pretrial release.

§ 11-32-7. Pretrial release.
(a)
Any pretrial release of any defendant, whether on bail or under any other form of recognizance, shall be deemed as a matter of law to include a condition that the defendant neither do nor cause to be done nor knowingly permit to be done on his or her behalf any act proscribed in this chapter.
(b)
Every person who willfully violates this condition of pretrial release is subject to revocation of release and for the forfeiture of bail and the issuance of a bench warrant for the defendant's arrest or remanding him or her into custody whether or not the defendant was the subject of an order under § 11-32-6.
(c)
From and after May 8, 1980, any receipt for any bail or bond given by any court by any surety or bondsman and/or any written promise to appear on one's own recognizance shall contain, in a conspicuous location, notice of this section.
History of Section.
P.L. 1980, ch. 91, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-33 - Perjury and False SwearingSection 11-33-1. - Perjury.

§ 11-33-1. Perjury.
(a)
Every person under oath or affirmation who knowingly makes any false material declaration or makes or uses any other information, including any book, paper, document, record, recording, or other material, knowing it contains any false material declaration, shall be deemed guilty of perjury.
(b)
An indictment or information for violation of this section alleging that on oath or affirmation the defendant has knowingly made two (2) or more declarations which are inconsistent to the degree that one of them is necessarily false need not specify which declaration

is false if:
(1)
Each declaration was material to the point in question; and
(2)
Each declaration was made within the period of the statute of limitations established in § 12-12-17.
(c)
In any prosecution under this section, the falsity of a declaration set forth in the indictment or information shall be established sufficient for conviction by proof that the defendant on oath or affirmation made irreconcilably contradictory declarations material to the point in question. It shall be a defense to an indictment or information made pursuant to this subsection that the defendant, at the time he or she made each declaration, believed the declaration was true.
(d)
Where in the same continuous court or grand jury proceeding in which a declaration is made, the person making the declaration admits the declaration to be false, that admission shall bar prosecution under this section if, at the time the admission is made, the declaration has not substantially affected the proceeding, or it has not become manifest that the falsity has been or will be exposed.
(e)
Proof beyond a reasonable doubt under this section is sufficient for conviction. It shall not be necessary that proof be made by any particular number of witnesses or by documentary or other type of evidence.
History of Section.
G.L. 1896, ch. 276, § 1; G.L. 1909, ch. 342, § 1; G.L. 1923, ch. 394, § 1; G.L. 1938, ch. 605, § 1; G.L. 1956, § 11-33-1; P.L. 1981, ch. 244, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-33 - Perjury and False SwearingSection 11-33-2. - Penalty for perjury.

§ 11-33-2. Penalty for perjury.
Every person who shall be guilty of perjury or of subornation of perjury by procuring another to commit perjury, shall be imprisoned not exceeding twenty (20) years.
History of Section.
G.L. 1896, ch. 276, § 2; G.L. 1909, ch. 342, § 2; G.L. 1923, ch. 394, § 2; G.L. 1938, ch. 605, § 2; G.L. 1956, § 11-33-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-33 - Perjury and False SwearingSection 11-33-3. - Attempt to procure perjury.

§ 11-33-3. Attempt to procure perjury.
Every person who shall endeavor to incite or procure another to commit perjury, though the person incited does not commit perjury, shall be imprisoned not exceeding ten (10) years.
History of Section.
G.L. 1896, ch. 276, § 3; G.L. 1909, ch. 342, § 3; G.L. 1923, ch. 394, § 3; G.L. 1938, ch. 605, § 3; G.L. 1956, § 11-33-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-33 - Perjury and False SwearingSection 11-33-4. - False swearing pertaining to sale or conveyance of property.

§ 11-33-4. False swearing pertaining to sale or conveyance of property.
Every person over the age of eighteen (18) years who shall willfully swear or affirm falsely before any notary public, justice of the peace, or other officer authorized to administer oaths, concerning any material fact relating to any contract, lease, or other document pertaining to the sale or conveyance of real or personal property shall be deemed guilty of a misdemeanor and shall be fined not less than fifty dollars ($50.00) nor more than one hundred dollars ($100).
History of Section.
G.L. 1923, ch. 394, § 24; P.L. 1925, ch. 656, § 1; G.L. 1938, ch. 605, § 24; G.L. 1956, § 11-33-4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-33 - Perjury and False SwearingSection 11-33-5. - Manner of proof.

§ 11-33-5. Manner of proof.
In the trial of any complaint or indictment or information charging any offense under this chapter, the guilt of the accused may be established by circumstantial evidence without regard to the number of witnesses who may testify against the defendant.
History of Section.
P.L. 1969, ch. 56, § 1; P.L. 1974, ch. 118, § 6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-33 - Perjury and False SwearingSection 11-33-6. - Perjury before general assembly committees.

§ 11-33-6. Perjury before general assembly committees.

(a)
Every person who shall testify before any committee, sub-committee, or commission of the general assembly may be required to do so under oath or affirmation by the committee, sub-committee, or commission. If required to testify a stenographic record shall be kept of that testimony after approval by the speaker of the house of representatives and the president of the senate.
(b)
Any person who shall willfully swear or affirm falsely in regard to any testimony before any committee, sub-committee, or commission of the general assembly shall be deemed guilty of a misdemeanor and shall be fined not exceeding five hundred dollars ($500) or be imprisoned not exceeding one year.
History of Section.
P.L. 1979, ch. 382, § 1; P.L. 2001, ch. 180, § 7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-33 - Perjury and False SwearingSection 11-33-7. - Perjury or false swearing — Child support.

§ 11-33-7. Perjury or false swearing — Child support.
Every person who shall violate any provision of this chapter in any case or controversy involving the abandonment or nonsupport of a child pending before the family court or any other tribunal or agency of competent jurisdiction shall be guilty of a felony and shall be imprisoned for a term not to exceed twenty (20) years.
[See § 12-1-15 of the General Laws.]
History of Section.
P.L. 1995, ch. 370, art. 29, § 3; P.L. 1995, ch. 374, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34.1 - Commercial Sexual ActivitySection 11-34.1-1. - Definitions.

§ 11-34.1-1. Definitions.
The following words and phrases, when used in this chapter, have the following meanings:
(1)
“Sexual conduct” means sexual intercourse, cunnilingus, fellatio, anal intercourse, and digital intrusion or intrusion by any object into the genital opening or anal opening of another person’s body, or the stimulation by hand of another’s genitals for the purposes of arousing or gratifying the sexual desire of either person.
(2)
“Commercial sexual activity” means any sexual conduct which is performed or promised in return for a fee.
(3)
“Fee” means any thing of monetary value, including but not limited to money, given as consideration for sexual conduct.
History of Section.
P.L. 2009, ch. 185, § 1; P.L. 2009, ch. 186, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34.1 - Commercial Sexual ActivitySection 11-34.1-10. - Reputation testimony as evidence.

§ 11-34.1-10. Reputation testimony as evidence.
In the trial of any person charged with a violation of this chapter, testimony concerning the reputation of the place where the violation occurred or of persons who frequent or reside in it shall be admissible in evidence in support of the charge.
History of Section.
P.L. 2009, ch. 185, § 3; P.L. 2009, ch. 186, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34.1 - Commercial Sexual ActivitySection 11-34.1-11. - Examination and treatment for venereal disease.

§ 11-34.1-11. Examination and treatment for venereal disease.
Any person convicted for any violation of this chapter or of any other statute relating to lewd or lascivious behavior or unlawful sexual intercourse, and who shall be confined or imprisoned in any correctional institution for more than ten (10) days, may be examined by the department of health for venereal disease, through duly appointed, licensed physicians as agents. Any person that is examined may be detained until the result of the examination is duly reported. If found with venereal disease in an infectious stage, the person shall be treated, and if a menace to the public, quarantined, in accordance with rules and regulations, not inconsistent with law, of the director of health, who is authorized to formulate and issue them. Refusal to comply with or obey the rules or regulations shall constitute a misdemeanor and be punishable by fine not to exceed two hundred fifty dollars ($250), or a sentence of incarceration of up to three (3) months, or both.
History of Section.
P.L. 2009, ch. 185, § 3; P.L. 2009, ch. 186, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34.1 - Commercial Sexual ActivitySection

11-34.1-12. - Human Immunodeficiency Virus (HIV).

§ 11-34.1-12. Human Immunodeficiency Virus (HIV).
(a)
Any person convicted of a violation of any provisions of this chapter shall be required to be tested for Human Immunodeficiency Virus (HIV). No consent for the testing shall be required.
(b)
The department of health shall maintain sites for providing both anonymous and confidential HIV testing, and HIV counseling and referral. Each site, funded by the department of health, shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance, offer a sliding scale for payment for all other individuals and, in the case of confidential testing, screen for ability to pay through a third-party insurer. In the case of nonfunded sites for HIV testing, organizations and/or institutions performing the test shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance.
(c)
All persons tested under this section shall be provided pre-test and post-test counseling by individuals trained by the department of health, as an HIV testing counselor, in accordance with regulations promulgated by the department of health; provided, that the counseling shall be in accordance with acceptable medical standards.
(d)
All persons who are tested under this section, who are determined to be injecting drug users, shall be referred to appropriate sources of substance abuse treatment by the HIV testing counselor and/or the attending practitioner as follows:
(1)
Those persons who test positive for HIV infection shall be given priority for those outpatient substance abuse treatment programs that are sponsored or supported by the appropriate state agency responsible for these services.
(2)
Those persons who are injecting drug users and test negative for HIV infection shall be referred, by the HIV testing counselor and/or attending practitioner, to the appropriate state agency responsible for these services for earliest possible evaluation and treatment.
History of Section.
P.L. 2009, ch. 185, § 3; P.L. 2009, ch. 186, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34.1 - Commercial Sexual ActivitySection 11-34.1-13. - Reporting.

§ 11-34.1-13. Reporting.
On or before January 15, 2010, and semi-annually thereafter, each law enforcement agency in this state shall file with the Governor, the Attorney General, the Speaker of the House of Representatives and the President of the Senate a report concerning the agency's enforcement of this chapter during the preceding six (6) month period. Each semi-annual report shall contain, but need not be limited to, the following information:
(1)
The number of persons arrested pursuant to subsection 11-34.1-2(a), subsection 11-34.1-2(b), § 11-34.1-3, § 11-34.1-4, subsection 11-34.1-6(a), subsection 11-34.1-6(b) and subsection 11-34.1-7 of this chapter;
(2)
Of those arrested, the number of persons convicted, placed on probation, whose case is filed pursuant to § 12-10-12, whether those persons pled guilty or nolo contendere or were found guilty after trial by judge or jury;
(3)
The fines and/or sentences of those persons identified pursuant to subdivision (2) of this section; and
(4)
A summary of the amounts of fines levied and the lengths of sentences identified pursuant to subdivision (3) of this section.
History of Section.
P.L. 2009, ch. 185, § 3; P.L. 2009, ch. 186, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34.1 - Commercial Sexual ActivitySection 11-34.1-14. - Severability.

§ 11-34.1-14. Severability.
If any provision of this chapter or its application to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.
History of Section.
P.L. 2009, ch. 185, § 3; P.L. 2009, ch. 186, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34.1 - Commercial Sexual ActivitySection 11-34.1-2. - Prostitution.

§ 11-34.1-2. Prostitution.
(a)
A person is guilty of prostitution when such person engages, or agrees, or offers to engage in sexual conduct with another person in return for a fee. Any person found guilty under this section shall be deemed guilty of a misdemeanor and shall be subject to imprisonment for a term not exceeding six (6) months, or to a fine of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000), or both.
(b)
Any person found guilty of a subsequent offense under this section shall be subject to imprisonment for a term of not more than one year, or a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000), or both.
(c)
In any prosecution for a violation under this section, it shall be an affirmative defense if the accused was forced to commit a commercial sexual activity by:
(1)
Being threatened or subjected to physical harm;
(2)
Being physically restrained or threatened to be physically restrained;
(3)
Being subject to threats of abuse of law or legal process;
(4)
Being subject to destruction, concealment, removal, or confiscation, of any passport or other immigration document or any other actual or purported governmental identification document; or
(5)
Being subject to intimidation in which the accused's physical well being was perceived as threatened.
History of Section.
P.L. 2009, ch. 185, § 1; P.L. 2009, ch. 186, § 1; P.L. 2014, ch. 70, § 1; P.L. 2014, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34.1 - Commercial Sexual ActivitySection 11-34.1-3. - Procurement of sexual conduct for a fee.

§ 11-34.1-3. Procurement of sexual conduct for a fee.
(a)
A person is guilty of procuring or attempting to procure sexual conduct for the payment of a fee if they engage or seek to engage in sexual conduct for any type of fee and/or pay or agree to pay any type of fee for sexual conduct, regardless of the time, place or location of the procurement, attempted procurement, payment, attempted payment or conduct. Any person found guilty under this section shall be deemed guilty of a misdemeanor and shall be subject to imprisonment for a term not exceeding one year, or to a fine of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000), or both.
(b)
Any person found guilty of a subsequent offense under this section shall be subject to imprisonment for a term not exceeding one year, or a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000), or both.
History of Section.
P.L. 2009, ch. 185, § 1; P.L. 2009, ch. 186, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34.1 - Commercial Sexual ActivitySection 11-34.1-4. - Loitering for prostitution.

§ 11-34.1-4. Loitering for prostitution.
(a)
It shall be unlawful for any person to stand or wander in or near any public highway or street, or any public or private place, and attempt to engage passersby in conversation, or stop or attempt to stop motor vehicles, for the purpose of prostitution or other commercial sexual activity. Any person found guilty of the crime of loitering for prostitution shall be subject to a sentence of up to six (6) months incarceration or by a fine of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000), or both.
(b)
Any person found guilty of a subsequent offense under this section shall be subject to imprisonment for a term not exceeding one year, or a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000), or both.
History of Section.
P.L. 2009, ch. 185, § 1; P.L. 2009, ch. 186, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34.1 - Commercial Sexual ActivitySection 11-34.1-5. - Expungement of certain criminal records.

§ 11-34.1-5. Expungement of certain criminal records.

(a)
Records defined in § 12-1.3-1 of any person convicted, placed on probation, or whose case was filed pursuant to § 12-10-12, for a violation of § 11-34.1-2 or § 11-34.1-4 may be expunged one year after completion of that person's sentence.
(b)
The motion shall be filed in accordance with a chapter 12-1.3 and may be granted in the court's discretion regardless of the person's first offender status.
History of Section.
P.L. 2009, ch. 185, § 3; P.L. 2009, ch. 186, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34.1 - Commercial Sexual ActivitySection 11-34.1-6. - Soliciting from motor vehicles for indecent purposes — Forfeiture of motor vehicle.

§ 11-34.1-6. Soliciting from motor vehicles for indecent purposes — Forfeiture of motor vehicle.
(a)
It shall be unlawful for any person, while an operator or passenger in a motor vehicle to stop, or attempt to stop another vehicle or pedestrian, or to engage or attempt to engage persons in another vehicle or pedestrians in conversation, for the purposes of prostitution or other indecent act, or to patronize, induce, or otherwise secure another person to commit any commercial sexual activity. Any person found guilty under this section shall be subject to a sentence of up to six (6) months incarceration or a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000), or both.
(b)
Any person found guilty of a subsequent offense under this section shall be subject to imprisonment for a term of not more than one year and a fine of not less than seven hundred fifty dollars ($750) nor more than one thousand dollars ($1,000). No fine imposed under this section may be suspended.
(c)
The motor vehicle being unlawfully operated as defined in this chapter by a person convicted of a second or subsequent offense of soliciting from a motor vehicle for indecent purposes pursuant to this chapter which vehicle is owned by the operator, may be seized by the law enforcement agency and forfeited at the discretion of the court. Any funds received from the forfeiture shall be deposited in the victim's of crimes indemnity fund (VCIF).
History of Section.
P.L. 2009, ch. 185, § 3; P.L. 2009, ch. 186, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34.1 - Commercial Sexual ActivitySection 11-34.1-7. - Pandering or permitting prostitution — Not allowed.

§ 11-34.1-7. Pandering or permitting prostitution — Not allowed.
(a)
It shall be unlawful for any person, by any promise or threat, by abuse of person, or by any other device or scheme, to cause, induce, persuade, or encourage a person to become a prostitute or to come into this state or leave this state for the purpose of prostitution. It shall be unlawful for any person to receive or give, or agree to receive or give, any money or thing of value for procuring or attempting to procure any person to become a prostitute or to come into this state or leave this state for the purpose of prostitution.
(b)
It shall be unlawful for any person to knowingly permit, allow, transport, or offer or agree to receive any person into any place, structure, house, building, room, or business for the purpose of committing any commercial sexual activity, or knowingly permit any person to remain in the premises for those purposes, or to, in any way, aid or abet or participate in any of the acts or things enumerated in this chapter. Any person, knowing a person to be a prostitute, who shall live or derive support or maintenance, in whole or in part, from the earnings or proceeds of commercial sexual activity, from moneys loaned, advanced to, or charged against the prostitute by a landlord, manager, owner of a spa or business, or any other place where commercial sexual activity is practiced or allowed, or who shall share in the earnings, proceeds, or moneys shall be guilty of the crime of permitting prostitution.
(c)
Every person who commits any of the offenses described in subsection (a) of this section, or who assists, abets, or aids another to commit any of those offenses, shall be guilty of pandering. For the first offense, that person shall be punished by imprisonment for not less than one year and not more than five (5) years and a fine of not less than two thousand dollars ($2,000), nor more than five thousand dollars ($5,000). For every subsequent offense, that person shall be punished by imprisonment for not less than three (3) years and not more than ten (10) years and a fine of not less than five thousand dollars ($5,000), nor more than ten thousand dollars ($10,000).
(d)
Any proceeds derived directly from a violation of this section are subject to seizure and forfeiture and further proceedings shall be required for their forfeiture as is prescribed by law in chapter 21 of title 12.
History of Section.
P.L. 2009, ch. 185, § 3; P.L. 2009, ch. 186, § 3; P.L. 2014, ch. 70, § 1; P.L. 2014, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34.1 - Commercial Sexual ActivitySection 11-34.1-8. - Venue of pandering or permitting prostitution prosecutions.

§ 11-34.1-8. Venue of pandering or permitting prostitution prosecutions.
It shall not be a defense to any prosecution of any of the offenses described in this chapter that the offense or any part of the offense shall have been committed outside the state, and any offense described in this chapter may be alleged to have been committed. The offender may be prosecuted and punished in any county in which the offender or the person upon or against whom the offense was committed may be found, or in which the offense was consummated, or in which any overt acts in furtherance of the offenses shall have been committed.
History of Section.
P.L. 2009, ch. 185, § 3; P.L. 2009, ch. 186, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34.1 - Commercial Sexual ActivitySection 11-34.1-9. - Spouse as witness in pandering or permitting prostitution.

§ 11-34.1-9. Spouse as witness in pandering or permitting prostitution.
In any prosecution for any offense under this chapter, any person shall be a competent witness against the offender in relation to any offense committed by the offender upon or against him or her, or by the offender against or upon another person or persons in his or her presence, notwithstanding that person may have been married to the offender before or after the commission of the offense, and notwithstanding that person may be called as witness during the existence of the marriage or after its dissolution.
History of Section.
P.L. 2009, ch. 185, § 3; P.L. 2009, ch. 186, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34 - Prostitution and LewdnessSection 11-34-11. - Loitering for indecent purposes in or near schools.

§ 11-34-11. Loitering for indecent purposes in or near schools.
Any person who violates this section by attempting to engage a person for the purpose of prostitution or other indecent act, or to patronize or induce or otherwise secure a person to commit any indecent act in the building or on the grounds or within three hundred (300) yards of the grounds of a public or private elementary, vocational, or secondary school, shall be punished by a term of imprisonment of not more than one year and a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000).
History of Section.
P.L. 1995, ch. 53, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-34 - Prostitution and LewdnessSection 11-34-8.3. - Criminal forfeiture procedures.

§ 11-34-8.3. Criminal forfeiture procedures.
(a)
Any criminal complaint charging an offense under §§ 11-34-8.1 or 11-34-8.2 shall set forth with reasonable particularity:
(1)
Whether the law enforcement agency seeks to have forfeited property pursuant to this section; and
(2)
What property the law enforcement agency seeks to have forfeited.
(b)
The court may, upon application of the law enforcement agency, enter a restraining order or injunction, require any person claiming any interest in the subject motor vehicle to execute a satisfactory performance bond to the state, or take any other action to preserve the availability of the motor vehicle subject to forfeiture described in § 11-34-8.2 whether prior to or subsequent to the filing of a complaint. Written notice and an opportunity for a hearing shall be afforded to persons appearing to have an interest in the motor vehicle. The hearing is limited to the issues of whether:
(1)
There is a substantial probability that the law enforcement agency will prevail on the issue of forfeiture and that failure to enter the order will result in the motor vehicle being destroyed, conveyed, encumbered or further encumbered, removed from the jurisdiction of the court, or otherwise made unavailable for forfeitures; and
(2)
The need to preserve the availability of property through the entry of the requested order outweighs the hardship on any party against whom the order is to be entered.
(c)(1)
An order under this section may be entered upon application of the law enforcement agency without notice or opportunity for a hearing when a complaint has not yet been filed with respect to the property if the law enforcement agency demonstrates that there is probable cause to believe that the property with respect to which the order is sought would, in the event of conviction, be subject

to forfeiture under § 11-34-8.2 and that provision of notice will jeopardize the availability of the motor vehicle for forfeiture. The order shall expire within ten (10) days of the date on which it is entered unless for good cause shown or unless the party against whom it is entered consents to an extension for a longer period.
(2)
A hearing requested by any party in interest concerning an order entered under this subsection shall be held at the earliest possible time and prior to the expiration of the temporary order.
(3)
The court may receive and consider, at the hearing held pursuant to this subsection, evidence and information that would be inadmissible in court.
(d)
Upon conviction of a person for an offense under § 11-34-8.1, the court may enter a judgment of forfeiture of the property described in §§ 11-34-8.2 and 11-34-8.3 to the city or town and shall also authorize the law enforcement agency to seize the motor vehicle ordered forfeited upon any terms and conditions that the court shall deem proper. Following the entry of an order declaring the property forfeited, the court may, upon application of the law enforcement agency, enter any appropriate orders, require the execution of satisfactory performance bonds, appoint receivers, conservators, appraisers, accountants, or trustees, or take any other action to protect the interest of the law enforcement agency in the motor vehicle ordered forfeited.
(e)
All right, title, and interest in the motor vehicle described in § 11-34-8.1 vests in the city or town upon the commission of the act giving rise to forfeiture under this section subject to the limitations of § 11-34-8.2. Any such motor vehicle that is subsequently transferred to any person may be the subject of a special verdict of forfeiture and thereafter shall be ordered forfeited to the state, unless the transferee establishes in a hearing that he or she is a bona fide purchaser for value of the motor vehicle who at the time of purchase was reasonably without cause to believe that the motor vehicle was subject for forfeiture.
History of Section.
P.L. 1994, ch. 303, § 2; P.L. 2000, ch. 109, § 8.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35.1 - Theft of Telecommunication ServicesSection 11-35.1-1. - Definitions.

§ 11-35.1-1. Definitions.
For the purposes of this chapter:
(1)
“Manufacture of an unlawful telecommunications device” means to design, produce, assemble, duplicate, modify, alter, program or reprogram a telecommunication device that:
(i)
Duplicates the identity of an authorized telecommunication service used for sale and distribution without the consent of the telecommunication service provider; or
(ii)
Is capable of acquiring or facilitating the acquisition of telecommunication service without the consent of the telecommunication service provider.
(2)
“Sell” means to transfer for consideration or agree to do so.
(3)
“Telecommunication device” means any type of instrument, device, apparatus, machine or equipment which is designed to or is capable of transmitting or receiving telephonic, electronic, or radio communications or any part of an instrument, device, machine or equipment, or computer circuit, computer chip, electronic mechanism or any other component, which is capable of facilitating the transmission or reception of telephonic, electronic or radio communications.
(4)
“Telecommunication service” means any service provided for a charge or compensation to facilitate the origination, transmission, emission or reception of signs, signals, data, writing, images and sounds or intelligence of any nature by telephone, including cellular or wireless telephones, wire, radio, television, video, optical or other electromagnetic system.
(5)
“Telecommunication provider” means a person or entity providing telecommunication service including, but not limited to, a commercial mobile radio service company or other person or entity which, for a fee, supplies the facility, cell site, mobile telephone switching office or other equipment or telecommunication service.
(6)
“Unlawful telecommunication device” means any electronic serial number, mobile identification number, personal identification number of any telecommunication device that is manufactured, altered, modified, programmed or reprogrammed alone or in conjunction with another device or other equipment for the purpose of intentionally acquiring or facilitating the acquisition of a telecommunication service without the consent of the telecommunication service provider. These unlawful devices include, but are not limited to, tumbler phones, clone phones, tumbler microchips, clone microchips and other instruments capable of disguising

their identity or location or of gaining access to a communications system operated by a telecommunication service provider.
History of Section.
P.L. 1997, ch. 181, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35.1 - Theft of Telecommunication ServicesSection 11-35.1-2. - Criminal offense.

§ 11-35.1-2. Criminal offense.
(a)
A criminal offense is committed by:
(1)
Any person who intentionally obtains or attempts to obtain telecommunication service by the use of an unlawful telecommunication device.
(2)
Any person who makes, distributes, possesses or assembles an unlawful telecommunication device, or plans or instructions for making the same, under circumstances evidencing an intent to use or employ such unlawful telecommunication device.
(3)
Any person who engages in the business for profit or economic gain of selling or offering for sale an unlawful telecommunication device.
(b)(1)
A person is guilty of theft of telecommunications service for profit or economic gain when he or she:
(i)
Engages in the business for profit or economic gain of tampering or making connection with the equipment of a supplier of a telecommunication service without the consent of the supplier, for the purpose of supplying that service on one or more occasions;
(ii)
Engages in the business for profit or economic gain of offering for sale to any person other than the supplier of a telecommunication service any decoder, descrambler or other device or the unauthorized use of a confidential identification or authorization code, the principal function of which defeats the electronic signal encryption jamming or individually addressed switching imposed by the supplier for the purpose of restricting the delivery of that service to persons who pay for the service;
(iii)
Without the consent of the supplier of the service, engages in the business for profit or economic gain of connecting or disconnecting the fiber optic, cables, conduits, wires, conductors, attachments or other electromagnetic system of the supplier;
(iv)
Conceals or assists another to conceal from any telecommunication service provider or from any lawful authority the existence or place of origin or destination of any telecommunication.
(2)
There shall be a rebuttable presumption of intent that a person is engaged in the business for profit or economic gain of offering for sale a decoder, descrambler or other device or a confidential identification or authorization code in violation of paragraph (1)(ii) of this subsection if the person has three (3) or more decoders, descramblers or other devices or confidential identification or authorization codes in his or her possession or under his or her control.
History of Section.
P.L. 1997, ch. 181, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35.1 - Theft of Telecommunication ServicesSection 11-35.1-3. - Civil actions.

§ 11-35.1-3. Civil actions.
Any person aggrieved by acts constituting a violation of § 11-35.1-2 may bring a civil action in the superior court for the judicial district where the violation occurred for relief including a temporary or permanent injunction and damages. In addition to any other relief, the court may, in its discretion, award costs and reasonable attorney’s fee.
History of Section.
P.L. 1997, ch. 181, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35.1 - Theft of Telecommunication ServicesSection 11-35.1-4. - Penalties.

§ 11-35.1-4. Penalties.
A person who commits an offense in violation of this chapter shall be fined not more than thirty thousand dollars ($30,000), or by imprisonment in the state prison for not more than five (5) years, or both.
History of Section.
P.L. 1997, ch. 181, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-1. - Consent of property owner required for electric lines — Tree-trimming — Removal on notice.

§ 11-35-1. Consent of property owner required for electric lines — Tree-trimming — Removal on notice.
Except as provided for in chapter 34 of title 39, no person shall place any electric wire, apparatus, pole, bracket, insulator, or other device or appliance for the purpose of conducting currents of electricity upon any private property without the consent of the owners or of the agent of the owners; nor shall any electric wire, apparatus, pole, bracket, insulator, or other device or appliance for the purpose of conducting currents of electricity be passed through or affixed to any tree useful for shade or ornamental purposes, nor shall a tree be cut, trimmed, or interfered with, except under the direction and immediate supervision of the surveyor of highways in whose district the tree is located; provided, that any owner or agent may give notice in writing to the person or corporation owning any electric wire, apparatus, pole, bracket, insulator, or other device or appliance for the purpose of conducting currents of electricity when it shall have been so placed with the consent of the owner or agent, to remove it or any of them from any private property within thirty (30) days after the delivery of the notice, and that, in default of the removal in accordance with the terms of the notice, the owner or agent may remove them or any of them.
History of Section.
G.L. 1896, ch. 279, § 56; G.L. 1909, ch. 345, § 59; G.L. 1923, ch. 397, § 59; G.L. 1938, ch. 608, § 67; G.L. 1956, § 11-35-1; P.L. 2024, ch. 406, § 3, effective June 26, 2024.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-10. - Excessive gas or water charges — False meters.

§ 11-35-10. Excessive gas or water charges — False meters.
Every person or corporation who shall willfully collect of any person or persons a larger sum for gas or water than appears to be due on inspection of the meter put in to regulate and register it, or shall willfully furnish a meter that shall not correctly register the quantity of gas or water consumed, shall be fined not exceeding five hundred dollars ($500).
History of Section.
G.L. 1896, ch. 279, § 50; G.L. 1909, ch. 345, § 53; G.L. 1923, ch. 397, § 53; G.L. 1938, ch. 608, § 61; G.L. 1956, § 11-35-10.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-14. - Refusal to relinquish or to damage or to obstruct telephone.

§ 11-35-14. Refusal to relinquish or to damage or to obstruct telephone.
(a)
Any person who willfully refuses to relinquish a party line or who obstructs or damages an individual telephone line or telephone set when he or she knows or should have known that the party line, individual telephone line or telephone set is needed for an emergency call to a fire department or police department or for medical aid or ambulance service shall be fined not less than fifty dollars ($50.00) nor more than three hundred dollars ($300) or be imprisoned ninety (90) days, or both, or any person who secures the use of a party line by falsely stating that the line is needed for an emergency call shall be fined not exceeding twenty dollars ($20.00) or be imprisoned not exceeding three (3) months.
(b)
As used in this section:
(1)
“Party line” means a subscriber line telephone circuit consisting of two (2) or more main telephone stations connected with it, each station with a distinctive ring or telephone number; and
(2)
“Emergency” means a situation in which property or human life are in jeopardy and the prompt summoning of aid is essential.
History of Section.
P.L. 1958, ch. 145, § 1; P.L. 1997, ch. 133, § 1; P.L. 1998, ch. 346, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-15. - Notice on telephone book.

§ 11-35-15. Notice on telephone book.
A copy of § 11-35-14, preceded by the word “Warning” in large type, shall be printed in a prominent place in every telephone directory distributed to the members of the general public in this state or in any portion of it after June 1, 1958, which lists the calling numbers of telephones of any telephone exchange located in this state; provided, the provisions of this section shall not apply to those directories distributed solely for business advertising purposes, commonly known as classified directories.
History of Section.
P.L. 1958, ch. 145, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-16. - Wrongfully obtaining telecommunication service.

§ 11-35-16. Wrongfully obtaining telecommunication service.
(a)
Any person who, with intent to injure or defraud any person, persons, association, or corporation furnishing telecommunications service of the whole or any part of the lawful charge for any service, obtains, attempts to obtain, or aids or abets another in obtaining any telecommunications service by any false representation, false statement, or stratagem, by the unauthorized charging to the account of another, by installing or tampering with any facilities or equipment or by any other means, commits a criminal offense and shall be subject to the penalties set forth in § 11-49-10(a), if the value of or the charges for the service obtained in violation of this section does not exceed one hundred dollars ($100) in any six (6) month period, or be subject to the penalties set forth in § 11-49-10(b), if the value of or the charges for the service exceed one hundred dollars ($100) in any six (6) month period; provided, that this section shall not apply to conduct constituting a violation of the provisions of § 11-18-21.
(b)
As used in this section, “telecommunication service” includes the transmission of any video, audio, or other signal by a community antenna television system licensed pursuant to the provisions of chapter 19 of title 39.
History of Section.
P.L. 1961, ch. 157, § 1; P.L. 1981, ch. 198, § 1; P.L. 1983, ch. 316, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-17. - Crank or obscene telephone calls.

§ 11-35-17. Crank or obscene telephone calls.
(a)
Whoever shall originate a transmission by facsimile machine, or other telecommunication device or shall telephone any person repeatedly or cause any person to be telephoned repeatedly for the sole purpose of harassing, annoying, or molesting the other person or his or her family, whether or not conversation ensues; or whoever shall originate a transmission by facsimile machine, or other telecommunication device or shall telephone any person for the purpose of using any threatening, vulgar, indecent, obscene, or immoral language over the telephone, shall be guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars ($500), or by imprisonment for not more than one year, or both.
(b)
This section shall not be construed to impose any liability upon providers of telecommunications services.
History of Section.
P.L. 1965, ch. 195, § 1; P.L. 1993, ch. 278, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-18. - Bomb threats and similar false reports.

§ 11-35-18. Bomb threats and similar false reports.
Whoever, knowing the report to be false, transmits or causes to be transmitted to any person by telephone or other means a communication falsely reporting the location of any explosive or other dangerous substance or contrivance, causing anxiety, unrest, fear, or personal discomfort by that false report to any person or group of persons, shall be guilty of a felony and shall be punished by imprisonment at the adult correctional institutions for not more than ten (10) years, or by a fine of not more than one thousand dollars ($1,000), or by both fine and imprisonment.
History of Section.
P.L. 1965, ch. 195, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-19. - Prosecution for violations of §§ 11-35-17, 11-35-18.

§ 11-35-19. Prosecution for violations of §§ 11-35-17, 11-35-18.
The crimes described in §§ 11-35-17 and 11-35-18 may be prosecuted and punished in the territorial jurisdiction in which the communication originates or is received.
History of Section.
P.L. 1965, ch. 195, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-2. - Badges of telegraph and telephone workers.

§ 11-35-2. Badges of telegraph and telephone workers.
No person shall labor upon the work of erecting or repairing any telegraph or telephone line belonging to any telegraph or telephone company without having conspicuously attached to his or her dress a medal or badge, on which shall be legibly inscribed the name of the owners by whom he or she is employed, and a number by which he or she can be readily identified.
History of Section.
G.L. 1896, ch. 279, § 56; G.L. 1909, ch. 345, § 59; G.L. 1923, ch. 397, § 59; G.L. 1938, ch. 608, § 67; G.L. 1956, § 11-35-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-20.1. - Wrongful termination or disruption of service.

§ 11-35-20.1. Wrongful termination or disruption of service.

(a)

Any person who has been served an order issued pursuant to chapter 8.1 of title 8, or chapters 5 or 15 of title 15 who causes the interruption of any utility service by false presentation or other means at the residence of the person(s) protected by a protective order issued pursuant to chapter 8.1 of title 8, or chapters 5 or 15 of title 15 shall constitute harassment.

(b)

Any person subject to an order issued pursuant to chapter 8.1 of title 8, or chapters 5 or 15 of title 15 who wishes to remove their name from a utility bill and terminate their future financial responsibility for making payments on that bill must first seek approval from the court that issued the protective order.

(1)

The court shall not allow any person, upon his or her own motion, to remove his or her name from a utility bill and terminate their financial responsibility with respect to the utility bill without first ensuring that the preexisting balance owed to the utility has been satisfied and that the person(s) covered by the protective order is able to establish an account under his or her own name without the need to make a deposit that causes hardship, and is capable of fulfilling their financial obligations towards the utility in the future.

(c)

Nothing in this section shall prevent a person protected by an order issued pursuant to chapter 8.1 of title 8, or chapters 5 or 15 of title 15 from transferring a utility bill into his or her name and assuming any and all obligations to the utility.

(d)

Any person who shall wrongfully terminate or disrupt any utility service in violation of this section shall be guilty of a violation and subject to a fine not exceeding five hundred dollars ($500).

History of Section.

P.L. 2016, ch. 447, § 1; P.L. 2016, ch. 448, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-20. - Termination of service.

§ 11-35-20. Termination of service.

Every person or corporation who shall willfully for non-payment of charges cut off, discontinue, or otherwise terminate gas, electric, water, telephone, light, heat, or power service to any domestic or institutional user on either Friday, Saturday, or Sunday or at any time when the office of the person or corporation is not open for business or the day before any legal holiday shall be guilty of a misdemeanor and fined not exceeding five hundred dollars ($500).

History of Section.

P.L. 1968, ch. 38, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-21. - Unauthorized interception, disclosure or use of wire, electronic, or oral communication.

§ 11-35-21. Unauthorized interception, disclosure or use of wire, electronic, or oral communication.

(a)

Except as otherwise specifically provided in chapter 5.1 of title 12, any person: (1) who willfully intercepts, attempts to intercept, or procures any other person to intercept or attempt to intercept, any wire, electronic, or oral communication; (2) who willfully discloses or attempts to disclose to any person the contents of any wire, electronic, or oral communication, knowing, or having reason to know that the information was obtained through interception of a wire, electronic, or oral communication in violation of this section; or (3) who willfully uses or attempts to use the contents of any wire, electronic, or oral communication, knowing, or having reason to know, that the information was obtained through interception of a wire, electronic, or oral communication in violation of this section; shall be imprisoned for not more than five (5) years.

(b)

The provisions of subdivisions (a)(2) and (3) of this section shall not apply to the contents of any wire, electronic, or oral communication, or evidence derived from those contents, which has become common knowledge or public information.

(c)

It shall not be unlawful under this chapter for:

(1)

An operator of a switchboard, or an officer, agent, or employee of a communication common carrier, whose facilities are used in the transmission of a wire, electronic, or oral communication, to intercept, disclose, or use that communication in the normal course of his or her employment while engaged in any activity which is a necessary incident to the rendition of his or her service or to the protection of the rights or property of the carrier of the communication. No communication common carrier shall utilize service observing or random monitoring except for mechanical or service quality control checks;

(2)

A person acting under color of law to intercept a wire, electronic, or oral communication, where that person is a party to the communication, or where one of the parties to the communication has given prior consent to the interception; or
(3)
A person not acting under color of law to intercept a wire, electronic, or oral communication, where the person is a party to the communication, or one of the parties to the communication has given prior consent to the interception unless the communication is intercepted for the purpose of committing any criminal or tortious act in the violation of the constitution or laws of the United States or of any state or for the purpose of committing any other injurious act.
History of Section.
P.L. 1969, ch. 55 § 3; P.L. 1999, ch. 167, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-22. - Offenses in connection with authorized interception of communications.

§ 11-35-22. Offenses in connection with authorized interception of communications.
Except as otherwise specifically provided in chapter 5.1 of title 12, any person: (1) who willfully edits, alters, or tampers with any tape, transcription, or other sound recording, or knows of the editing, altering, or tampering, and presents the recording in any judicial proceeding or proceeding under oath, without fully indicating the nature of the changes made and the original state of the recording; or (2) who willfully discloses to any person any information concerning or contained in the application for or the granting or denial of orders for interception, renewals, notice, or return on an ex parte order granted pursuant to this section, or the contents of any document, tape, or recording kept in accordance with chapter 5.1 of title 12; shall be imprisoned for not more than five (5) years.
History of Section.
P.L. 1969, ch. 55, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-23. - Failure to report to law enforcement officers.

§ 11-35-23. Failure to report to law enforcement officers.
An employee of any communication common carrier who has knowledge obtained during the course of that employment of any violation of this chapter and willfully fails to report that knowledge within seven (7) days to the attorney general shall be guilty of a misdemeanor punishable by imprisonment for not more than one year, or by a fine of not more than five hundred dollars ($500), or both.
History of Section.
P.L. 1969, ch. 55, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-24. - Possession, sale, distribution, manufacture and advertising of intercepting device.

§ 11-35-24. Possession, sale, distribution, manufacture and advertising of intercepting device.
(a)
Any person who willfully and knowingly possesses, sells, distributes, manufactures, assembles, or places in any publication any advertisement of, an intercepting device, the design of which renders it primarily useful for the purpose of the surreptitious interception of a wire or oral communication shall be imprisoned not more than five (5) years and fined not more than ten thousand dollars ($10,000);
(b)
It shall not be unlawful under this section for a communication common carrier or an officer, agent, or employee of, or a person under contract with, a communication common carrier, in the usual course of the communication common carrier's business, or a person under contract with the United States or a state or a political subdivision of it, or an officer, agent, or employee of a state or a political subdivision of it, to possess, sell, distribute, manufacture, assemble, or advertise any intercepting device, while acting in furtherance of the appropriate activities of the United States or a state or political subdivision of it or a communication common carrier.
History of Section.
P.L. 1969, ch. 55, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-25. - Fraudulent communication devices.

§ 11-35-25. Fraudulent communication devices.
(a)
It shall be unlawful for any person to willfully make, manufacture, assemble, possess, possess with intent to sell, sell, give, or otherwise transfer to another, or offer or place in any newspaper, magazine, handbill, or other publication any advertisement to sell, give, or otherwise transfer to another or purchase or in any other manner obtain, receive, or conceal any electronic, mechanical, or

other device, instrument, apparatus, or equipment, or plans, specifications, instructions, or other information for making, manufacturing, assembling, or using any device, instrument, apparatus, or other equipment or to publish any plans, specifications, instructions, or other information with intent to use it or know or have reason to know that it is intended to be used or that its design renders it primarily useful to obtain any communication or community antenna television service from a company providing that service, by rearranging, tampering with, or making any unauthorized connection, whether physically, electronically, acoustically, inductively, or otherwise to any telephone or community antenna television instrument, equipment, or facility of any company, to avoid the payment, in whole or in part, of the lawful charge for the communication or community antenna television service or to conceal from any company or from lawful authority the existence or place of origin or termination of any communication, or by using any communication or community antenna television service knowing or having reason to know that the rearrangement, tampering, or connection existed at the time of use.

(b)

Any person who is convicted of willfully making, manufacturing, assembling, or possessing with the intent to sell, or who sells, gives or otherwise transfers to another, or offers or places in any newspaper, magazine, handbill, or other publication any advertisement to sell, or give, or otherwise transfers to another any devices and/or instruments as described in this section shall be guilty of a felony and, upon conviction, may be imprisoned for not more than three (3) years, or fined not more than three thousand dollars ($3,000), or both.

(c)

Any person who is convicted of having possession of any devices, instruments and/or plans as described in this section shall be guilty of a misdemeanor, and, upon conviction, may, except as provided in this section, be imprisoned for not more than one year, or fined not more than five hundred dollars ($500), or both; provided, that any person who is convicted of having possession of any devices, instruments, and/or plans relative to a community antenna television system or instruments, equipment or facilities in connection with it as described in this section shall be guilty of a misdemeanor and, upon conviction, may be fined up to one thousand dollars ($1,000).

History of Section.

P.L. 1978, ch. 60, § 1; P.L. 1983, ch. 316, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-26. - Automatic telephone dialing systems failing to disconnect.

§ 11-35-26. Automatic telephone dialing systems failing to disconnect.

(a)

Any person who operates an automatic telephone dialing system in this state which fails within five (5) seconds after the called party hangs up to automatically create a disconnect signal or an on-hook condition which allows the called party’s line to be released shall be guilty of a misdemeanor and shall be punished by a fine of not more than two hundred dollars ($200) for each occurrence.

(b)

As used in this section, “automatic telephone dialing system” means any automatic terminal equipment which is capable of storing numbers to be called or producing numbers to be called, using a random or sequential number generator, and with the ability to call those numbers, and which is capable of delivering a prerecorded message to the number called with or without manual assistance.

History of Section.

P.L. 1987, ch. 59, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-28. - Trespassing on utility right-of-way.

§ 11-35-28. Trespassing on utility right-of-way.

Every person who, without right, knowingly makes attachments to, or disposes on, the facilities or the rights-of-way of any electric, gas, telephone, or water utility, shall be subject to a fine of not more than two hundred fifty dollars ($250) per incident, plus the cost of repair of the facility or right-of-way from the action. The fine shall be payable to the general fund of the municipality where the incident occurred.

History of Section.

P.L. 1992, ch. 482, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-29. - Trespassing on utility property.

§ 11-35-29. Trespassing on utility property.

Every person who, without right, willfully trespasses and remains upon the land or premises of any utility, after having been forbidden to do so by the owner, agent, or the person having control over the premises of the facility, shall be fined not more than one thousand dollars ($1,000) or be imprisoned not more than one year, or both.

History of Section.

P.L. 2011, ch. 378, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-3. - Penalty for violating §§ 11-35-1, 11-35-2.

§ 11-35-3. Penalty for violating §§ 11-35-1, 11-35-2.
Every person who shall violate any of the provisions of §§ 11-35-1 and 11-35-2 shall be fined not exceeding twenty dollars ($20.00) or be imprisoned not exceeding three (3) months.
History of Section.
G.L. 1896, ch. 279, § 57; G.L. 1909, ch. 345, § 60; G.L. 1923, ch. 397, § 60; G.L. 1938, ch. 608, § 68; G.L. 1956, § 11-35-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-4.1. - Installation of live wires or electrical equipment.

§ 11-35-4.1. Installation of live wires or electrical equipment.
(a)
Whoever being engaged in the business of transmitting electricity or installing or repairing live wires or electrical equipment knowingly permits a journeyperson line worker, while on a pole or structure, to work on live wires in excess of seven hundred and fifty (750) volts to ground unless he or she is assisted on or at the base of each pole or structure by a journeyperson line worker, a second year apprentice, or a line worker having a title commonly accepted as the equivalent of the foregoing, shall be punished by a fine of not more than one hundred dollars ($100).
(b)
Each violation of this section shall be a separate offense.
(c)
This section shall not apply to work done by any person who is commonly called a troubleshooter, who would be employed in the performance of making emergency repairs, locating electrical faults, clearing defective apparatus, and answering service calls.
History of Section.
P.L. 1972, ch. 195, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-4. - Injuries to electric or communication lines.

§ 11-35-4. Injuries to electric or communication lines.
Every person who shall wantonly or willfully and maliciously cut, destroy, break down, or injure, or attempt to cut, destroy, break down, or injure any machine, appliance, or apparatus used for generating electric currents or any electric wire or other appliance or apparatus used for the purpose of conducting or transmitting electric currents for using and furnishing power, motive power, light, or heat, or used for the purpose of transmitting intelligence by means of telegraphic or telephonic apparatus or by means of fire-alarm signals, burglar-alarm signals, police signals, railway signals, or other apparatus or appliance for the transmission of intelligence, or shall cut, destroy, break down, or injure or shall attempt to cut, destroy, break down, or injure any pole, bracket, insulator or other device, apparatus, or appliance for supporting or carrying any electric wire, or shall do any other act interrupting or intended to interrupt the transmission of the electric current over any electric wire, shall be liable to indictment for it, and upon conviction shall be fined not exceeding three thousand dollars ($3,000) or imprisoned not exceeding two (2) years; provided, that nothing in this section shall be construed to authorize or permit the attachment, erection, use, operation, or maintenance of any electric wire, apparatus, pole, bracket, insulator, or other device or appliance, upon the property of any person or corporation, without the consent of the owner or owners; nor to prevent any properly authorized person from removing any electric wire, apparatus, pole, bracket, insulator, or other device or appliance for the purpose of permitting the passage of any building or structure, the moving of which has been duly authorized by any city or town council.
History of Section.
G.L. 1896, ch. 279, § 61; G.L. 1909, ch. 345, § 64; G.L. 1923, ch. 397, § 64; G.L. 1938, ch. 608, § 73; G.L. 1956, § 11-35-4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-5. - Aiding, abetting, counseling, or procuring line injuries.

§ 11-35-5. Aiding, abetting, counseling, or procuring line injuries.
Every person who shall aid, assist, abet, counsel, hire, command, or procure any person to do or attempt any of the acts mentioned in § 11-35-4 shall be subject to like fine or imprisonment as provided in that section.
History of Section.
G.L. 1896, ch. 279, § 62; G.L. 1909, ch. 345, § 65; G.L. 1923, ch. 397, § 65; G.L. 1938, ch. 608, § 74; G.L. 1956, § 11-35-5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-6. - Interference with gas or electric or water meters.

§ 11-35-6. Interference with gas or electric or water meters.
Every person who shall willfully or fraudulently injure or shall knowingly suffer to be injured any wire, meter, pipe, or fittings connected with or belonging to any electric company or gaslight company or connected with or belonging to the waterworks of any

corporation in this state supplying water at a stipulated rate of payment, or shall willfully tamper or meddle with any other of the appliances or appurtenances connected with or belonging to any electric company or gaslight company or to the waterworks of a corporation in a manner as to cause loss or damage to the company or corporation, or who shall willfully or fraudulently prevent any meter used for registering the quantity of electricity, gas, or water supplied through it from duly registering the quantity so passing through it, or alter the index of any meter or in any way hinder or interfere with its proper action or just registration, or shall fraudulently use the electricity or fraudulently burn the gas of the company or fraudulently use the water passing through the wire, meter, pipe, fittings, or other of the appliances or appurtenances connected with or belonging to the electric company or gas company or to the waterworks of the corporation, or willfully waste electricity, gas, or water, shall be deemed guilty of a misdemeanor and shall be imprisoned not exceeding one year or be fined not exceeding one thousand dollars ($1,000). In any prosecution under this section proof that any wire, meter, pipe, or fittings have been injured, or that any meter has been prevented from duly registering the quantity of electricity, gas, or water supplied through it, while on the premises occupied by the defendant, shall be prima facie evidence that the defendant caused the injury or prevented the meter from duly registering the quantity of electricity, gas, or water supplied through it, willfully and fraudulently and with intent to injure or defraud.

History of Section.

G.L. 1896, ch. 279, § 48; G.L. 1909, ch. 345, § 51; G.L. 1923, ch. 397, § 51; P.L. 1930, ch. 1620, § 1; G.L. 1938, ch. 608, § 57; G.L. 1956, § 11-35-6; P.L. 1986, ch. 544, § 1; P.L. 1989, ch. 152, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-7. - Bypassing meters — Use of electricity, gas or water with intent to defraud.

§ 11-35-7. Bypassing meters — Use of electricity, gas or water with intent to defraud.

Every person who, with intent to injure or defraud any gaslight company or any electric company, or corporation supplying water in this state at a stipulated rate of payment, shall make or cause to be made any wire, pipe, tube, or other instrument or contrivance, and connect it or cause it to be connected with any main, service pipe, or other pipe, appliance, or appurtenance used for or in connection with the works or apparatus employed for conducting or supplying electricity, illuminating gas, or water, in any manner that is calculated to supply electricity, gas, or water to any burner, orifice, faucet, or other outlet whatsoever, without the electricity, gas, or water passing through a meter provided or used for measuring or registering its quantity so passing through, or without the consent of the company or corporation to the connections, or who shall otherwise use any electricity, gas, or water with the intent to defraud the company or corporation of payment, shall be deemed guilty of a misdemeanor and shall be imprisoned not exceeding one year or be fined not exceeding one thousand dollars ($1,000). In any prosecution under this section, proof that any of the acts specified in this section were done on or about the premises occupied by the defendant, or proof of the presence on or about the premises, of any device which affects the diversion of electricity, gas, or water without it being measured or registered by the meter provided, shall be prima facie evidence that the defendant committed the acts, or aided or abetted in their commission, maliciously and with intent to injure or defraud.

History of Section.

G.L. 1896, ch. 279, § 49; G.L. 1909, ch. 345, § 52; G.L. 1923, ch. 397, § 52; P.L. 1930, ch. 1620, § 2; G.L. 1938, ch. 608, § 58; G.L. 1956, § 11-35-7; P.L. 1986, ch. 544, § 1; P.L. 1989, ch. 152, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-8. - Interference with electric meter.

§ 11-35-8. Interference with electric meter.

Every person who shall willfully or fraudulently injure, or shall knowingly suffer to be injured, any meter, or any wire, fittings, or appliances connected with any meter belonging to any corporation furnishing electric current for light, heat, power, or other purposes at a stipulated rate of payment, or shall willfully tamper or meddle with any other of the appliances or appurtenances connected with any meter belonging to any corporation, in any manner as to cause loss or damage to the corporation, or who shall willfully or fraudulently prevent any meter used for registering the quantity of the electric current supplied through it from duly registering the quantity so passing through it or alter the index in the meter, or in any way hinder or interfere with its proper action or just registration, or shall fraudulently use the electric current of the corporation passing through the meter, wire, fittings, or other of the appliances or appurtenances connected with or belonging to the corporation, or willfully waste electric current, shall be deemed guilty of a misdemeanor and shall be imprisoned not exceeding thirty (30) days or be fined not exceeding five hundred dollars ($500). In any prosecution under this section proof that any meter, or any wire, fitting, appliance, or appurtenance connected with it, has been injured, or tampered, or meddled with, or that any meter has been prevented from duly registering the quantity of electric current supplied through it, while on the premises occupied by the defendant, shall be prima facie evidence that the defendant caused the injury or tampered or meddled with the meter, wire, fitting, appliance, or appurtenance, or prevented the meter from duly registering the quantity of electric current supplied through it, willfully and fraudulently and with intent to injure or defraud.

History of Section.

G.L. 1896, ch. 279, § 63; G.L. 1909, ch. 345, § 66; G.L. 1923, ch. 397, § 66; G.L. 1938, ch. 608, § 59; P.L. 1940, ch. 948, § 1; G.L. 1956, § 11-35-8.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-35 - Public UtilitiesSection 11-35-9. - Bypassing electric meter — Use of electricity with intent to defraud.

§ 11-35-9. Bypassing electric meter — Use of electricity with intent to defraud.

Every person who, with intent to injure or defraud any person, persons, association, or corporation generating, conducting, using, or supplying the electric current, either for the purposes of his, her, its or their own business or for the purpose of selling the electric current at a stipulated rate of payment, shall make or cause to be made any wire or other instrument or contrivance and connect it or cause it to be connected with any electric wire, appliance, apparatus or appurtenance used for or in connection with the wires or apparatus employed for generating, conducting, using, or supplying electric current, in any manner that is calculated either to waste and dissipate the electric current or to supply the electric current to any lamp, burner, heater, machine, motor or other apparatus or appliance whatsoever, without the electric current passing through a meter provided by the person, persons, association, or corporation and used for registering the quantity so passing through, or without the consent of the person, persons, association, or corporation to the connections, or who shall otherwise use any electric current with the intent to defraud the person, persons, association or corporation of payment, shall be deemed guilty of a misdemeanor and shall be imprisoned not exceeding thirty (30) days or be fined not exceeding five hundred dollars ($500). In any prosecution under this section proof that any of the acts specified in this section was done on or about the premises occupied by the defendant, or proof of the presence on or about the premises of any wire or other instrument or contrivance which effects the waste or dissipation or the diversion of electric current without the electric current being measured or registered by a meter provided for it or without the consent of the person, persons, association, or corporation, shall be prima facie evidence that the defendant committed the acts, or aided or abetted in their commission, maliciously and with intent to injure or defraud.

History of Section.

G.L. 1896, ch. 279, § 60; G.L. 1909, ch. 345, § 67; G.L. 1923, ch. 397, § 67; G.L. 1938, ch. 608, § 60; P.L. 1940, ch. 948, § 2; G.L. 1956, § 11-35-9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-36 - Railroads and CarriersSection 11-36-1. - Hindering passage of trains — Placing explosives near highways, buildings, or tracks.

§ 11-36-1. Hindering passage of trains — Placing explosives near highways, buildings, or tracks.

Every person who shall willfully place upon any railroad track any substance or thing with intent to hinder or impede the passage of any locomotive engine or car over the railroad, or shall willfully do any other act, matter, or thing, with intent to hinder, impede, or interrupt the passage of the locomotive engine or car, or whoever willfully throws into, against, or upon, or puts, places, or explodes, or causes to be exploded, in, upon or near a public highway, building, monument, bridge, railroad track, or car on it, or vessel, any gunpowder or other explosive substance, or a bombshell, torpedo, or any instrument or package filled or loaded with an explosive substance, with intent unlawfully to destroy or injure the highway, building, monument, bridge, railroad track, car, or vessel, or any person or property, in, on or near the highway, building, monument, highway, bridge, railroad track, car, or vessel, shall be imprisoned not less than two (2) years nor more than twenty (20) years, or be fined not exceeding ten thousand dollars ($10,000), or both.

History of Section.

G.L. 1896, ch. 279, § 29; G.L. 1909, ch. 345, § 30; P.L. 1909, ch. 429, § 1; G.L. 1923, ch. 397, § 30; G.L. 1938, ch. 608, § 30; G.L. 1956, § 11-36-1; P.L. 1987, ch. 76, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-36 - Railroads and CarriersSection 11-36-10. - Evasion of payment of fare.

§ 11-36-10. Evasion of payment of fare.

Every person who shall fraudulently evade or attempt to evade the payment of any fare, rate or toll lawfully established by any railroad company, or a street railway company, or a toll bridge company, or by the owners or charterers of any steamboat or ferryboat, or by any steamship company, or by any owner or operator of a motor bus holding a certificate from the public utility commission, or by the Rhode Island public transit authority, either by giving a false answer to the collector of the fare, rate, or toll, or by presenting for his or her fare, rate, or toll a ticket good only for the transportation of another person, or by traveling beyond the point to which he or she may have paid his or her fare, rate, or toll, or by leaving the train, car, bridge, steamboat, ferryboat, or steamship without having paid the fair, rate, or toll established for the distance traveled, or otherwise, shall be fined twenty dollars ($20.00) for each offense.

History of Section.

G.L. 1896, ch. 279, § 43; G.L. 1909, ch. 345, § 46; P.L. 1916, ch. 1391, § 1; G.L. 1923, ch. 397, § 46; P.L. 1930, ch. 1534, § 1; G.L. 1938, ch. 608, § 46; G.L. 1956, § 11-36-10; P.L. 1997, ch. 151, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-36 - Railroads and CarriersSection 11-36-11. - Unauthorized presence on locomotive or freight train.

§ 11-36-11. Unauthorized presence on locomotive or freight train.

Every person who shall without right attach himself or herself to or shall be in or upon any locomotive, locomotive tender, freight

car, or freight train upon any railroad track shall be fined not more than twenty dollars ($20.00), or be imprisoned not more than ten (10) days, or both. Any person violating this section may be arrested without a warrant by any police officer, or any railroad police officer, and proceeded against according to law.
History of Section.
P.L. 1909, ch. 373, § 1; G.L. 1923, ch. 397, § 73; G.L. 1938, ch. 608, § 81; G.L. 1956, § 11-36-11.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-36 - Railroads and CarriersSection 11-36-12. - Profiteering on tickets.

§ 11-36-12. Profiteering on tickets.
No person shall resell or offer for resale a ticket or tickets for passage of a person on a common carrier at an increase in price in excess of one dollar ($1.00) over the established rate for the passage and, whenever the resale is completed, the seller shall give to the purchaser a receipt indicating the amount paid for the ticket or tickets. Any person found guilty of violating the provisions of this section shall be fined not more than five hundred dollars ($500).
History of Section.
G.L. 1938, ch. 612, § 59; P.L. 1944, ch. 1415, § 1; G.L. 1956, § 11-36-12.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-36 - Railroads and CarriersSection 11-36-13. - Tampering with railroad switches.

§ 11-36-13. Tampering with railroad switches.
Whoever unlawfully removes, turns, destroys, or tampers with any railroad switch or in any way interferes with the proper working of a switch shall be punished by a fine not exceeding one thousand dollars ($1,000), or by imprisonment not exceeding three (3) years, or both.
History of Section.
P.L. 1973, ch. 149, § 1; P.L. 1987, ch. 76, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-36 - Railroads and CarriersSection 11-36-14. - “Railroad corporation” and “company” defined.

§ 11-36-14. “Railroad corporation” and “company” defined.
“Railroad corporation” and “railroad company,” wherever used in this chapter, include in their meaning the National Railroad Foundation and Museum.
History of Section.
P.L. 1982, ch. 60, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-36 - Railroads and CarriersSection 11-36-2. - Unauthorized stopping of train.

§ 11-36-2. Unauthorized stopping of train.
Whoever willfully or maliciously stops, or causes to be stopped, a train on a railroad for the purpose of entering, leaving, or wantonly delaying it shall be fined not less than five dollars ($5.00) nor more than fifty dollars ($50.00).
History of Section.
G.L. 1896, ch. 279, § 30; G.L. 1909, ch. 345, § 31; G.L. 1923, ch. 397, § 31; G.L. 1938, ch. 608, § 31; G.L. 1956, § 11-36-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-36 - Railroads and CarriersSection 11-36-3. - Throwing missiles at train.

§ 11-36-3. Throwing missiles at train.
Whoever willfully throws or shoots a missile at a locomotive engine, railroad, or street railway car, or other means of public conveyance, or at a person on the engine or car or conveyance, or in any way assaults or interferes with a conductor, engineer, brake operator, driver, or motor operator while in discharge of his or her duty on or near a railroad engine, car, or train, or on or near a street railway car or other means of public conveyance, shall be fined not more than five hundred dollars ($500) or be imprisoned not more than one year. Any violation of the provisions of this section which results in a personal injury to an employee or passenger shall be considered a felony, punishable by a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000), or imprisonment in the state prison not exceeding three (3) years, or both.
History of Section.
G.L. 1896, ch. 279, § 31; G.L. 1909, ch. 345, § 32; G.L. 1923, ch. 397, § 32; G.L. 1938, ch. 608, § 32; G.L. 1956, § 11-36-3; P.L. 1962, ch. 144, § 1; P.L. 1973, ch. 154, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-36 - Railroads and CarriersSection 11-36-4. - Injuring railroad signals or signal lines.

§ 11-36-4. Injuring railroad signals or signal lines.

Whoever unlawfully and intentionally injures, molests, or destroys any electric or other signal of a railroad corporation, or any line, wire, post, or other structure or mechanism used in connection with a signal on a railroad, or destroys, or in any way interferes with, the proper working of the signal, shall be punished by a fine not exceeding five hundred dollars ($500) or by imprisonment not exceeding two (2) years.
History of Section.
G.L. 1896, ch. 279, § 32; G.L. 1909, ch. 345, § 33; G.L. 1923, ch. 397, § 33; G.L. 1938, ch. 608, § 33; G.L. 1956, § 11-36-4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-36 - Railroads and CarriersSection 11-36-5. - Loitering on railroad or bus line property.

§ 11-36-5. Loitering on railroad or bus line property.
Every person who shall loiter or remain about or in any station house of any railroad corporation or the station house or terminal of any bus line or bus company or upon the platforms, tracks, or grounds of any company or corporation, adjoining any station or terminal, after being requested to leave by any officer or agent of the company operating or using the facilities, shall be fined not less than five dollars ($5.00) nor more than one hundred dollars ($100).
History of Section.
G.L. 1896, ch. 279, § 33; G.L. 1909, ch. 345, § 34; G.L. 1923, ch. 397, § 34; G.L. 1938, ch. 608, § 34; G.L. 1956, § 11-36-5; P.L. 1968, ch. 22, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-36 - Railroads and CarriersSection 11-36-6. - Trespassing on railroad right-of-way.

§ 11-36-6. Trespassing on railroad right-of-way.
Every person who without right knowingly stands or walks, or rides a bicycle or other vehicle on the private right-of-way of any railroad or railway operated by steam or other power, except for the purpose of crossing it at a highway or other authorized crossing, shall be fined not more than one thousand dollars ($1,000) or be imprisoned not more than one year, or both. Any person violating this section may be arrested without a warrant by any police officer or any special railroad police officer and proceeded against according to law.
History of Section.
P.L. 1899, ch. 613, § 1; G.L. 1909, ch. 345, § 35; P.L. 1913, ch. 953, § 1; G.L. 1923, ch. 397, § 35; G.L. 1938, ch. 608, § 35; G.L. 1956, § 11-36-6; P.L. 1985, ch. 157, § 1; P.L. 1987, ch. 76, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-36 - Railroads and CarriersSection 11-36-7. - Posting of statute.

§ 11-36-7. Posting of statute.
A printed copy of § 11-36-6 shall be conspicuously posted in a public place in or upon each passenger station of every railroad and railway operated by steam or other power in this state.
History of Section.
P.L. 1899, ch. 613, § 2; G.L. 1909, ch. 345, § 36; P.L. 1913, ch. 953, § 2; G.L. 1923, ch. 397, § 36; G.L. 1938, ch. 608, § 36; G.L. 1956, § 11-36-7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-36 - Railroads and CarriersSection 11-36-8. - Removal of waste or packing from journal boxes.

§ 11-36-8. Removal of waste or packing from journal boxes.
Every person who shall willfully and maliciously take or remove the waste or packing from out of any journal box or boxes of any locomotive, engine, tender, carriage, coach, car, caboose, or truck used or operated upon any railroad, whether operated by steam or electricity, shall, upon conviction, be imprisoned not more than three (3) years or be fined not exceeding five hundred dollars ($500).
History of Section.
P.L. 1905, ch. 1217, § 1; G.L. 1909, ch. 345, § 37; G.L. 1923, ch. 397, § 37; G.L. 1938, ch. 608, § 37; G.L. 1956, § 11-36-8.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-36 - Railroads and CarriersSection 11-36-9. - Obstruction of street railway company.

§ 11-36-9. Obstruction of street railway company.
Every person who shall willfully and maliciously obstruct a street railway company in the use of its tracks, or willfully and maliciously delay or obstruct the passing of its cars or carriages, shall be punished by a fine not exceeding three thousand dollars ($3,000) or by imprisonment not exceeding two (2) years; provided, that nothing in this chapter shall be construed to interfere with the necessary work of laying and repairing any gas or water pipes or sewers, or the necessary and reasonable obstruction of tracks by vehicles in the process of loading and unloading not prohibited by any town or city ordinance. Every person who shall aid, assist, abet, counsel, hire, command, or procure any person to do or attempt any of the acts mentioned in this section shall be subject to fine

or imprisonment pursuant to this section.
History of Section.
G.L. 1896, ch. 279, §§ 65, 66; G.L. 1909, ch. 345, §§ 68, 69; G.L. 1923, ch. 397, §§ 68, 69; G.L. 1938, ch. 608, §§ 75, 76; G.L. 1956, § 11-36-9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-1. - Short title.

§ 11-37.1-1. Short title.
This chapter shall be known and be cited as the “Sexual Offender Registration and Community Notification Act”.
History of Section.
P.L. 1996, ch. 104, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-10. - Penalties.

§ 11-37.1-10. Penalties.
(a)
Any person who is required to register or verify his or her address or give notice of a change of address or residence who knowingly fails to do so shall be guilty of a felony and, upon conviction, be imprisoned not more than ten (10) years, or fined not more than ten thousand dollars ($10,000), or both.
(b)
Any person who is required to register or verify his or her address or give notice of a change of address or residence who knowingly fails to do so shall be in violation of the terms of his or her release, regardless of whether or not the term was a special condition of his or her release on probation, parole, home confinement or other form of supervised release.
(c)
Except in the case of a level-three (3) sex offender, any person who is required to register or verify his or her address, who knowingly resides within three hundred feet (300′) of any school as defined in § 11-37.1-2, which distance shall be measured from the nearest boundary line of the real property supporting the residence of the person to the nearest boundary line of the real property that supports or upon which there exists a school shall be guilty of a felony and, upon conviction, may be imprisoned not more than five (5) years, or fined not more than five thousand dollars ($5,000), or both.
(d)
Any level-three (3) sex offender who knowingly resides within one thousand feet (1,000′) of any school as defined in § 11-37.1-2, which distance shall be measured from the nearest boundary line of the real property supporting the residence of the person to the nearest boundary line of the real property that supports or upon which there exists a school shall be guilty of a felony and, upon conviction, may be imprisoned for not more than five (5) years, or fined not more than five thousand dollars ($5,000), or both.
History of Section.
P.L. 1996, ch. 104, § 1; P.L. 2003, ch. 162, § 1; P.L. 2003, ch. 170, § 1; P.L. 2008, ch. 155, § 1; P.L. 2008, ch. 189, § 1; P.L. 2008, ch. 202, § 1; P.L. 2015, ch. 219, § 1; P.L. 2015, ch. 240, § 1; P.L. 2018, ch. 157, § 1; P.L. 2018, ch. 259, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-11. - Release of information.

§ 11-37.1-11. Release of information.
(a)
Except as otherwise provided by this chapter or as provided in subsection (b) or (c) of this section, no information obtained under this chapter shall be released or transferred without the written consent of the person or his or her authorized representative.
(b)
No consent for release or transfer of information obtained under this chapter shall be required in the following instances:
(1)
Information may be disclosed to law enforcement agencies for law enforcement purposes;
(2)
Information may be disclosed to government agencies conducting confidential background checks;
(3)
The designated state law enforcement agency and any local law enforcement agency authorized by the state agency may release relevant information that is necessary to protect individuals concerning a specific person required to register under this chapter, except that the identity of a victim of an offense that requires registration under this section shall not be released;
(4)
Information may be released or disseminated in accordance with the provisions of § 11-37.1-12;
(5)
Information shall be disclosed by the local police department to the general public in a city or town for those registered offenders determined to be either a level 2 or level 3 offender as determined consistent with parole board guidelines; and

(6)
Information shall be disclosed by the local police department to the local school department for those registered offenders determined to be level 3 offenders by the parole board for the purposes of notifying parents of students whose school bus stop is within one thousand feet (1,000′) of a level 3 sex offender's residence, which distance shall be measured from the nearest boundary line of the real property supporting the residence of the level 3 sex offender to the school bus stop.
(c)
Any local law enforcement agency shall release relevant information collected pursuant to § 11-37.1-3(c) to any campus police agency appointed pursuant to § 16-52-2 or police for private institutions appointed pursuant to § 12-2.1-1 for any person having a duty to register who is enrolled in, employed by, or carrying on a vocation at an institution of higher education. That agency may release relevant information that is necessary to protect individuals concerning a specific person required to register under this chapter, except that the identity of a victim of an offense that requires registration under this section shall not be released.
History of Section.
P.L. 1996, ch. 104, § 1; P.L. 2002, ch. 330, § 1; P.L. 2005, ch. 80, § 1; P.L. 2017, ch. 339, § 1; P.L. 2017, ch. 348, § 1; P.L. 2018, ch. 157, § 1; P.L. 2018, ch. 259, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-12. - Rules and regulations for community notification.

§ 11-37.1-12. Rules and regulations for community notification.
(a)
The parole board shall promulgate guidelines and procedures for notification required pursuant to the provisions of this section.
(b)
The regulations shall provide for three (3) levels of notification depending upon the risk of re-offense level of the sex offender determined by the sex offender board of review as outlined in § 11-37.1-6(1)(b):
(1)
If risk of re-offense is low, law enforcement agencies and any individuals identified in accordance with the parole board guidelines shall be notified;
(2)
If risk of re-offense is moderate, organizations in the community likely to encounter the person registered shall be notified in accordance with the parole board's guidelines, in addition to the notice required by subsection (b)(1);
(3)
If risk of re-offense is high, the members of the public likely to encounter the person registered shall be notified through means in accordance with the parole board's guidelines designed to reach members of the public likely to encounter the person registered, in addition to the notice required by subsections (b)(1) and (b)(2).
(4)
The designated state law enforcement agency is authorized and directed to utilize the Rhode Island state police website and the Rhode Island unified court system website for the public release of identifying information of level two and level three sex offenders who have been convicted, provided that no identifying information of a juvenile shall be listed on the website.
(i)
The website shall have the capability of conducting searches by name, county, city, and town; and zip code and/or geographic radius.
(ii)
The website shall include:
(A)
Links to sex offender safety and education resources;
(B)
Instructions on how a person can seek correction of information that the individual contends is erroneous;
(C)
A warning that the information contained on the website should not be used to unlawfully injure, harass, or commit a crime against any individual named in the registry or residing or working at any reported addresses and that any such action could result in civil or criminal penalties; and
(D)
All field search capabilities needed for full participation in the Dru Sjodin National Sex Offender Public website and shall participate in that website as provided by the attorney general of the United States.
(iii)
The following information regarding the person required to register under this chapter shall be made available to the public on the website:
(A)
Notice that the person is in violation of his or her registration requirements or cannot be located if the person has absconded;
(B)

All offenses that require registration under this chapter for which the person has been convicted;
(C)
The offense(s) for which the person is currently registered;
(D)
The name of the person, including all aliases;
(E)
A current photograph of the person;
(F)
A physical description of the person; and
(G)
The person's residential addresses and, if relevant, a description of a location where the person habitually lives or sleeps, and if the person is homeless;
(H)
The following information shall not be available to the public on the sex offender registry website:
(I)
Any arrest that did not result in conviction;
(II)
The person's social security number;
(III)
Any travel documents;
(IV)
The identity of the victim;
(V)
Internet identifiers (as defined in 42 U.S.C. § 16911); and
(VI)
Any information of a person who was adjudicated delinquent of an offense requiring registration.
(iv)
For persons who are under a witness protection program, the designated state law enforcement agency may honor the request of the United States Marshals Service or other agency responsible for witness protection by not including the original identity of the person on the publicly accessible sex offender registry website.
(5)
Notwithstanding any other provision of law, the sex offender review board shall have access to all relevant records and information in the possession of any state official or agency having a duty under § 11-37.1-5(a)(1) through (6) relating to juvenile and adult offenders under review by the sex offender review board, including, but not limited to: police reports; prosecutors statements of probable cause; pre-sentence investigations and reports; complete judgments and sentences; current classification referrals; juvenile and adult criminal history records; violation and disciplinary reports; all psychological evaluations and psychiatric evaluations; psychiatric hospital records; sex offender evaluations and treatment reports; and substance abuse evaluations and treatment reports to the extent allowed by federal law. Records and information obtained by the sex offender review board under this subsection shall remain confidential, provided that the parole board may disclose the records and information to the board of review, the sentencing court, and law enforcement agencies in accordance with the provisions of this chapter.
History of Section.
P.L. 1996, ch. 104, § 1; P.L. 1999, ch. 255, § 1; P.L. 2000, ch. 360, § 1; P.L. 2001, ch. 180, § 8; P.L. 2003, ch. 162, § 1; P.L. 2003, ch. 170, § 1; P.L. 2005, ch. 80, § 1; P.L. 2018, ch. 157, § 1; P.L. 2018, ch. 259, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-13. - Notification procedures for tiers two (2) and three (3).

§ 11-37.1-13. Notification procedures for tiers two (2) and three (3).
If after review of the evidence pertaining to a person required to register according to the criteria set forth in § 11-37.1-12, the board is satisfied that risk of re-offense by the person required to register is either moderate or high, the sex offender community notification unit of the parole board shall notify the person, in writing, by letter or other documentation:
(1)
That community notification will be made not less than ten (10) business days from the date of the letter or other document evidencing an intent to promulgate a community notice in accordance with § 11-37.1-12(b), together with the level, form and nature that the notification will take;
(2)
That unless an application for review of the action is filed within the time specified by the letter or other documentation, which in any case shall not be less than ten (10) business days, by the adult offender subject to community notification, with the criminal calendar judge of the superior court for the county in which the adult offender who is the subject of notification resides or intends to reside upon release, or by the juvenile offender subject to community notification over whom the family court exercises jurisdiction,

with the clerk of the family court for the county in which the juvenile offender resides or intends to reside upon release, whose name shall be specified in the letter or other document, requesting a review of the determination to promulgate a community notification, that notification will take place;
(3)
That the person has a right to be represented by counsel of their own choosing or by an attorney appointed by the court, if the court determines that he or she cannot afford counsel; and
(4)
That the filing of an application for review may be accomplished, in the absence of counsel, by delivering a letter objecting to the notification and/or its level, form or nature, together with a copy of the letter or other documentation describing the proposed community notification, addressed to the judge described in the communication to the clerk of the superior court in the county in which the adult offender resides or intends to reside upon release, or in the case of juvenile offenders over whom the family court exercises jurisdiction, addressed to the judge described in the communication to the clerk of the family court in the county in which the juvenile offender resides or intends to reside upon release.
History of Section.
P.L. 1996, ch. 104, § 1; P.L. 1999, ch. 40, § 1; P.L. 1999, ch. 227, § 1; P.L. 1999, ch. 255, § 1; P.L. 2003, ch. 162, § 1; P.L. 2003, ch. 170, § 1; P.L. 2005, ch. 410, § 7; P.L. 2010, ch. 103, § 1; P.L. 2010, ch. 109, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-14. - Preliminary proceedings on objection to community notification — Procedures.

§ 11-37.1-14. Preliminary proceedings on objection to community notification — Procedures.
Upon receipt of a request from a person subject to community notification under § 11-37.1-12(b), the superior court, or the family court of the county in which the person resides or intends to reside upon release, shall:
(1)
Set a date for hearing and decision on the matter;
(2)
Provide notice of the date for the hearing to both the applicant or his or her counsel and to the attorney general;
(3)
Appoint counsel for the applicant if he or she cannot afford one; and
(4)
Direct that the attorney general promptly provide copies of all papers, documents and other materials which formed the basis for the determination of the level and manner of community notification be provided to the court and the applicant or his or her counsel.
History of Section.
P.L. 1996, ch. 104, § 1; P.L. 1999, ch. 40, § 1; P.L. 1999, ch. 227, § 1; P.L. 1999, ch. 255, § 1; P.L. 2005, ch. 410, § 7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-15. - Application hearing procedures.

§ 11-37.1-15. Application hearing procedures.
(a)
On the date set for the hearing on the review of the application the court shall:
(1)
In camera, review the materials provided in accordance with § 11-37.1-14(4);
(2)
Determine whether and to what extent the production of witnesses and cross examination shall be required or permitted depending on the complexities of the matter involved, the extent of doubt concerning the correctness of the level, nature and extent of the notification proposed; and
(3)
Presume the need for a prompt determination.
(b)
In any application hearing proceeding the rules of evidence shall not apply and the court may rely on documentary presentations, including expert opinion on all issues.
(c)
Nothing in this section should be construed to allow the applicant to relitigate the adjudication of guilt.
History of Section.
P.L. 1996, ch. 104, § 1; P.L. 2003, ch. 162, § 1; P.L. 2003, ch. 170, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-16. - Application review — Burden of production and persuasion.

§ 11-37.1-16. Application review — Burden of production and persuasion.
(a)

In any proceeding under this chapter, the state shall have the burden of going forward, which burden shall be satisfied by the presentation of a prima facie case that justifies the proposed level of and manner of notification.
(b)
For purposes of this section, “prima facie case” means:
(1)
The sex offender board of review has engaged in a review and assessment of risk using materials approved by the parole board as provided by § 11-37.1-6;
(2)
Reasonable means have been used to collect the information used in the review and assessment.
(c)
Upon presentation of a prima facie case, the court shall affirm the determination of the level and nature of the community notification, unless it is persuaded by a preponderance of the evidence that the determination on either the level of notification of the manner in which it is proposed to be accomplished is not in compliance with this chapter or the guidelines adopted pursuant to this chapter.
Nothing in this section shall be construed to prohibit the release of information pertaining to a person who has been convicted of any of the violations of any offense listed in § 11-37.1-2, so long as the information has been gathered or obtained through sources other than the registration process provided by this chapter. Provided further, that nothing in this section shall be deemed to authorize the release of any information pertaining to any victim of any offense listed in § 11-37.1-2.
History of Section.
P.L. 1996, ch. 104, § 1; P.L. 2003, ch. 162, § 1; P.L. 2003, ch. 170, § 1; P.L. 2024, ch. 45, § 1, effective June 4, 2024; P.L. 2024, ch. 56, § 1, effective June 4, 2024.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-17. - Immunity for good faith conduct.

§ 11-37.1-17. Immunity for good faith conduct.
Any person who performs any act or fails to perform any act pursuant to this chapter shall have good faith immunity from any liability, civil or criminal, that might be incurred as a result of the performance of or the failure to perform any act pursuant to this chapter.
History of Section.
P.L. 1996, ch. 104, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-18. - Continuation of prior duty to register.

§ 11-37.1-18. Continuation of prior duty to register.
Any person who pursuant to the provisions of former § 11-37-16 had a duty to register under that section after having been convicted of any violation of the provisions of chapter 37 of this title, or for a conviction in another state of first degree sexual assault which if committed in this state would constitute a violation of chapter 37 of this title, shall have the duty to register in accordance with the provisions of this chapter. Nothing in this section shall be construed to abrogate any duty to register which exists or existed under the provisions of former § 11-37-16.
History of Section.
P.L. 1996, ch. 104, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-19. - Severability.

§ 11-37.1-19. Severability.
If any provision of this chapter or its application to any person or circumstance is held invalid or unconstitutional, the invalidity or unconstitutionality shall not affect other provisions or applications of this chapter which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this chapter are declared to be severable.
History of Section.
P.L. 1996, ch. 104, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-2. - Definitions.

§ 11-37.1-2. Definitions.
(a)
“Abscond” means to not register as required, or to relocate to some unknown place other than the registered place of residence, or to conceal himself or herself in an attempt to avoid registration or verification of registration.
(b)

“Aggravated offense” means, and includes, offenses involving sexual penetration of victims of any age through the use of force, or the threat of use of force, or offenses involving sexual penetration of victims who are fourteen (14) years of age or under.
(c)
“Board,” “board of review,” or “sex offender board of review” means the sex offender board of review appointed by the governor pursuant to § 11-37.1-6.
(d)(1)
“Conviction” or “convicted” means, and includes, any instance where:
(i)
A judgment of conviction has been entered against any person for any offense specified in subsection (f) or (v), or a federal offense, a foreign offense, or a military offense, regardless of whether an appeal is pending; or
(ii)
There has been a finding of guilty for any offense specified in subsection (f) or (v), or a federal offense, a foreign offense, or a military offense, regardless of whether an appeal is pending; or
(iii)
There has been a plea of guilty or nolo contendere for any offense specified in subsection (f) or (v), or a federal offense, a foreign offense, or a military offense, regardless of whether an appeal is pending; or
(iv)
There has been an admission of sufficient facts or a finding of delinquency for any offense specified in subsection (f) or (v), or a federal offense, a foreign offense, or a military offense, regardless of whether or not an appeal is pending.
(2)
Provided, in the event that a conviction, as defined in this subsection, has been overturned, reversed, or otherwise vacated, the person who was the subject of the conviction shall no longer be required to register as required by this chapter and any records of a registration shall be destroyed. Provided, further, that nothing in this section shall be construed to eliminate a registration requirement of a person who is again convicted of an offense for which registration is required by this chapter.
(e)
[Deleted by P.L. 2003, ch. 162, § 1 and by P.L. 2003, ch. 170, § 1].
(f)
“Criminal offense against a victim who is a minor” means, and includes, any of the following offenses or any offense in another jurisdiction that is substantially the equivalent of the following or for which the person is or would be required to register under 34 U.S.C. § 20911 as amended:
(1)
Kidnapping or false imprisonment of a minor, in violation of §§ 11-26-1.4, 11-26-1 or 11-26-2, where the victim of the offense is sixteen (16) years of age or older and under the age of eighteen (18) years;
(2)
Enticement of a child in violation of § 11-26-1.5 with the intent to violate §§ 11-37-6, 11-37-8, 11-37-8.1, 11-37-8.3;
(3)
Any violation of §§ 11-37-6, 11-37-8, 11-37-8.1, or 11-37-8.3;
(4)
Any violation of § 11-1-10, where the underlying offense is a violation of chapter 34 of this title and the victim, or person solicited to commit the offense, is under the age of eighteen (18) years;
(5)
Any violation of § 11-9-1(b) or (c);
(6)
Any violation of § 11-9-1.3;
(7)
Any violation of § 11-9-1.5;
(8)
[Deleted by P.L. 2018, ch. 157, § 1 and by P.L. 2018, ch. 259, § 1].
(9)
Any violation of § 11-37-8.8;
(10)
Any violation of § 11-64-2, where the victim is under the age of eighteen (18) years;
(11)
Murder in violation of § 11-23-1, where the murder was committed in the perpetration of, or attempted perpetration of, kidnapping and where the victim of the offense is under eighteen (18) years of age;
(12)
Any violation of §§ 11-67-6, 11-67.1-3(b), 11-67.1-4(b), 11-67.1-5(c), 11-67.1-6(b), or 11-67.1-7(b); or
(13)
Any conviction for an attempt or conspiracy to commit an offense enumerated in this subsection.

(g)
“Designated state law enforcement agency” means the attorney general, or his or her designee.
(h)
“Employed, carries on a vocation” means and includes the definition of “employed, carries on a vocation” under 34 U.S.C. § 20911.
(i)
“Federal offense” means, and includes, any conviction for an offense that was obtained under federal law which, if committed within the jurisdiction of this state, would require the person to register, any conviction for an offense under 34 U.S.C. § 20911 as amended, or any conviction for an attempt or conspiracy to commit an offense requiring registration under this subsection.
(j)
“Foreign offense” means, and includes, any conviction for an offense which, if committed within the jurisdiction of this state, would require the person to register that was obtained under the laws of Canada, the United Kingdom, Australia, New Zealand, or under the laws of any foreign country when the United States state department in its country reports on human rights practices has concluded that an independent judiciary generally or vigorously enforced the right to a fair trial in that country during the year in which the conviction occurred, or any conviction for an attempt or conspiracy to commit an offense enumerated in this subsection.
(k)
“Habitually lives or sleeps” means living in a place with some regularity, and with reference to where a person required to be registered under this chapter actually lives, which could be some place other than a mailing address or primary address but would entail a place where the person lives on an intermittent basis regardless of whether it pertains to a location otherwise identifiable by street or address.
(l)
“Homeless” means a person required to be registered under this chapter who lacks a fixed, regular, and adequate nighttime residence; has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground; living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by federal, state, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing); or who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided.
(m)
“Immediate” or “Immediately” means upon receipt of information provided by or regarding a person required to register under this chapter but not later than three (3) business days.
(n)
“Institutions of higher education” means any university, two- or four-year (2 or 4) college or community college.
(o)
“Jurisdiction” means any of the fifty (50) states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, and any Indian tribe that has elected to function as a registration and notification jurisdiction pursuant to 34 U.S.C. § 20929.
(p)
“Mental abnormality” means a congenital or acquired condition of a person that affects the emotional or volitional capacity of the person in a manner that predisposes that person to the commission of criminal sexual acts to a degree that makes the person a menace to the health and safety of other persons.
(q)
“Military offense” means, and includes, any conviction for any military offense specified by the secretary of defense under § 115(a)(8)(C)(i) of Pub. L. 105-119, codified at 10 U.S.C. § 951 note, or any conviction for an attempt or conspiracy to commit an offense enumerated in this subsection.
(r)
“Parole board” means the parole board or its designee.
(s)
“Predator” means a person whose act(s) is (are) or was (were) directed at a stranger, or at a person with whom a relationship has been established or promoted for the primary purpose of victimization.
(t)
“Public or private educational institution” means early childhood facilities (nursery school, pre-kindergarten and kindergarten), elementary, middle, secondary, institutions of higher education, and postsecondary educational institutions authorized or licensed by the State of Rhode Island.
(u)
“School” means the buildings and real property of kindergarten, elementary, middle, and secondary institutions, whether public or private.
(v)
“Sexually violent offense” means, and includes, any violation of §§ 11-37-2, 11-37-4, 11-37-6, 11-37-8, 11-37-8.1, 11-37-8.3, 11-67-2 (where the victim was subject to commercial sexual activity), 11-67-3(a), 11-67-3(b) (where the victim was subject to

commercial sexual activity), 11-67.1-3(c) (where the victim was subject to sexual servitude), 11-67.1-5(d), 11-67.1-6(c); or 11-5-1, where the specified felony is sexual assault; or § 11-23-1, where the murder was committed in the perpetration of, or attempted perpetration of, rape or any degree of sexual assault or child molestation; or any offense in another jurisdiction that is substantially the equivalent of any offense listed in this subsection or for which the person is or would be required to register under 34 U.S.C. § 20911 as amended, or any conviction for an attempt or conspiracy to commit an offense enumerated in this subsection.
(w)
"Sexually violent predator" means a person who has been convicted of a sexually violent offense and who has a mental abnormality or personality disorder that makes the person likely to engage in predatory sexually violent offenses.
(x)
"Student" means, and includes, the definition of "student" under 34 U.S.C. § 20911.
History of Section.
P.L. 1996, ch. 104, § 1; P.L. 1999, ch. 83, § 14; P.L. 1999, ch. 130, § 14; P.L. 1999, ch. 255, § 1; P.L. 2002, ch. 330, § 1; P.L. 2003, ch. 162, § 1; P.L. 2003, ch. 170, § 1; P.L. 2008, ch. 155, § 1; P.L. 2008, ch. 202, § 1; P.L. 2014, ch. 416, § 1; P.L. 2014, ch. 448, § 1; P.L. 2016, ch. 65, § 1; P.L. 2016, ch. 68, § 1; P.L. 2017, ch. 232, § 3; P.L. 2017, ch. 260, § 3; P.L. 2018, ch. 157, § 1; P.L. 2018, ch. 259, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-20. - Remand to sex offender board of review.

§ 11-37.1-20. Remand to sex offender board of review.
Upon application by the attorney general or counsel for the sex offender, the court may remand any case pending adjudication of sexually violent predator status back to the sex offender board of review for further determination of sexually violent predator status and community notification level pursuant to § 11-37.1-6.
History of Section.
P.L. 2003, ch. 162, § 2; P.L. 2003, ch. 170, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-21. - Duty of shelters and homeless shelters to notify law enforcement of the presence of sex offenders.

§ 11-37.1-21. Duty of shelters and homeless shelters to notify law enforcement of the presence of sex offenders.
(a)
If any person convicted of any offense that requires sex offender registration pursuant to this title, or otherwise has a duty to register his or her address with the law enforcement agency in the municipality in which they reside, is provided residence in any homeless shelter, that person shall be required to inform the shelter of his or her status and duty to register and to provide his or her name and date of birth to each shelter or homeless shelter where he or she resides overnight.
(b)
The obligation of the sex offender to provide the information required in subsection (a) of this section, shall be on a continuing daily and nightly basis and he or she shall provide said information to each and every shelter or homeless shelter at which he or she takes up temporary residence regardless of the length of time he or she stays at such shelter.
(c)
The homeless shelter that receives information from any sex offender shall be required to transmit that information to the local law enforcement agency and if there be none, to the closest Rhode Island state police barracks before midnight of that day of the offender registering or signing in for the day, night, or any portion of a day.
(d)
Any homeless shelter that violates the provisions of this section shall upon a first violation, be fined a civil penalty of up to five hundred dollars ($500); for a second violation, by a civil penalty of up to one thousand dollars ($1,000); and for a third or subsequent violation, by a civil penalty of up to five thousand dollars ($5,000).
(e)
Jurisdiction over any violation by a homeless shelter shall be in the district court in the county in which the shelter is physically located.
(f)
Any sex offender who fails to disclose information as required by this chapter shall be subject to the same penalties as set forth in § 11-37.1-10.
History of Section.
P.L. 2017, ch. 233, § 1; P.L. 2017, ch. 325, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-3. - Registration required — Persons covered.

§ 11-37.1-3. Registration required — Persons covered.
(a)

Any person who, in this or any other jurisdiction: (1) has been convicted of a criminal offense against a victim who is a minor, (2) has been convicted of a sexually violent offense, (3) has been determined to be a sexually violent predator, (4) has committed an aggravated offense as defined in § 11-37.1-2, (5) is a recidivist, as defined in § 11-37.1-4, (6) has been convicted of a federal offense, (7) has been convicted of a foreign offense, (8) has been convicted of a military offense, or (9) has been convicted of a violation of § 11-37.1-10 shall be required to register his or her current address with the local law enforcement agency having jurisdiction over the city or town in which the person having the duty to register resides for the time period specified in § 11-37.1-4.
(b)
Any person who is: (1) a nonresident worker who has committed an offense that is subject to registration in the jurisdiction of his or her residence and who is employed or carrying on a vocation in Rhode Island as defined in § 11-37.1-2(h), or (2) a nonresident student as defined by § 11-37.1-2(x) who has committed an offense that is subject to registration in the jurisdiction of his or her residence and who is attending a public or private educational institution in Rhode Island, shall be required to register his or her current address and the address of his or her place of employment or a public or private educational institution attended with the local law enforcement agency having jurisdiction over the city or town in which the nonresident worker or student is employed or attending a public or private educational institution.
(c)
Any person having a duty to register as a sex offender in subsection (a) of this section who is enrolled at, employed at, or carrying on a vocation at an institution of higher education shall have an additional duty to register the information described in subsection (a) of this section with the local law enforcement agency in the city or town where the primary campus of the institution of higher education at which the person is enrolled, employed, or carrying on a vocation is located for the period of time they are enrolled at, employed at or carrying on a vocation at the institution of higher education.
(d)
If a person is registered as a sex offender in another jurisdiction for an offense which, if committed within the jurisdiction of this state, would require the person to register as a sex offender, then that person, upon moving to or returning to this state, shall register as a sex offender in the same manner as if the offense were committed within Rhode Island.
(e) Registration information.
In addition to the requirements of subsections (a) through (d) of this section, the person required to register under this section shall provide the local law enforcement agency the following information:
(1)
Relating to the person’s name:
(i)
The person’s full primary given or legal name;
(ii)
Any and all names the person has used in the past, valid or otherwise; and
(iii)
Any and all nicknames, aliases, and pseudonyms regardless of the context in which they are used.
(2)
Relating to the person’s date of birth:
(i)
The person’s actual date of birth; and
(ii)
Any other date of birth used by the person.
(3)
Relating to the person’s social security number:
(i)
A valid social security number for the person; and
(ii)
Any social security number the person has used in the past, valid or otherwise.
(4)
A current digitized photograph of the person.
(5)
An accurate description of the person as follows:
(i)
A general description of the person’s physical appearance or characteristics; and
(ii)
Any identifying marks, such as, but not limited to, scars, moles, birthmarks, or tattoos.
(6)
A photocopy of all of the person’s valid driver’s licenses issued by any jurisdiction.
(7)
A photocopy of all of the identification cards issued to the person.

(8)
A photocopy of any passports issued to the person.
(9)
Relating to the person’s residence:
(i)
The address of each residence at which the person resides or will reside;
(ii)
Any location or description that identifies where the person habitually lives or sleeps regardless of whether it pertains to a permanent residence or location otherwise identifiable by a street or address; and
(iii)
Whether the person is homeless.
(10)
Any and all telephone numbers of the person.
(11)
Relating to the person’s internet-related activity:
(i)
Any and all email addresses used by the person;
(ii)
Any and all instant message addresses and identifiers;
(iii)
Any and all other designations or monitors used for self-identification in internet communications or postings; and
(iv)
Any and all designations used by the person for the purpose of routing or self-identification and internet communications or postings.
(12)
Relating to all vehicles owned or operated by the person for work or personal use including land vehicles, aircraft, and watercraft:
(i)
License plate numbers;
(ii)
Registration numbers or identifiers;
(iii)
General description of the vehicle to include color, make, model, and year; and
(iv)
Any permanent or frequent location where any covered vehicle is kept.
(13)
Relating to the person’s employment, any and all places where the person is employed in any means including volunteer and unpaid positions:
(i)
The name of the person’s employer;
(ii)
The address of the person’s employer; and
(iii)
Similar information related to any transient or day labor employment.
(14)
All licensing information that authorizes the person to engage in an occupation or carry out a trade or business.
(15)
Relating to the person’s public or private educational institution:
(i)
The name of each public or private educational institution at which the person is or will be a student; and
(ii)
The address of each public or private educational institution where the person is or will be a student.
(16)
Relating to the person’s criminal history:
(i)
The date of all arrests;
(ii)
The date of all convictions;
(iii)
The person’s status of parole, probation, or supervised release;

(iv)
The person’s registration status; and
(v)
Any outstanding arrest warrants.
(17)
The fingerprints and palm prints of the person in a digitized format that shall be submitted to the FBI Central Database, Next Generation Identification Program.
(18)
If the person’s DNA is not already contained in the Combined DNA Index System (CODIS), the person shall provide a sample of his or her DNA. Any DNA sample obtained from a person shall be submitted to an appropriate lab for analysis and entry of the resulting DNA profile into CODIS.
(19)
The text of each provision of law defining the criminal offense(s) for which the person is registered.
(20)
When the person will be absent from his/her residence for seven (7) days or more:
(i)
Identifying information of the temporary lodging locations including addresses and names; and
(ii)
The dates the person will be staying at each temporary lodging location.
(21)
If the person will be traveling outside of the United States, the person must notify the local law enforcement agency at least twenty-one (21) days in advance of the travel date and provide any necessary information regarding his or her international travel in accordance with § 11-37.1-9(g).
(22)
A signed copy of the person’s notice of registration and notification obligations as provided in § 11-37.1-5(b)(6).
(23)
The local law enforcement agency and the designated state law enforcement agency shall maintain all information obtained under this chapter in a digitized format.
History of Section.
P.L. 1996, ch. 104, § 1; P.L. 1999, ch. 255, § 1; P.L. 2002, ch. 330, § 1; P.L. 2005, ch. 410, § 7; P.L. 2006, ch. 370, § 1; P.L. 2006, ch. 440, § 1; P.L. 2018, ch. 157, § 1; P.L. 2018, ch. 259, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-4. - Duration of registration — Frequency of registration.

§ 11-37.1-4. Duration of registration — Frequency of registration.
(a) Annual registration.
Any person required to register under § 11-37.1-3(a)(1) or (2) shall annually register with the local law enforcement agency having jurisdiction over the city or town in which the person having the duty to register resides for a period of ten (10) years from the expiration of sentence for the offense and shall verify his or her address with the agency on a quarterly basis for the first two (2) years of the period unless the person has been determined to be a sexually violent predator in accordance with § 11-37.1-6 or unless the person is required to register for the life of that person in accordance with the provisions of subsection (c) of this section.
(b) Sexually violent predators.
Any person who has been determined to be a sexually violent predator in accordance with the provisions of § 11-37.1-6 shall be required to annually register in person with the local law enforcement agency having jurisdiction over the city or town in which the person having the duty to register resides for the life of that person and to verify his or her address on a quarterly basis for the life of that person.
(c) Recidivists and aggravated crime offenders.
Any person required to register under § 11-37.1-3 and who has one or more prior convictions for any offense described in § 11-37.1-2 or has been convicted of an aggravated offense as defined in § 11-37.1-2 shall annually register in person with the local law enforcement agency having jurisdiction over the city or town in which the person having the duty to register resides for the life of that person and to verify his or her address on a quarterly basis for the life of that person.
(d) Nonresident workers and students.
Any nonresident person required to register pursuant to § 11-37.1-3(b)(1) or (2) shall annually register in person with the local law enforcement agency having jurisdiction over the city or town in which the person having the duty to register is employed or attends a public or private educational institution for the period of time that the person is employed in Rhode Island or is attending a public or private educational institution in Rhode Island.
(e) Initial registration; Incarcerated individuals.
All persons required to register under this chapter who are sentenced to a period of confinement shall perform their initial registration by appearing in person at the local law enforcement agency in the city or town in which the person intends to reside

within twenty-four (24) hours of their release from confinement.
(f) Initial registration; Non-incarcerated individuals.
All persons required to register under this chapter who are convicted in Rhode Island and who are not sentenced to serve a term of incarceration or confinement shall perform their initial registration by appearing in person at the local law enforcement agency in the city or town in which the person intends to reside within twenty-four (24) hours of being sentenced.
(g) Initial registration; Individuals relocating to Rhode Island.
All persons required to register under this chapter who are moving their residence to Rhode Island from another jurisdiction shall perform their initial registration by appearing in person at the local law enforcement agency in the city or town in which the person intends to reside within twenty-four (24) hours of their arrival in Rhode Island.
(h) Initial registration; Nonresident workers and students.
All nonresident workers or students who are required to register under this chapter shall perform their initial registration by appearing in person at the local law enforcement agency in the city or town in which the person is employed or is attending a public or private educational institution within twenty-four (24) hours of their first day of their personal attendance at their place of employment or a public or private educational institution.
(i) Tolling provision.
Where, during the period in which any person is required to register, a person required to register under this chapter is incarcerated or re-incarcerated for any offense or is civilly committed, the person's registration requirements shall be tolled during the subsequent incarceration, re-incarceration or commitment.
(j) Juveniles.
Any juvenile having the duty to register under subsections (b) and (c) of this section shall be required to annually register in person with the local law enforcement agency having jurisdiction over the city or town in which the juvenile having the duty to register resides for fifteen (15) years subsequent to the date of release from confinement or placement in the community or probation for such offense or offenses and to verify his or her address on a quarterly basis for said fifteen (15) years. However, if a juvenile is adjudicated delinquent under § 11-37-8.1 or 11-37-8.3, the court shall assess the totality of the circumstances of the offense and if the court makes a finding that the conduct of the parties is criminal only because of the age of the victim, the court may have discretion to order the juvenile to register as a sex offender as long as the court deems it appropriate to protect the community and to rehabilitate the juvenile offender. Registration shall be subject to the provisions of this chapter.
(k) Annual registration for federal, foreign, or military offenses.
Any person who is required to register under this chapter due to a conviction of a federal offense, a foreign offense, or a military offense shall register for the duration and frequency in the same manner as if the offense were committed within Rhode Island.
(l)
Homeless persons.
In addition to the other requirements of this section, a person who is required to register under this chapter and is homeless shall verify their presence in the community with the local law enforcement agency where they are required to register three (3) times a week for the duration of their being homeless.
History of Section.
P.L. 1996, ch. 104, § 1; P.L. 1997, ch. 156, § 1; P.L. 1999, ch. 255, § 1; P.L. 2000, ch. 358, § 1; P.L. 2000, ch. 462, § 1; P.L. 2003, ch. 162, § 1; P.L. 2003, ch. 170, § 1; P.L. 2018, ch. 157, § 1; P.L. 2018, ch. 259, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-5. - Registration requirement upon release, parole, or probation.

§ 11-37.1-5. Registration requirement upon release, parole, or probation.
(a)(1) Duty of state officials.
If a person who is required to register under this chapter is released from prison, including those placed on parole, then the official in charge of the place of confinement or his or her designee shall comply with the provisions of subsection (b) of this section;
(2)
[Deleted by P.L. 2018, ch. 157, § 1 and P.L. 2018, ch. 259, § 1.]
(3)
If a person who is required to register under this chapter is released on probation or placed on home confinement, then the assistant administrator or the division of probation shall comply with the provisions of subsection (b) of this section;
(4)
If a person who is required to register under this chapter is released from a juvenile correctional facility, either outright or on some form of supervised release, then the person in charge of the institution shall comply with the provisions of subsection (b) of this section;
(5)
If a person who is required to register under this chapter is placed on juvenile probation, then the person in charge of the program shall comply with the provisions of subsection (b) of this section; or
(6)
If a person who is required to register under this chapter has moved into this state under the provisions of an interstate compact

providing for supervision of the terms of his or her release by agents of this state, then the administrator of the interstate compact shall comply with the provisions of subsection (b) of this section.
(b) Notification of registration requirements.
The person designated with the responsibility for the notification requirements of this chapter shall, prior to the release of any person required to register under this chapter:
(1)
Inform the person of the duty to register and obtain the information required for registration under subsection (c) of this section;
(2)
Inform the person that if the person changes his or her residence address, the person shall give the new address to the designated state law enforcement agency in writing within twenty-four (24) hours;
(3)
Inform the person that if the person changes residence to another jurisdiction, the person shall register the new address with the law enforcement agency with whom the person last registered, and the person is also required to register with a designated law enforcement agency in the new jurisdiction in accordance with the new jurisdiction's sex offender registration statute;
(4)
Inform the person that if the person works or attends a public or private educational institution in another jurisdiction in which he or she does not reside, the person shall register his or her employment address or address of the educational institution he or she attends as required by the other jurisdiction;
(5)
Obtain fingerprints and a photograph of the person if these have not already been obtained in connection with the offense that triggers registration; and
(6)
Require the person to read and sign a form approved by the attorney general stating that the duty of the person to register under this section has been explained.
(c) Registration information.
In addition to the requirements of subsection (b) of this section, for a person required to register under § 11-37.1-3, then the person responsible for the notification required under subsection (b) of this section shall obtain the following information in a digitized format:
(1)
Relating to the person's name:
(i)
The person's full primary given or legal name;
(ii)
Any and all names the person has used in the past, valid or otherwise; and
(iii)
Any and all nicknames, aliases, and pseudonyms regardless of the context in which they are used.
(2)
Relating to the person's date of birth:
(i)
The person's actual date of birth; and
(ii)
Any other date of birth used by the person.
(3)
Relating to the person's social security number:
(i)
A valid social security number for the person; and
(ii)
Any social security number the person has used in the past, valid or otherwise.
(4)
A current digitized photograph of the person.
(5)
An accurate description of the person as follows:
(i)
A general description of the person's physical appearance or characteristics; and
(ii)
Any identifying marks, such as, but not limited to, scars, moles, birthmarks, or tattoos.
(6)
Relating to the person's residence:
(i)

The address of each residence at which the person resides or will reside; and
(ii)
Whether the person is homeless.
(7)
Any and all telephone numbers of the person.
(8)
A signed copy of the person's notice of registration and notification obligations as provided in subsection (b)(6).
(d)
For purposes of subsection (c) of this section, the provisions of chapter 37.3 of title 5 pertaining to healthcare privileges, the provisions of § 9-17-24 pertaining to the privilege of witnesses, or the provisions of § 42-72-8 pertaining to confidentiality of records of the department of children, youth and families, shall not be effective so as to prevent the transfer of information or the testimony of any person possessing any information required by this subsection. Any information so obtained may be transferred to the sex offender board of review and may be used by them in making a determination of whether or not the person is a sexually violent predator or in determining the level of notification under § 11-37.1-12. The information may also be used by the sentencing court or by any court reviewing the level of notification determined by the sex offender board of review or reviewing any conviction or sentence which requires registration under this chapter. Provided, information so obtained shall not be admissible in any other judicial proceeding against the subject of the information except to determine a person's status as a sexually violent predator or to determine or review the level of notification to the community which has been made by a court or the sex offender board of review. Provided, further, that this subsection shall not be applicable to any person for whom an appeal is pending for which a final judgment of conviction has not been entered, until the time that a final conviction has been entered.
History of Section.
P.L. 1996, ch. 104, § 1; P.L. 1997, ch. 326, § 35; P.L. 1999, ch. 255, § 1; P.L. 2003, ch. 162, § 1; P.L. 2003, ch. 170, § 1; P.L. 2018, ch. 157, § 1; P.L. 2018, ch. 259, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-6. - Community notification.

§ 11-37.1-6. Community notification.
(1)(a) Sex Offender Board of Review.
The governor shall appoint eight (8) persons including experts in the field of the behavior and treatment of sexual offenders by reason of training and experience, victim's rights advocates, and law enforcement representatives to the sex offender board of review. At least one member of the sex offender board of review shall be a qualified child/adolescent sex offender treatment specialist. These persons shall serve at the pleasure of the governor or until their successor has been duly qualified and appointed.
(b) Duties of the board.
Upon passage of this legislation, the sex offender board of review will utilize a validated risk assessment instrument where available and other material approved by the parole board to determine the level of risk an offender poses to the community and to assist the sentencing court in determining if that person is a sexually violent predator. If the offender is a juvenile, the Department of Children, Youth and Families shall select and administer a risk instrument appropriate for juveniles and shall submit the results to the sex offender board of review. In cases where an accepted validated risk assessment instrument does not exist, the sex offender board of review shall use a structured professional judgment (SPJ) approach, in which the board shall evaluate the presence or absence of commonly employed risk variables (both static and dynamic), together with all other information available to the board, to make a determination concerning the level of risk.
(c) Duties of other state agencies.
Six (6) months prior to release of any person having a duty to register under § 11-37.1-3, or upon sentencing of a person having a duty to register under § 11-37.1-3, if the offender is not incarcerated, the agency having supervisory responsibility and the Interstate Compact Unit of the Rhode Island department of corrections upon acceptance of supervision of a sexual offender from the sending jurisdiction shall refer the person to the sex offender board of review, together with any reports and documentation that may be helpful to the board, for a determination as to the level of risk an offender poses to the community and to assist the sentencing court in determining if that person is a sexually violent predator.
(2)(i)
The board shall within thirty (30) days of a referral of a person shall conduct the validated risk assessment, review other material provided by the agency having supervisory responsibility and assign a risk of re-offense level to the offender. In addition, the board may find that, based on the assessment score and other material, that the person may possess a mental abnormality or personality disorder that makes the person likely to engage in sexually violent predatory offenses. In these cases, the committee shall ask the parole board psychiatrist or if the offender is a juvenile, a DCYF psychiatrist to conduct a sex offender evaluation to determine if the offender possesses a mental abnormality or personality disorder that affects the emotional or volitional capacity of the person in a manner that predisposes that person to the commission of criminal sexual acts to a degree that makes the person a menace to the health and safety of other persons.
(ii)
Upon receipt of a sex offender evaluation that suggests there is sufficient evidence and documentation to suggest that a person may

be a sexually violent predator, the sex offender board of review shall forward a report to the attorney general for consideration by the court.
(iii)
Upon receipt of a report from the attorney general, the court, after notice to the offender and his or her counsel, shall upon consideration of the report and other materials, make a determination as to whether or not a person is a sexually violent predator.
(iv) Effect of determination.
In the event that a determination is made by the court that a person is a sexually violent predator, that person shall be required to register and verify his or her address in accordance with §§ 11-37.1-3, 11-37.1-4, and 11-37.1-8(b).
(3)
No cause of action or liability shall arise or exist against the committee or any member or agent of the board as a result of the failure of the board to make any findings required by this section within the time period specified by subsection (2) of this section.
(4)
Notwithstanding any other provision of law, the board shall have access to all relevant records and information in the possession of any state official or agency having a duty under § 11-37.1-5(a)(1) through (6), relating to the juvenile and adult offenders under review by the board, including, but not limited to, police reports; prosecutor's statements of probable cause, presentence investigations and reports, complete judgments and sentences, current classification referrals, juvenile and adult criminal history records, violation and disciplinary reports, all psychological evaluations and psychiatric evaluations, psychiatric hospital records, sex offender evaluations and treatment reports, substance abuse evaluations and treatment reports to the extent allowed by federal law. Records and information obtained by the board of review under this subsection shall remain confidential, provided that the board of review may disclose the records and information to the sentencing court in accordance with the provisions of this chapter.
(5) Duties of the director of the department of corrections/director of the department of children, youth and families.
Not less than sixty (60) days prior to release of any person subject to this chapter, the director of the department of corrections or, in the event the person is a juvenile, the director of the department of children, youth and families, or their respective designees, shall seek verification that the duties of the sex offender board of review and any other state agency have been fulfilled as specified in § 11-37.1-6 et seq. In the event that the director of the department of corrections or, in the event the person is a juvenile, the director of the department of children, youth and families, cannot obtain verification, he or she shall, no less than thirty (30) days prior to the release of a person subject to this chapter, file with the presiding judge of the superior court or, in the case of a juvenile, the chief judge of the family court, a petition in the nature of mandamus, seeking compliance with this chapter. The court shall promptly, but no less than ten (10) days from the filing of the petition, hold a hearing on the petition. The court may, in its discretion, enter any orders consistent with this chapter to compel compliance, however, the court may not delay the release of any person subject to this chapter for the failure of the sex offender board of review or any state agency to fulfill its obligations under this chapter.
History of Section.
P.L. 2003, ch. 162, § 1; P.L. 2003, ch. 170, § 1; P.L. 2006, ch. 206, § 4; P.L. 2006, ch. 207, § 4; P.L. 2008, ch. 191, § 1; P.L. 2018, ch. 157, § 1; P.L. 2018, ch. 259, § 1; P.L. 2024, ch. 45, § 1, effective June 4, 2024; P.L. 2024, ch. 56, § 1, effective June 4, 2024.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-7. - Transfer of information to designated state law enforcement agency.

§ 11-37.1-7. Transfer of information to designated state law enforcement agency.
(a)
The person required to provide notice in accordance with § 11-37.1-5(b) and the local law enforcement agencies required to register persons who have a duty to register in accordance with § 11-37.1-4 and receive changes in the person's registration information under § 11-37.1-9, shall immediately forward it to the designated state law enforcement agency. The designated state law enforcement agency shall immediately enter the information into the appropriate state law enforcement record system.
(b)
Whenever a person required to be registered under this chapter initially registers or updates his or her information, the designated state law enforcement agency shall immediately notify:
(1)
Any jurisdiction where the person is registered or is required to register due to the person's residency, public or private educational institution attendance, or employment;
(2)
All jurisdictions where a person was required to register prior to the updated information being given;
(3)
All jurisdictions where a person intends to reside, work, or attend a public or private educational institution;
(4)
The Federal Bureau of Investigation or other federal agencies as designated by the Attorney General of the United States in order that the information may be updated on the National Sex Offender Registry or other relevant databases;
(5)
If the person intends to commence residency, attend a public or private educational institution, or commence employment outside of the United States, the United States Marshals Service;

(6)
Any agency, department, or program within the state that is responsible for criminal investigation, prosecution, child welfare, or sex offender supervision functions; and
(7)
National Child Protection Act agencies, which includes any agency responsible for conducting employment-related background checks under section 3 of the National Child Protection Act of 1993, 42 U.S.C. § 5119a.
(c)
The designated state law enforcement agency shall ensure there is an automated community notification process in place that ensures the following:
(1)
Upon a person's initial registration or update of information, the state's public sex offender registry website is immediately updated; and
(2)
The state's public sex offender registry has a function that enables the general public to request an email notice that will notify them when a person commences residence, employment, or a public or private educational institution attendance with the state, within a specified zip code, or within a certain geographic radius. This email notice shall include the person's identity so that the public can access the public registry for the new information.
(d)
The notification requirements of subsections (b)(7) and (c) do not apply to persons who were adjudicated delinquent of an offense requiring registration or a person tiered as a level 1 sex offender.
(e)
Notwithstanding the aforementioned notification requirements, the designated state law enforcement agency and local law enforcement agencies where the person resides, is employed, or attends a public or private educational institution, may utilize other forms of community notification consistent with the provisions and intent of this chapter.
(f)
In the event a person required to register under this chapter fails to register or fails to verify or update his or her registration information, the local law enforcement agency shall immediately inform the local law enforcement agency of the city or town where the person resides, is employed, or attends a public or private educational institution; the jurisdiction that provided notification that the person was to commence residency, employment, or public or private educational institution attendance; and the designated state law enforcement agency that the person failed to appear for registration or failed to verify or update their registration information.
(1)
Upon notification by the designated state law enforcement agency, the local law enforcement agency where the person resides, is employed, or attends a public or private educational institution, shall:
(i)
Make an effort to determine if the person is actually residing, employed or attending a public or private educational institution within their city or town; and
(ii)
Seek a warrant for the person's arrest for failing to register or verify or update his or her registration in compliance with this chapter. The U.S. Marshals Service or Federal Bureau of Investigation may be contacted in an attempt to obtain a federal warrant for the person's arrest.
(iii)
The designated state law enforcement agency shall update the registry to reflect that the person is not in compliance with his or her duty to register.
(g)
If the designated state law enforcement agency receives information that a person has absconded or local law enforcement cannot determine whether the person is actually residing, employed, or attending a public or private educational institution in the city or town using the measures outlined in subsection (f) of this section, the designated state law enforcement agency, with the assistance of local law enforcement, shall make an effort to determine if the person has actually absconded.
(1)
If the information indicating the possible absconding came through notice from another jurisdiction or federal authorities, they shall be informed that the person has failed to appear and register.
(2)
If an absconded person cannot be located then the designated state law enforcement agency shall take the following steps:
(i)
Update the registry to reflect the person has absconded or is otherwise not capable of being located;
(ii)
Notify the local law enforcement agency where the person resides, is employed, or attends a public or private educational institution, so the local law enforcement agency can seek a warrant for the person's arrest.
(iii)

Notify the U.S. Marshals Service or Federal Bureau of Investigation so they may attempt, if necessary, to obtain a federal warrant for the person's arrest;
(iv)
Update the National Sex Offender Registry to reflect the sex offender's status as an absconder, or is otherwise not capable of being located; and
(v)
Enter the person into the National Crime Information Center Wanted Person file.
History of Section.
P.L. 1996, ch. 104, § 1; P.L. 1999, ch. 255, § 1; P.L. 2018, ch. 157, § 1; P.L. 2018, ch. 259, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-8. - Verification of address.

§ 11-37.1-8. Verification of address.
(a)
For a person required to register under § 11-37.1-3(a)(1), (a)(2), (a)(6), (a)(7), (a)(8), or (a)(9) on each anniversary of the person's initial registration date during the period in which the person is required to register:
(1)
The designated state law enforcement agency or local law enforcement agency shall mail a non-forwardable verification form to the last reported address of the person;
(2)
The person shall mail the verification form to the designated state law enforcement agency or local law enforcement agency within ten (10) days after receipt of the form;
(3)
The verification form shall be signed by the person, and state that the person still resides at the address last reported to the local law enforcement agency having jurisdiction over the city or town in which the person having the duty to register resides; and
(4)
If the person fails to mail the verification form to the designated state law enforcement agency or local law enforcement agency within ten (10) days after receipt of the form, the person shall be in violation of this chapter unless the person proves that the person has not changed the residence address from that which he or she last registered.
(b)
The provisions of subsections (a)(1) — (a)(4) of this section shall apply to a person required to register under § 11-37.1-3(a)(3), (4), or (5), except that the registration address verification shall take place quarterly.
History of Section.
P.L. 1996, ch. 104, § 1; P.L. 1999, ch. 255, § 1; P.L. 2003, ch. 162, § 1; P.L. 2003, ch. 170, § 1; P.L. 2018, ch. 157, § 1; P.L. 2018, ch. 259, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.1 - Sexual Offender Registration and Community NotificationSection 11-37.1-9. - Notification of local law enforcement agencies of changes in address.

§ 11-37.1-9. Notification of local law enforcement agencies of changes in address.
(a) Duty of local law enforcement agency; interstate and intrastate moves.
For any person required to register under this chapter, the local law enforcement agency having jurisdiction where the person is residing, shall, if the person changes residence to another jurisdiction or within the state, notify the law enforcement agency with which the person must register in the new jurisdiction, or the city or town within the state, and notify the designated jurisdiction law enforcement agency. The designated state law enforcement agency shall provide immediate notice as provided under § 11-37.1-7.
(b) Duty of person required to register; interstate moves.
A person who has been convicted of an offense that required registration under this chapter shall register the new address with a designated state law enforcement agency in another jurisdiction to which the person moves in accordance with the new jurisdiction's sex offender registration statute. Prior to the change of residence to a new jurisdiction, the person shall notify the local law enforcement agency within this state with which the person is registered of the intended move and of the new address within the new jurisdiction. The local law enforcement agency shall notify the designated state law enforcement agency and the designated state law enforcement agency shall provide immediate notice as provided under § 11-37.1-7.
(c) Duty of law enforcement agency; changes of residence within the state.
For any person required to register under this chapter, the local law enforcement agency having jurisdiction where the person is residing, shall, if the person changes residence to another city or town in Rhode Island, notify the local law enforcement agency with which the person must register in the new city or town and notify the designated state law enforcement agency. The designated state law enforcement agency shall provide immediate notice as provided under § 11-37.1-7.
(d) Duty of person required to register; changes of residence within the state.
A person who has been convicted of an offense that requires registration under this chapter and who changes his or her residence address to another city or town in Rhode Island, shall notify the local law enforcement agency in the city or town from which the

person is moving before the person establishes residence in the new location, and shall register with the local law enforcement agency in the city or town in which the person is moving not later than twenty-four (24) hours after the person establishes residence in the new city or town. A person who has been convicted of an offense that requires registration under this chapter and who changes his or her residence within a city or town in Rhode Island shall notify the local law enforcement agency in the city or town not later than twenty-four (24) hours after the person changes the residence within the city or town. The local law enforcement agency shall notify the designated state law enforcement agency and the designated state law enforcement agency shall provide immediate notice as provided under § 11-37.1-7.

(e) Duty of person required to register; changes in required registration information.

A person who has been convicted of an offense that requires registration under this chapter shall immediately notify the local law enforcement agency having jurisdiction where the person is residing, is employed, or attending a public or private educational institution of any changes to his or her required registration information as provided in § 11-37.1-3(e). The local law enforcement agency having jurisdiction shall also notify the designated state law enforcement agency. The designated state law enforcement agency shall provide immediate notice as provided under § 11-37.1-7.

(f)

In the event of a change in temporary lodging, the person who have been convicted of an offense that requires registration under this chapter and the local law enforcement agency shall immediately notify the jurisdiction in which the person will be temporarily staying. The local law enforcement agency having jurisdiction shall also notify the designated state law enforcement agency who shall provide immediate notice as provided under § 11-37.1-7.

(g)

In the event the person who has been convicted of an offense that requires registration under this chapter will be traveling outside of the United States, the person must notify the local law enforcement agency at least twenty-one (21) days in advance of the travel date and provide any necessary information regarding his or her international travel. The local law enforcement agency having jurisdiction shall also notify the designated state law enforcement agency. The designated state law enforcement agency shall provide immediate notice as provided under § 11-37.1-7. Upon notification of a person’s intention to travel internationally, the designated state law enforcement agency shall immediately notify and provide the person’s travel information to the United States Marshals Service.

History of Section.

P.L. 1996, ch. 104, § 1; P.L. 1999, ch. 255, § 1; P.L. 2003, ch. 162, § 1; P.L. 2003, ch. 170, § 1; P.L. 2008, ch. 155, § 1; P.L. 2008, ch. 191, § 1; P.L. 2008, ch. 202, § 1; P.L. 2018, ch. 157, § 1; P.L. 2018, ch. 259, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.2 - Sexual Assault Protective OrdersSection 11-37.2-1. - Filing of complaint.

§ 11-37.2-1. Filing of complaint.

(a)

Proceedings under this chapter shall be filed, heard and determined in the district court of the division in which the moving party resides except when either party is a juvenile. Any proceedings under this chapter shall not preclude any other available civil or criminal remedies. A party filing a complaint under this chapter may do so without payment of any filing fee. There shall be no minimum residence requirements for the bringing of an action under this chapter.

(b)

Answers to the summons and complaint shall be made within ten (10) days of service upon the defendant and the action shall take precedence on the calendar. If no answer is filed within the time prescribed, judgment shall enter forthwith.

History of Section.

P.L. 2009, ch. 239, § 1; P.L. 2009, ch. 240, § 1; P.L. 2010, ch. 216, § 2; P.L. 2010, ch. 236, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.2 - Sexual Assault Protective OrdersSection 11-37.2-2. - Protective orders — Penalty — Jurisdiction.

§ 11-37.2-2. Protective orders — Penalty — Jurisdiction.

(a)

A person who is a victim of sexual assault as defined in § 11-37-1, 11-37-2, 11-37-4, 11-37-6, 11-37-8.1, 11-37-8.3 or 11-59-2, may file a complaint in the district court requesting any order which will protect him or her from the future abuse, including, but not limited to, the following:

(1)

Ordering that the defendant be restrained and enjoined from contacting, assaulting, molesting or otherwise interfering with the plaintiff at home, on the street or elsewhere, whether the defendant is an adult or minor;

(2)

Upon motion by the plaintiff, his or her address shall be released only at the discretion of the district court judge.

(b)

Nothing in this section shall limit a defendant’s right under existing law to petition the court at a later date for modification of the order.

(c)
Any violation of the aforementioned protective order shall subject the defendant to being found in contempt of court.
(d)
The contempt order shall not be exclusive and shall not preclude any other available civil or criminal remedies. Any relief granted by the court shall be for a fixed period of time not to exceed three (3) years, at the expiration of which time the court may extend any order upon motion by the plaintiff for such additional time as it deems necessary to protect the plaintiff from abuse. The court may modify its order at any time upon motion of either party.
(e)
Any violation of a protective order under this chapter of which the defendant has actual notice shall be a misdemeanor which shall be punished by a fine of no more than one thousand dollars ($1,000) or by imprisonment for not more than one year, or both.
(f)
“Actual notice” means that the defendant has received a copy of the order by service thereof or by being handed a copy of the order by a police officer pursuant to § 8-8.1-7.
History of Section.
P.L. 2009, ch. 239, § 1; P.L. 2009, ch. 240, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.2 - Sexual Assault Protective OrdersSection 11-37.2-3. - Temporary orders — Ex parte proceedings.

§ 11-37.2-3. Temporary orders — Ex parte proceedings.
(a)(1)
Upon the filing of a complaint under this chapter, the court may enter any temporary orders that it deems necessary to protect the plaintiff from abuse.
(2)
If it clearly appears from specific facts shown by affidavit that immediate and irreparable injury, loss or damage will result to the plaintiff, before notice can be served and a hearing held, the court may enter any temporary order without notice that it deems necessary to protect the plaintiff. Every order granted without notice shall expire by its terms within the time after entry, not to exceed twenty-one (21) days, as the court fixes, unless within the time so fixed the order: (i) By consent; or (ii) Due to a failure to make service of process upon the defendant despite diligent efforts; or (iii) For good cause shown and after hearing of argument by the parties or counsel, is extended for an additional period. In case a temporary order is granted without notice, the matter shall be set down for hearing within a reasonable time and shall be given precedence over all matters except older matters of the same character, and when the matter comes on for hearing the party who obtained the temporary order shall proceed with the complaint for an order pursuant to § 11-37.2-2, and, if he or she does not do so, the court shall dissolve the temporary order.
(b)(1)
When the court is unavailable after the close of business a complaint may be filed before any available district court judge who may grant relief to the plaintiff under this chapter upon cause shown in an ex parte proceeding.
(2)
No temporary order shall be granted pursuant to the provisions of this section unless it clearly appears from specific facts shown by the affidavit or by verified complaint that immediate and irreparable injury, loss or damage will result to the plaintiff before notice can be served and a hearing held.
(c)
Any order issued under this section and any documentation in support of an order shall be filed immediately with the clerk of the district court. The filing shall have the effect of commencing proceedings under this chapter and invoking the other provisions of this chapter.
(d)
The clerk of the district court shall have a certified copy of any order issued under this chapter forwarded immediately to the law enforcement agency designated by the plaintiff. The clerk shall also provide the plaintiff with two (2) certified copies of any order issued under this chapter.
History of Section.
P.L. 2009, ch. 239, § 1; P.L. 2009, ch. 240, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.2 - Sexual Assault Protective OrdersSection 11-37.2-4. - Report to law enforcement agency.

§ 11-37.2-4. Report to law enforcement agency.
Whenever the court grants a temporary order pursuant to § 11-37-8.3 based on a complaint alleging that a minor is suffering from sexual abuse, the court shall ensure that the appropriate law enforcement agency is notified of the complaint.
History of Section.
P.L. 2009, ch. 239, § 1; P.L. 2009, ch. 240, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.2 - Sexual Assault Protective OrdersSection

11-37.2-5. - Return of service — Alternate service.

§ 11-37.2-5. Return of service — Alternate service.

(a)

The complaint and any order issued under this chapter shall be personally served upon the defendant by a sheriff or constable except as provided in subsection (c), (d) and (f) of this section. Service shall be made without payment of any fee when service is made by a deputy sheriff. At the election of the plaintiff, service pursuant to this subsection may also be made by a constable licensed to serve process of the district court pursuant to § 45-16-4.1. The constable shall be entitled to receive the fee allowed by law for the service of a district court summons.

(b)

Return of service shall be forwarded by the deputy sheriff or constable to the clerk of the court prior to the date set down for hearing on the complaint. If service has not been made, the deputy sheriff or constable shall indicate on the summons the reason therefor and the attempts made to serve the defendant.

(c)

At the time the return of service is sent to the clerk of the court, the deputy sheriff or constable shall cause a copy of the return of service to be sent to the plaintiff and to the appropriate law enforcement agency.

(d)

If, at the time of hearing on the complaint, the court determines that after diligent effort the deputy sheriff or constable has been unable to serve the defendant personally, the judge may order an alternate method of service designed to give reasonable notice of the action to the defendant and taking into consideration the plaintiff's ability to afford the means of service ordered. Alternative service shall include, but not be limited to: service by certified and regular mail at defendant's last known address (excluding the residence which he or she has been ordered to vacate) or place of employment, leaving copies at the defendant's dwelling or usual place of abode with a person of suitable age and discretion residing therein, or by publication in a newspaper for two (2) consecutive weeks. The court shall set a new date for hearing on the complaint and shall extend the temporary order until that date.

(e)

If the defendant appears in person before the court, the necessity for further service is waived and proof of service of that order is not necessary.

(f)

If the defendant is served notice regarding the complaint and hearing, but does not appear at the hearing, the clerk of the district court shall mail the defendant a copy of the resulting order.

(g)

When service of the temporary order issued pursuant to this section has not been made and/or after a permanent order is entered, a police officer shall give notice of the order to the defendant by handing him or her a certified copy of the order. The officer shall indicate that he or she has given notice by writing on the plaintiff's copy of the order and the police department's copy of the order the date and time of giving notice and the officer's name and badge number. The officer shall indicate on the offense report that actual notice was given.

History of Section.

P.L. 2009, ch. 239, § 1; P.L. 2009, ch. 240, § 1; P.L. 2012, ch. 324, § 38.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.2 - Sexual Assault Protective OrdersSection 11-37.2-6. - Notice of penalties — Notice of renewal.

§ 11-37.2-6. Notice of penalties — Notice of renewal.

Each protective order issued under this chapter, including a temporary exparte order, shall have the following statements printed in bold-faced type or in capital letters:

A PERSON WHO VIOLATES THIS ORDER MAY BE GUILTY OF A MISDEMEANOR AND MAY BE PUNISHED BY A FINE OF AS MUCH AS $1,000 AND/OR BY CONFINEMENT IN JAIL FOR AS LONG AS ONE YEAR, AND MAY BE ORDERED TO ATTEND COUNSELING. IF THE VICTIM WANTS THIS ORDER TO CONTINUE BEYOND THE EXPIRATION DATE, THE VICTIM MUST APPLY FOR A RENEWAL OF THE ORDER BEFORE THE EXPIRATION DATE.

History of Section.

P.L. 2009, ch. 239, § 1; P.L. 2009, ch. 240, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.2 - Sexual Assault Protective OrdersSection 11-37.2-7. - Form of complaint.

§ 11-37.2-7. Form of complaint.

(a)

A form in substantially the following language shall suffice for the purpose of filing a complaint under this chapter:

STATE OF RHODE ISLAND DISTRICT COURT

COUNTY OF _____ DIVISION

_____

Plaintiff:
VS: NO:
_____ :
Defendant:
COMPLAINT FOR PROTECTION FROM ABUSE
Pursuant to chapter 8.1 of title 8, I request that the court enter an order protecting me from abuse.
(a)(1) My full name, present street address, city and telephone number are as follows:
_____
(b)(2) The full name, present street address, city and telephone number of the person causing me abuse (the defendant) are as follows:
_____
(c)(3) On or about _____ , without cause or provocation, I suffered abuse when the defendant:
[ ] Threatened or harmed with a weapon: _____ (type of weapon used)
[ ] Attempted to cause me physical harm;
[ ] Caused me physical harm;
[ ] Placed me in fear of imminent physical harm;
[ ] Caused me to engage involuntarily in sexual relations by force, threat of force or duress;
[ ] Attempted to cause me to engage involuntarily in sexual relations by force, threat of force or duress;
Specifically, the defendant: _____
_____
(d) I ask that:
[ ] The court order that the defendant be restrained and enjoined from contacting, assaulting, molesting or otherwise interfering with the plaintiff at home, on the street or elsewhere.
[ ] I request that the above relief be ordered without notice because it clearly appears from specific facts shown by affidavit or by the verified complaint that I will suffer immediate and irreparable injury, loss or damage before notice can be served and a hearing had thereon. I understand that the court will schedule a hearing no later than twenty-one (21) days after such order is entered on the question of continuing such temporary order.
(e) I have not sought protection from abuse from any other judge of the district court arising out of the same facts or circumstances alleged in this complaint.
_____
(Signature) (Date)
Subscribed and sworn to before me in _____ in the County of _____ in the State of Rhode Island, this _____ day of _____ A.D. _____
Notary Public
Note: If this complaint is filed by an attorney, the attorney's certificate should appear below:
ATTORNEY CERTIFICATE
Signed: _____
Attorney for Plaintiff
Address: _____
_____
Date: _____
WHITE COPY [ ] Court
YELLOW COPY [ ] Plaintiff
PINK COPY [ ] Defendant
GOLDENROD COPY [ ] Police Department
(b)
A form in substantially the following language shall suffice for the purpose of requesting temporary orders under this chapter:
STATE OF RHODE ISLAND DISTRICT COURT
COUNTY OF _____ DIVISION
_____ :
Plaintiff:
VS: NO:
History of Section.
P.L. 2009, ch. 239, § 1; P.L. 2009, ch. 240, § 1; P.L. 2021, ch. 77, § 11, effective June 23, 2021; P.L. 2021, ch. 78, § 11, effective June 23, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.2 - Sexual Assault Protective OrdersSection 11-37.2-8. - Appeal.

§ 11-37.2-8. Appeal.

An order granting relief pursuant to § 8-8.1-3 shall remain in effect during the pendency of the appeal to the superior court unless the order is stayed by a justice of the superior court.
History of Section.
P.L. 2009, ch. 239, § 1; P.L. 2009, ch. 240, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.3 - Child Safe ZonesSection 11-37.3-1. - Definitions.

§ 11-37.3-1. Definitions.
As used in this chapter:
(1)
"Employee" means an individual hired directly by the entity; a contractual employee of the entity; an individual hired by a third party who has contracted with the entity; an independent contractor of the entity; or a volunteer of the entity.
(2)
"Child Safe Zone" means the following entities:
(i)
Any private, municipal, county, or state fair or carnival;
(ii)
Any children's arcade, amusement center having coin-or token-operated devices for entertainment, movie theatre, or facilities providing programs or services intended primarily for minors;
(iii)
A public or nonpublic elementary or secondary school, child care facility, or public library:
(iv)
Any place intended primarily for use by minors including, but not limited to, a playground, a children's play area, recreational or sport-related activity area, a swimming or wading pool, or a beach; and
(v)
Any healthcare facility intended primarily for minors.
(3)
"Minor" means a person under the age of eighteen (18) years old.
(4)
"Offender" means a person who is, or is required to be, registered as a sex offender in this state or any other jurisdiction and whose victim was a minor.
History of Section.
P.L. 2014, ch. 506, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.3 - Child Safe ZonesSection 11-37.3-2. - Prohibition from employment.

§ 11-37.3-2. Prohibition from employment.
(a)
Any entity that is a child safe zone is prohibited from employing a person who is an offender.
(b)
The individual who made the final hiring decision for an entity that is a child safe zone that knowingly employs an offender as prohibited in § 11-37.3-3(a) shall be subject to a fine of one thousand dollars ($1,000) for each day the offender is employed.
(c)
Any offender who knowingly misrepresents or omits his or her sex offender registration status to obtain employment in a child safe zone shall be guilty of a felony and, upon conviction, be subject to imprisonment for not more than five (5) years, a fine of not more than five thousand dollars ($5,000), or both.
History of Section.
P.L. 2014, ch. 506, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.3 - Child Safe ZonesSection 11-37.3-3. - Prohibition from ownership or operation.

§ 11-37.3-3. Prohibition from ownership or operation.
(a)
Any offender is prohibited from owning or operating an entity that is a child safe zone. This prohibition shall not apply to any offender who owned or operated an entity that is a child safe zone prior to August 1, 2014.
(b)
Any offender who knowingly owns or operates an entity that is a child safe zone shall be guilty of a felony and, upon conviction, be subject to imprisonment for not more than five (5) years, a fine of not more than five thousand dollars ($5,000), or both.
History of Section.

P.L. 2014, ch. 506, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37.3 - Child Safe ZonesSection 11-37.3-4. - Immunity from liability.

§ 11-37.3-4. Immunity from liability.
An entity that is a child safe zone that declines to hire, or declines to continue an offender's employment, on the basis of the employment prohibition in § 11-37.3-2(a) shall not be liable for civil damages or subject to any claim, demand, cause of action, or proceeding of any nature as a result of the prohibition.
History of Section.
P.L. 2014, ch. 506, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-1. - Definitions.

§ 11-37-1. Definitions.
The following words and phrases, when used in this chapter, have the following meanings:
(1)
"Accused" means a person accused of a sexual assault.
(2)
"Force or coercion" means when the accused does any of the following:
(i)
Uses or threatens to use a weapon, or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a weapon.
(ii)
Overcomes the victim through the application of physical force or physical violence.
(iii)
Coerces the victim to submit by threatening to use force or violence on the victim and the victim reasonably believes that the accused has the present ability to execute these threats.
(iv)
Coerces the victim to submit by threatening to at some time in the future murder, inflict serious bodily injury upon or kidnap the victim or any other person and the victim reasonably believes that the accused has the ability to execute this threat.
(3)
"Intimate parts" means the genital or anal areas, groin, inner thigh, or buttock of any person or the breast of a female.
(4)
"Mentally disabled" means a person who has a mental impairment which renders that person incapable of appraising the nature of the act.
(5)
"Mentally incapacitated" means a person who is rendered temporarily incapable of appraising or controlling his or her conduct due to the influence of a narcotic, anesthetic, or other substance administered to that person without his or her consent, or who is mentally unable to communicate unwillingness to engage in the act.
(6)
"Physically helpless" means a person who is unconscious, asleep, or for any other reason is physically unable to communicate unwillingness to an act.
(7)
"Sexual contact" means the intentional touching of the victim's or accused's intimate parts, clothed or unclothed, if that intentional touching can be reasonably construed as intended by the accused to be for the purpose of sexual arousal, gratification, or assault.
(8)
"Sexual penetration" means sexual intercourse, cunnilingus, fellatio, and anal intercourse, or any other intrusion, however slight, by any part of a person's body or by any object into the genital or anal openings of another person's body, or the victim's own body upon the accused's instruction, but emission of semen is not required.
(9)
"Spouse" means a person married to the accused at the time of the alleged sexual assault, except that such persons shall not be considered the spouse if the couple are living apart and a decision for divorce has been granted, whether or not a final decree has been entered.
(10)
"Victim" means the person alleging to have been subjected to sexual assault.
History of Section.
P.L. 1979, ch. 302, § 2; P.L. 1980, ch. 273, § 1; P.L. 1984, ch. 152, § 1; P.L. 1986, ch. 191, § 1; P.L. 1996, ch. 204, § 1; P.L. 1999, ch. 83, § 13; P.L. 1999, ch. 130, § 13.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-10. - Subsequent

offenses.

§ 11-37-10. Subsequent offenses.
If a person is convicted of a second or subsequent offense under the provisions of §§ 11-37-2, 11-37-4, 11-37-8, 11-37-8.1, and 11-37-8.3, the sentence imposed under these sections for the second or subsequent offenses shall not be less than twice the minimum number of years of sentence for the most recent offense.
History of Section.
P.L. 1979, ch. 302, § 2; P.L. 1984, ch. 59, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-11.1. - [Reserved.]

§ 11-37-11.1. [Reserved.]

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-11.2. - Speedy trial.

§ 11-37-11.2. Speedy trial.
In any action under this chapter involving a child victim age fourteen (14) years or under or a victim sixty-five (65) years or older, the court and the attorney general's office shall take appropriate action to ensure a speedy trial to minimize the length of time the victim must endure the stress of involvement in the proceeding. In ruling on any motion or request for a delay or continuance of proceedings, the court shall consider any adverse impact the delay or continuance may have on the well-being of the victim or witness. This provision establishes a right to a speedy trial to the victim and shall not be construed as creating any additional rights to the defendant.
History of Section.
P.L. 1985, ch. 354, § 1; P.L. 1988, ch. 219, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-11. - Corroboration of victim's testimony unnecessary.

§ 11-37-11. Corroboration of victim's testimony unnecessary.
The testimony of the victim need not be corroborated in prosecutions under this chapter.
History of Section.
P.L. 1979, ch. 302, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-12. - Proof of resistance unnecessary.

§ 11-37-12. Proof of resistance unnecessary.
In any prosecution brought under this chapter, it shall not be necessary to prove that the victim physically resisted the accused if the victim reasonably believed that resistance would be useless and might result in his or her serious bodily injury.
History of Section.
P.L. 1979, ch. 302, § 2; P.L. 1980, ch. 273, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-13.1. - Recording — Grand jury testimony — Child assault.

§ 11-37-13.1. Recording — Grand jury testimony — Child assault.
(a)
In any grand jury proceeding investigating a sexual assault alleged to have been committed against a child, a recording of a statement from the alleged victim who is sixteen (16) years of age or younger at the time of the proceeding shall be admissible into evidence at the proceeding if:
(1)
The statement is sworn to under oath by the child, and the significance of the oath is explained to the child;
(2)
The recording is both visual and aural and is recorded on film or videotape or by other electronic means;
(3)
The recording equipment was capable of making an accurate recording, the operator of the equipment was competent, and the recording is accurate and has not been altered;
(4)
Every voice on the recording is identified;
(5)
The statement was not made in response to questioning calculated to lead the child to make a particular statement;
(6)
The person conducting the interview is an attorney in the department of the attorney general or another person chosen by the

attorney general to make the proceeding less intimidating to the child, and the interviewer is available to testify at the proceeding;
(7)
The child is available to testify if requested by the grand jurors; and
(8)
The recording is made a part of the record of the grand jury.
(b)
[Deleted by P.L. 2022, ch. 214, § 1 and P.L. 2022, ch. 215, § 1.]
History of Section.
P.L. 1985, ch. 124, § 1; P.L. 2004, ch. 385, § 1; P.L. 2004, ch. 473, § 1; P.L. 2022, ch. 214, § 1, effective June 27, 2022; P.L. 2022, ch. 215, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-13.2. - Alternative methods of victim testimony — Child victim.

§ 11-37-13.2. Alternative methods of victim testimony — Child victim.
(a)
In any judicial proceeding in which a person has been charged with sexual assault of a child who at the time of trial is seventeen (17) years of age or less, the court may order, upon a showing that the child is unable to testify before the court without suffering unreasonable and unnecessary mental or emotional harm, that the testimony of the child be taken in a room other than the courtroom and either be recorded for later showing before the court and/or the finder of fact in the proceeding or be broadcast simultaneously by closed circuit television to the court and/or finder of fact in the proceeding. When the child is fourteen (14) years of age or younger at the time of trial, there shall be a rebuttable presumption that the child is unable to testify before the court without suffering unreasonable and unnecessary mental or emotional harm. Only the judge, attorneys for the parties, persons necessary to operate the recording or broadcasting equipment, and any person whose presence would contribute to the welfare and well-being of the child may be present in the room with the child during his or her testimony. Examination and cross-examination shall proceed in the same manner as permitted at the trial or hearing.
(b)
The persons operating the equipment shall be confined to an adjacent room or behind a screen or mirror which permits them to see and hear the child during his or her testimony, but does not permit the child to see or hear them. The court shall permit the defendant to observe and hear the testimony of the child in person, but ensure that the child cannot hear or see the person alleged to have committed the assault. The defendant shall be afforded a means of communicating with his or her attorney throughout the proceedings, and, upon request of the defendant or his or her attorney, recesses shall be permitted to allow them to confer. The court shall ensure that:
(1)
The recording or broadcast is both visual and aural and is recorded on film or videotape or by other electronic means;
(2)
The recording equipment was capable of making an accurate recording, the operator of the equipment was competent, and the recording is accurate and has not been altered;
(3)
Each voice on the recording is identified;
(4)
Each party is afforded an opportunity to view any recording made prior to trial before it is shown in the courtroom; and
(5)
The statement is sworn to under oath by the child.
(c)
If the court orders the testimony of a child to be so recorded or broadcast, the child shall not be required to testify at the proceeding for which the testimony was taken, and the testimony shall be used in lieu of the live testimony of the child.
History of Section.
P.L. 1985, ch. 355, § 1; P.L. 2004, ch. 385, § 1; P.L. 2004, ch. 473, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-13.3. - Sexual assault reports.

§ 11-37-13.3. Sexual assault reports.
(a)
A law enforcement officer who responds to or investigates a sexual assault or child molestation sexual assault incident, shall, upon determination of probable cause for arrest or referral to the attorney general’s office, complete a sexual assault report (DV/SA-1).
(b)
For the purpose of establishing data on the extent and severity of arrests for sexual assault and child molestation sexual assault in the state and on the degree of compliance with the requirements of this section the domestic violence training and monitoring unit of the court system shall prescribe a form for making sexual assault reports. The form shall include, but is not limited to, the following

information:
(1)
Name of the parties;
(2)
Relationship of the parties;
(3)
Sex of the parties;
(4)
Date of birth of the parties;
(5)
Time and date of the alleged incident;
(6)
Whether children were allegedly involved or whether the alleged act of sexual assault or child molestation sexual assault was committed in the presence of children;
(7)
Type and extent of the alleged abuse;
(8)
Number and types of alleged weapons involved;
(9)
Existence of any prior court order; and
(10)
Any other data that may be necessary for a complete analysis of all circumstances leading to the arrest.
(c)
Each police department shall forward copies of the reports to the unit at the end of each month.
(d)
Upon adjudication of acquittal, dismissal or other exoneration the sexual assault report form will be expunged by the domestic violence training and monitoring unit.
History of Section.
P.L. 1998, ch. 381, § 1; P.L. 2002, ch. 411, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-13. - Prior sexual conduct of complainant — Admissibility of evidence.

§ 11-37-13. Prior sexual conduct of complainant — Admissibility of evidence.
If a defendant who is charged with the crime of sexual assault intends to introduce proof that the complaining witness has engaged in sexual activities with other persons, he or she shall give notice of that intention to the court and the attorney for the state. The notice shall be given prior to the introduction of any evidence of that fact; it shall be given orally out of the hearing of spectators and, if the action is being tried by a jury, out of the hearing of the jurors. Upon receiving the notice, the court shall order the defendant to make a specific offer of the proof that he or she intends to introduce in support of this issue. The offer of proof, and all arguments relating to it, shall take place outside the hearing of spectators and jurors. The court shall then rule upon the admissibility of the evidence offered.
History of Section.
P.L. 1979, ch. 302, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-14. - Severability.

§ 11-37-14. Severability.
If the provisions of this chapter or their application to any person or circumstances is held invalid, their invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of the chapter are declared to be severable.
History of Section.
P.L. 1979, ch. 302, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-17. - Human Immunodeficiency Virus (HIV) — Mandatory testing.

§ 11-37-17. Human Immunodeficiency Virus (HIV) — Mandatory testing.
(a)
Any person who has admitted to or been convicted of or adjudicated wayward or delinquent by reason of having committed any sexual offense involving sexual penetration, as defined in § 11-37-1, whether or not sentence or fine is imposed or probation granted, shall be ordered by the court upon the petition of the victim, immediate family members of the victim or legal guardian of the victim, to submit to a blood test for the presence of a sexually transmitted disease including, but not limited to, the Human

Immunodeficiency Virus (HIV) which causes Acquired Immune Deficiency Syndrome (AIDS) as provided for in chapter 23-6.3.
(b)
Notwithstanding the limitations imposed by §§ 23-6.3-7 and 5-37.3-4, the results of the HIV test shall be reported to the court, which shall then disclose the results to any victim of the sexual offense who requests disclosure. Review and disclosure of blood test results by the courts shall be closed and confidential, and any transaction records relating to them shall also be closed and confidential.
(c)
[Deleted by P.L. 2009, ch. 196, § 3, and by P.L. 2009, ch. 289, § 3].
(d)
[Deleted by P.L. 2009, ch. 196, § 3, and by P.L. 2009, ch. 289, § 3].
(e)
[Deleted by P.L. 2009, ch. 196, § 3, and by P.L. 2009, ch. 289, § 3].
History of Section.
P.L. 1995, ch. 105, § 1; P.L. 2009, ch. 196, § 3; P.L. 2009, ch. 289, § 3; P.L. 2010, ch. 239, § 17.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-2. - First degree sexual assault.

§ 11-37-2. First degree sexual assault.
A person is guilty of first degree sexual assault if he or she engages in sexual penetration with another person, and if any of the following circumstances exist:
(1)
The accused knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless.
(2)
The accused uses force or coercion.
(3)
The accused, through concealment or by the element of surprise, is able to overcome the victim.
(4)
The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.
History of Section.
P.L. 1979, ch. 302, § 2; P.L. 1980, ch. 273, § 1; P.L. 1981, ch. 119, § 1; P.L. 1984, ch. 59, § 1; P.L. 1984, ch. 355, § 1; P.L. 1986, ch. 191, § 1; P.L. 1987, ch. 238, § 1; P.L. 2021, ch. 75, § 1, effective June 23, 2021; P.L. 2021, ch. 76, § 1, effective June 23, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-3.1. - Duty to report sexual assault.

§ 11-37-3.1. Duty to report sexual assault.
Any person, other than the victim, who knows or has reason to know that a first degree sexual assault or attempted first degree sexual assault is taking place in his or her presence shall immediately notify the state police or the police department of the city or town in which the assault or attempted assault is taking place of the crime.
History of Section.
P.L. 1983, ch. 268, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-3.2. - Necessity of complaint from victim.

§ 11-37-3.2. Necessity of complaint from victim.
No person shall be charged under § 11-37-3.1 unless and until the police department investigating the incident obtains from the victim a signed complaint against the person alleging a violation of § 11-37-3.1.
History of Section.
P.L. 1983, ch. 268, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-3.3. - Failure to report — Penalty.

§ 11-37-3.3. Failure to report — Penalty.
Any person who knowingly fails to report a sexual assault or attempted sexual assault as required under § 11-37-3.1 shall be guilty of a misdemeanor and, upon conviction, shall be punished by imprisonment for not more than one year, or fined not more than five hundred dollars ($500), or both.
History of Section.
P.L. 1983, ch. 268, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-3.4. - Immunity from liability.

§ 11-37-3.4. Immunity from liability.
Any person participating in good faith in making a report pursuant to § 11-37-3.1 shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any participant shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.
History of Section.
P.L. 1983, ch. 268, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-3.5. - Duty to report sexual misconduct conviction.

§ 11-37-3.5. Duty to report sexual misconduct conviction.
If a public school teacher or employee is convicted of a new violation of this chapter, the chief of police of the arresting department shall notify the appropriate school district, superintendent of schools, the department of public safety, and the commissioner of elementary and secondary education.
History of Section.
P.L. 1985, ch. 484, § 1; P.L. 1986, ch. 178, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-3. - Penalty for first degree sexual assault.

§ 11-37-3. Penalty for first degree sexual assault.
Every person who shall commit sexual assault in the first degree shall be imprisoned for a period not less than ten (10) years and may be imprisoned for life.
History of Section.
P.L. 1979, ch. 302, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-4. - Second degree sexual assault.

§ 11-37-4. Second degree sexual assault.
A person is guilty of a second-degree sexual assault if he or she engages in sexual contact with another person and if any of the following circumstances exist:
(1)
The accused knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless.
(2)
The accused uses force, element of surprise, or coercion.
(3)
The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.
History of Section.
P.L. 1979, ch. 302, § 2; P.L. 1980, ch. 273, § 1; P.L. 1981, ch. 119, § 1; P.L. 1984, ch. 59, § 1; P.L. 1986, ch. 191, § 1; P.L. 2014, ch. 157, § 1; P.L. 2014, ch. 164, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-5. - Penalty for second degree sexual assault.

§ 11-37-5. Penalty for second degree sexual assault.
Every person who shall commit sexual assault in the second degree shall be imprisoned for not less than three (3) years and not more than fifteen (15) years.
History of Section.
P.L. 1979, ch. 302, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-6. - Third degree sexual assault.

§ 11-37-6. Third degree sexual assault.
(a)
Definitions. For purposes of this chapter, “position of authority” means and includes, but is not limited to, any person who is acting in the place of a parent and charged with any of a parent’s rights, duties, or responsibilities to a person under the age of eighteen (18) years, or a person who is charged with any duty or responsibility for the health, welfare, or supervision of a person under the age of eighteen (18) years, either independently or through another, no matter how brief, at the time of the act.

(b)
A person is guilty of third-degree sexual assault if:
(1)
He or she is over the age of eighteen (18) years and engaged in sexual penetration with another person over the age of fourteen (14) years and under the age of consent, sixteen (16) years of age; or
(2)
He or she is over the age of eighteen (18) years and engaged in sexual penetration or sexual contact with another person over the age of fourteen (14) years and under the age of eighteen (18) years, under circumstances whereby:
(i)
The accused has supervisory or disciplinary power over the victim by virtue of the accused's legal, professional, or occupational status; or
(ii)
The accused is otherwise acting in a position of authority with respect to the victim.
(iii)
It shall not be a violation of subsection (b)(2) of this section if the parties are:
(A)
Engaging in sexual penetration or contact consensually;
(B)
Between the ages of sixteen (16) and twenty (20) years; and
(C)
No more than thirty (30) months apart in age.
History of Section.
P.L. 1979, ch. 302, § 2; P.L. 1988, ch. 219, § 1; P.L. 2022, ch. 153, § 1, effective June 27, 2022; P.L. 2022, ch. 154, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-7. - Penalty for third degree sexual assault.

§ 11-37-7. Penalty for third degree sexual assault.
Every person who shall commit sexual assault in the third degree shall be imprisoned for not more than five (5) years.
History of Section.
P.L. 1979, ch. 302, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-8.1. - First degree child molestation sexual assault.

§ 11-37-8.1. First degree child molestation sexual assault.
A person is guilty of first degree child molestation sexual assault if he or she engages in sexual penetration with a person fourteen (14) years of age or under.
History of Section.
P.L. 1984, ch. 59, § 2; P.L. 1988, ch. 219, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-8.2.1. - Penalty for first degree child molestation sexual assault — Jessica Lunsford Child Predator Act of 2006.

§ 11-37-8.2.1. Penalty for first degree child molestation sexual assault — Jessica Lunsford Child Predator Act of 2006.
(a) Title and Legislative Intent.
The title of this section shall be "The Jessica Lunsford Child Predator Act of 2006." In enacting this section the general assembly intends that in order to ensure the safety of victims the most dangerous child predators be electronically monitored via an active global positioning system in order to ensure that their whereabouts can be easily ascertained by law enforcement and other responsible authorities at all times while providing treatment to offenders.
(b)
Every person who shall violate the provisions of subdivisions 11-37-8.2.1(b)(1) — 11-37-8.2.1(b)(2) listed herein shall be electronically monitored via an active global positioning system for life and, as a condition of parole and probation, and for the duration of any period of his or her probation following his or her parole shall attend a sex offender treatment program to address his or her criminally offensive behavior, as determined by the department of probation and parole. The persons subject to this condition of parole shall include:
(1)
Persons who commit first degree child molestation sexual assault on or after January 1, 2007 and the victim of the sexual assault is twelve (12) years of age or younger; or
(2)
Persons who shall violate the conditions of § 11-37-8.1 on or after January 1, 2007 and be determined a high-risk of re-offense

(level 3) offender under the conditions of § 11-37.1-12, and the person is deemed a child predator as defined in subsection 11-37-8.2.1(g) or have committed the offense in conjunction with circumstances involving kidnapping, torture or aggravated battery, and provided further that the victim to the offense is fourteen (14) years of age or younger.
(3)
Any person who violates the terms of the global position monitoring conditions shall be guilty of a misdemeanor.
(c)
Any costs associated with the requirements of this section shall be borne by the offender and the court is hereby authorized and empowered to utilize all resources available to collect the funds for these costs unless the court finds that the defendant is indigent. In such cases costs shall be waived in order to promote this section's legislative intent.
(d) Harboring.
(1)
Any person who has reason to know that a person convicted of first degree child molestation as defined by § 11-37-8.1 or 11-37-8.2.1 is not complying or has not complied with the requirements of this section where applicable and who with the intent to assist the child molester in eluding a law enforcement agency that is seeking to find the child molester to question the child molester about or to arrest the child molester for his or her non-compliance with the requirements of this section and who:
(i)
knowingly withholds information from or willfully fails to notify the law enforcement agency about the child molester's non-compliance with the requirements of this section; or
(ii)
harbors or attempts to harbor or assists another person in harboring or attempting to harbor the child molester; or
(iii)
knowingly conceals or attempts to conceal or assists another person in concealing or attempting to conceal the child molester; or
(iv)
provides information to the law enforcement agency regarding the child molester that the person knows to be false information commits a felony and shall be subject to imprisonment for a period of five (5) years. Nothing in this subsection shall be construed as limiting the discretion of the judges to impose additional sanctions authorized in sentencing.
(2)
Any person who permits a child predator as defined by this section to reside with them knowing that the child predator has failed to comply with the requirements of subsection 11-37-8.2.1(b) commits a felony punishable by up to five (5) years imprisonment and/or a five thousand dollar ($5,000) fine.
(e)
Any person who intentionally tampers with damages or destroys any electronic monitoring equipment required by this section pursuant to a court order or parole board order unless such person is the owner of the equipment or an agent of the owner performing ordinary maintenance and repairs commits a felony and shall be imprisoned for not less than one nor more than five (5) years.
(f)
The department of corrections, prior to the release from incarceration of any child predator, shall ensure that the child predator's fingerprints are taken and forwarded to the bureau of criminal identification (BCI) division within the department of attorney general within forty-eight (48) hours after release from incarceration. The fingerprint card shall be clearly marked "Child Predator Registration Card."
(g)
For the purposes of this section "child predator" shall be defined as any person convicted of any violation of § 11-37-8.1, and who on a prior occasion has been convicted of a violation of § 11-37-8.1 or § 11-37-8.3.
History of Section.
P.L. 2006, ch. 206, § 1; P.L. 2006, ch. 207, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-8.2. - Penalty for first degree child molestation sexual assault.

§ 11-37-8.2. Penalty for first degree child molestation sexual assault.
Every person who shall commit first degree child molestation sexual assault shall be imprisoned for a period of not less than twenty-five (25) years and may be imprisoned for life.
History of Section.
P.L. 1984, ch. 59, § 2; P.L. 2006, ch. 206, § 3; P.L. 2006, ch. 207, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-8.3. - Second degree child molestation sexual assault.

§ 11-37-8.3. Second degree child molestation sexual assault.
A person is guilty of a second degree child molestation sexual assault if he or she engages in sexual contact with another person fourteen (14) years of age or under.

History of Section.
P.L. 1984, ch. 59, § 2; P.L. 1988, ch. 219, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-8.4. - Penalty for second degree child molestation sexual assault.

§ 11-37-8.4. Penalty for second degree child molestation sexual assault.
Every person who shall commit second degree child molestation sexual assault shall be imprisoned for not less than six (6) years nor more than thirty (30) years.
History of Section.
P.L. 1984, ch. 59, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-8.5. - Identification of victims of child molestation sexual assault.

§ 11-37-8.5. Identification of victims of child molestation sexual assault.
(a)
All court records which concern the identity of a victim of child molestation sexual assault shall be confidential and shall not be made public.
(b)
Every agency of state or local government shall protect the confidentiality of documents containing the identity of victims of child molestation sexual assault.
(c)
A defendant charged with child molestation sexual assault may make application to the trial court for an order of disclosure of identifying information concerning the child victim in order to prepare his or her defense. Nothing in this section shall be construed to prevent the disclosure of the victim's identity to the defendant at the time of his or her arraignment, provided, that the defendant shall make no disclosure of the victim's identity other than to his or her attorney and others directly involved in the preparation of his or her defense. Any disclosure by a defendant other than permitted in this section shall constitute contempt.
History of Section.
P.L. 1985, ch. 380, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-8.6. - Special assessment — Payment for treatment or counseling.

§ 11-37-8.6. Special assessment — Payment for treatment or counseling.
In addition to all other statutory costs and assessments, every person, adjudged guilty of the provisions of § 11-37-8.1 or 11-37-8.3, whether by trial, plea of guilty or plea of nolo contendere, shall pay a special assessment of one hundred dollars ($100). In addition to any other penalty provided by law, any person convicted under §§ 11-37-8.1 — 11-37-8.3 may be required, as part of the sentence imposed by the court, to pay the cost of any necessary medical, psychological, or psychiatric treatment of the child resulting from the act or acts for which the defendant is convicted.
History of Section.
P.L. 1986, ch. 319, § 1; P.L. 1997, ch. 137, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-8.7. - Parole of violators.

§ 11-37-8.7. Parole of violators.
In the case of any person convicted and imprisoned for an offense under §§ 11-37-8.1 — 11-37-8.3, it shall be required that:
(1)
The department of attorney general or local prosecutor be informed by the parole board ninety (90) days prior to a parole hearing of the date of hearing, and the attorney general or local prosecutor provide the parole board with a complete statement of circumstances surrounding a conviction within forty-five (45) days prior to the scheduled parole hearing date.
(2)
The parole board shall notify the victim and his or her family of a scheduled parole hearing at least forty-five (45) days prior to the date of hearing, and the victim and/or family shall be permitted an opportunity to provide a statement for review by the parole board.
(3)
The convicted person shall be examined prior to parole by one independent psychiatrist to determine whether the person is a continued danger to children.
(4)
The convicted person shall receive outpatient treatment at his or her own expense after parole or release from hospitalization for a period of time to be set by the parole board, and the department of behavioral healthcare, developmental disabilities and hospitals shall oversee and provide these services. Any person willfully violating this subsection shall be guilty of a misdemeanor and shall

serve not more than one year imprisonment.
History of Section.
P.L. 1986, ch. 528, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-8.8. - Indecent solicitation of a child.

§ 11-37-8.8. Indecent solicitation of a child.
(a)
A person is guilty of indecent solicitation of a child if he or she knowingly solicits another person under eighteen (18) years of age or one whom he or she believes is a person under eighteen (18) years of age for the purpose of engaging in an act of prostitution or in any act in violation of chapter 9, 34, or 37 of this title.
(b)
As used in this section, the word "solicit" or "solicitation" means to command, authorize, urge, incite, request, or advise another to perform an act by any means including, but not limited to, in person, over the phone, in writing, by computer, through the Internet, or by advertisement of any kind.
History of Section.
P.L. 2004, ch. 586, § 1; P.L. 2004, ch. 612, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-8.9. - Penalty for indecent solicitation of a child.

§ 11-37-8.9. Penalty for indecent solicitation of a child.
Every person who shall commit indecent solicitation of a child shall be imprisoned for not less than five (5) years.
History of Section.
P.L. 2004, ch. 586, § 1; P.L. 2004, ch. 612, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-8. - Penalty for assault with intent to commit first degree sexual assault.

§ 11-37-8. Penalty for assault with intent to commit first degree sexual assault.
Every person who shall commit assault with intent to commit first degree sexual assault shall be imprisoned for not less than three (3) years or more than twenty (20) years.
History of Section.
P.L. 1979, ch. 302, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-37 - Sexual AssaultSection 11-37-9. - Joinder of offenses.

§ 11-37-9. Joinder of offenses.
Any person who shall be indicted for first, second, or third degree sexual assault and/or first or second degree child molestation sexual assault and/or § 11-37-8 may also be charged in the same indictment with either or all of the offenses described in §§ 11-37-2, 11-37-4, 11-37-6, 11-37-8, 11-37-8.1, and 11-37-8.3. If upon trial the jury shall acquit the person of any of the charges of sexual assault and shall find him or her guilty of any of the other offenses, judgment and sentence may be entered against him or her accordingly.
History of Section.
P.L. 1979, ch. 302, § 2; P.L. 1984, ch. 59, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-38 - Riotous AssemblySection 11-38-5. - Inciting riot at correctional institution.

§ 11-38-5. Inciting riot at correctional institution.
Any person who, with intent to cause a riotous assembly at the adult correctional institutions, shall incite a riot or a continuance of a riot or destruction of property while rioting, shall, upon being found guilty of the offense, be fined not exceeding ten thousand dollars ($10,000), or shall be imprisoned not exceeding ten (10) years, or both.
History of Section.
P.L. 1973, ch. 148, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-38 - Riotous AssemblySection 11-38-6. - Inciting riot at municipal detention facility.

§ 11-38-6. Inciting riot at municipal detention facility.
Any prisoner, detainee, or other person incarcerated or confined at the Donald W. Wyatt Detention Facility in the city of Central Falls who, with intent to cause a riotous assembly at the Donald W. Wyatt Detention Facility created under chapter 54 of title 45,

incites a riot or any continuance of a riot or destruction of property while rioting shall, upon conviction, be imprisoned at the adult correctional institutions for a term not to exceed ten (10) years, or be fined an amount not to exceed ten thousand dollars ($10,000), or both; that term commences at the expiration of the original term of imprisonment of the prisoner.
History of Section.
P.L. 2000, ch. 362, § 2; P.L. 2000, ch. 477, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-39 - RobberySection 11-39-1. - Penalty for robbery.

§ 11-39-1. Penalty for robbery.
(a)
Every person who shall commit: (1) robbery by use of a dangerous weapon; (2) robbery where a victim is injured; or (3) robbery where the victim is a person who is severely impaired or an elderly person; shall be guilty of first degree robbery and shall be imprisoned for not less than ten (10) years and may be imprisoned for life, or fined not more than fifteen thousand dollars ($15,000), or both.
(b)
Every person who shall commit robbery or other larceny from the person by force or threat, where there is no weapon and no injury and the victim is neither a severely impaired person or an elderly person, shall be guilty of second degree robbery and shall be imprisoned for not less than five (5) years nor more than thirty (30) years, or fined not more than ten thousand dollars ($10,000), or both.
(c)
For the purposes of this section:
(1)
“Person who is severely impaired” has the same definition as provided in § 11-5-11; and
(2)
“Elderly person” means a person sixty (60) years of age or older.
History of Section.
G.L. 1896, ch. 277, § 4; G.L. 1909, ch. 343, § 4; G.L. 1923, ch. 395, § 4; G.L. 1938, ch. 606, § 4; G.L. 1956, § 11-39-1; P.L. 1980, ch. 94, § 1; P.L. 1991, ch. 201, § 1; P.L. 1996, ch. 153, § 1; P.L. 1999, ch. 83, § 15; P.L. 1999, ch. 130, § 15.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-39 - RobberySection 11-39-2. - Robbery of the owner, lessor, or occupant of a motor vehicle.

§ 11-39-2. Robbery of the owner, lessor, or occupant of a motor vehicle.
(a)
Every person who shall unlawfully seize a motor vehicle from its lawful owner, lessor, or occupant by use or threat of use of a dangerous weapon against the owner, lessor, or occupant resulting in serious bodily injury, as defined in § 11-5-10.2, shall be guilty of first degree robbery and shall be imprisoned for not less than ten (10) years and may be imprisoned for life, or fined not more than fifteen thousand dollars ($15,000), or both. In all such cases, the justice imposing sentence shall impose a minimum sentence of ten (10) years imprisonment and may only impose a sentence less than the minimum if he or she finds that substantial and compelling circumstances exist which justify imposition of the alternative sentence. That finding may be based upon the character and background of the defendant, the cooperation of the defendant with law enforcement authorities, the nature and circumstances of the offense, and/or the nature and quality of the evidence presented at trial. If a sentence which is less than imprisonment for a term of ten (10) years is imposed, the trial justice shall set forth on the record the circumstances which he or she found as justification for imposition of the lesser sentence. A person sentenced to prison for violation of this subsection shall not be eligible for parole until at least one-half (½) of the sentence has been served in prison.
(b)
Every person who shall unlawfully seize a motor vehicle from its lawful owner, lessor, or occupant by force or threat of force against the owner, lessor, or occupant shall be guilty of second degree robbery and shall be imprisoned for not less than five (5) years nor more than thirty (30) years, or fined not more than ten thousand dollars ($10,000), or both.
(c)
Every person who shall commit robbery of a motor vehicle by seizing it from its lawful owner, lessor, or occupant under the circumstances set forth in subsection (a) or (b) of this section, resulting in the death of the owner, lessor or occupant, shall be guilty of first degree murder and shall be sentenced to life imprisonment, and may be sentenced to life imprisonment without parole if ordered by the court pursuant to chapter 19.2 of title 12. A person sentenced to life imprisonment for violation of this subsection shall not be eligible for parole until at least twenty (20) years of the sentence has been served in prison.
History of Section.
P.L. 1994, ch. 177, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-4 - Arson and FiresSection 11-4-10. - Interference with fire alarm apparatus — Penalty.

§ 11-4-10. Interference with fire alarm apparatus — Penalty.

Every person who unlawfully and without just cause willfully or knowingly tampers with, interferes with or in any way impairs any public fire alarm apparatus, wire or associated equipment shall be guilty of a felony and, upon conviction, shall be punished by a fine of not less than one thousand ($1,000) nor more than five thousand ($5,000) dollars, or shall be imprisoned for not less than one nor more than five (5) years, or both.
History of Section.
P.L. 1971, ch. 212, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-4 - Arson and FiresSection 11-4-2.1. - Arson — Custody.

§ 11-4-2.1. Arson — Custody.
Any person who while under arrest or incarcerated knowingly causes, procures, aids, counsels or creates by means of fire or explosion the damage or destruction of any occupied or unoccupied building shall be guilty of arson in the first degree and shall be sentenced as provided in § 11-4-2.
History of Section.
P.L. 1995, ch. 136, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-4 - Arson and FiresSection 11-4-2. - Arson — First degree.

§ 11-4-2. Arson — First degree.
Any person who knowingly causes, procures, aids, counsels or creates by means of fire or explosion a substantial risk of serious physical harm to any person or damage to any building the property of that person or another, whether or not used for residential purposes, which is occupied or in use for any purpose or which has been occupied or in use for any purpose during the six (6) months preceding the offense or to any other residential structure, shall, upon conviction, be sentenced to imprisonment for not less than five (5) years and may be imprisoned for life, or shall be fined not less than three thousand dollars ($3,000) nor more than twenty-five thousand dollars ($25,000), or both; provided, further, that whenever a death occurs to a person as a direct result of the fire or explosion or to a person who is directly involved in fighting the fire or explosion, imprisonment shall be for not less than twenty (20) years. In all such cases, the justice may only impose a sentence less than the minimum if he or she finds that substantial and compelling circumstances exist which justify imposition of the alternative sentence. That finding may be based upon the character and background of the defendant, the cooperation of the defendant with law enforcement authorities, the nature and circumstances of the offense, and/or the nature and quality of the evidence presented at trial. If a sentence which is less than imprisonment for the minimum term is imposed, the trial justice shall set forth on the record the circumstances which he or she found as justification for imposition of the lesser sentence.
History of Section.
G.L. 1896, ch. 279, § 2; G.L. 1909, ch. 345, § 2; P.L. 1917, ch. 1473, § 1; G.L. 1923, ch. 397, § 2; P.L. 1927, ch. 1043, § 1; G.L. 1938, ch. 608, § 2; G.L. 1956, § 11-4-2; P.L. 1980, ch. 247, § 1; P.L. 1983, ch. 185, § 1; P.L. 1990, ch. 214, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-4 - Arson and FiresSection 11-4-3. - Arson — Second degree.

§ 11-4-3. Arson — Second degree.
Any person who knowingly causes, aids, procures or counsels by means of fire or explosion the damage or destruction of any unoccupied building, structure or facility the property of that person or another shall, upon conviction, be sentenced to imprisonment for not less than two (2) years nor more than twenty (20) years, or shall be fined not more than two thousand five hundred dollars ($2,500), or both; provided, that if death occurs to a person as a direct result of the fire or explosion or to a person who is directly involved in fighting the fire or explosion, imprisonment shall be for not less than twenty (20) years.
History of Section.
G.L. 1896, ch. 279, § 2; G.L. 1909, ch. 345, § 2; P.L. 1917, ch. 1473, § 1; G.L. 1923, ch. 397, § 2; P.L. 1927, ch. 1043, § 1; G.L. 1938, ch. 608, § 2; G.L. 1956, § 11-4-3; P.L. 1980, ch. 247, § 1; P.L. 1983, ch. 185, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-4 - Arson and FiresSection 11-4-4. - Arson — Third degree.

§ 11-4-4. Arson — Third degree.
Any person who knowingly causes, procures, aids or counsels or creates by means of fire or explosion the damage or destruction of any property of that person or another with the purpose to defraud an insurer shall, upon conviction, be sentenced to imprisonment for not less than two (2) years nor more than twenty (20) years or shall be fined not more than five thousand dollars ($5,000), or both; provided, that if death occurs to a person as a direct result of the fire or explosion or to a person who is directly involved in fighting the fire or explosion, imprisonment shall be for not less than twenty (20) years.
History of Section.
G.L. 1896, ch. 279, § 4; G.L. 1909, ch. 345, § 4; G.L. 1923, ch. 397, § 4; G.L., ch. 397, § 3; P.L. 1927, ch. 1043, § 1; G.L. 1938, ch.

608, § 3; G.L. 1956, § 11-4-5; P.L. 1980, ch. 247, § 1; P.L. 1983, ch. 185, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-4 - Arson and FiresSection 11-4-5. - Arson — Fourth degree.

§ 11-4-5. Arson — Fourth degree.
Any person who knowingly causes, procures, aids, counsels or creates by means of fire or explosion damage to or destruction of any personal property valued in excess of one hundred dollars ($100) and the property of another person shall, upon conviction, be sentenced to imprisonment for not less than one year nor more than three (3) years, or shall be fined not more than one thousand dollars ($1,000), or both.
History of Section.
G.L. 1896, ch. 279, §§ 2, 3; G.L. 1909, ch. 345, §§ 2, 3; P.L. 1917, ch. 1473, § 1; G.L. 1923, ch. 397, §§ 2, 3; P.L. 1927, ch. 1043, § 1; G.L. 1938, ch. 608, § 2; G.L. 1956, § 11-4-4; P.L. 1980, ch. 247, § 1; P.L. 1983, ch. 185, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-4 - Arson and FiresSection 11-4-6. - Arson — Fifth degree.

§ 11-4-6. Arson — Fifth degree.
Any person who knowingly attempts to cause, procure, aid, or counsel by fire or explosion the damage or destruction of any property mentioned in §§ 11-4-2 — 11-4-5 shall, upon conviction, be fined not exceeding one thousand dollars ($1,000), or imprisonment for not less than one year nor more than twenty (20) years.
History of Section.
G.L. 1896, ch. 279, §§ 2-4; G.L. 1909, ch. 345, §§ 2-4; P.L. 1917, ch. 1473, § 1; G.L. 1923, ch. 397, §§ 2-4; G.L. 1923, ch. 397, § 4; P.L. 1927, ch. 1043, § 1; G.L. 1938, ch. 608, § 4; G.L. 1956, § 11-4-6; P.L. 1980, ch. 247, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-4 - Arson and FiresSection 11-4-7. - Arson — Sixth degree.

§ 11-4-7. Arson — Sixth degree.
Any person who knowingly causes, procures, aids or counsels the destruction of woodlands by fire which shall run and spread at large shall, upon conviction, be imprisoned not exceeding two (2) years, or shall be fined not more than one thousand dollars ($1,000), or both.
History of Section.
G.L. 1896, ch. 279, § 6; G.L. 1909, ch. 345, § 6; G.L. 1923, ch. 397, § 6; G.L. 1938, ch. 608, § 6; G.L. 1956, § 11-4-8; P.L. 1980, ch. 247, § 1; P.L. 1983, ch. 185, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-4 - Arson and FiresSection 11-4-8. - Arson — Seventh degree.

§ 11-4-8. Arson — Seventh degree.
Every person who shall make a bonfire in any public street, road, square, land or rotary, without special permission from the local governing body, shall be fined not exceeding one hundred dollars ($100). No complaint for a violation of any of the provisions of this section shall be sustained unless it shall be brought within thirty (30) days after the commission of the offense, and all fines for the violation shall inure one-half (½) of the fine to the complainant and one-half (½) of the fine to the state. The local governing body may appoint a designee to grant permission under the provisions of this section.
History of Section.
P.L. 1980, ch. 247, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.1 - Grocery and Laundry Carts, Milk Cases, Egg Baskets, and Bakery ContainersSection 11-41.1-1. - Definitions.

§ 11-41.1-1. Definitions.
For the purpose of this chapter:
(1)
“Bakery container” means any permanent type of container which is used by a bakery, distributor, retailer, or food service establishment or the agent of any of them as a means to transport, store, or carry bakery products.
(2)
“Dairy case” means a wire or plastic container which holds 16 quarts or more of beverages and is used by distributors, retailers, or their agents as a means to transport, store, or carry dairy products.
(3)
“Dispenser case” means a plastic container which holds up to twenty-four (24) quarts of beverage and is used by distributors, retailers, or their agents as a means to transport, store, or carry dairy products for use in individual serving dispenser machines.
(4)

“Egg basket” means any permanent type of container which contains four (4) dozen or more shell eggs and is used by distributors, retailers, or their agents as a means to transport, store, or carry eggs.
(5)
“Laundry cart” means a basket which is mounted on wheels and used in a coin-operated laundry or drycleaning establishment by a customer or an attendant for the purpose of transporting laundry and laundry supplies.
(6)
“Name or mark” means any permanently affixed or permanently stamped name or mark which has been registered with the secretary of state pursuant to § 11-41.1-2 and is used for the purpose of identifying the registered owner of dairy cases, egg baskets, poultry boxes, bakery containers, or plastic bulk merchandise containers.
(7)
“Parking area” means a lot or other property provided by a retail establishment for the use of customers to park automobiles or other vehicles while doing business in that establishment.
(8)
“Plastic bulk merchandise container” means a plastic crate or shell used by a product producer, distributor, or retailer, or an agent of the product producer, distributor, or retailer as a means for the bulk transportation, storage or carrying of retail containers of milk, eggs, bakery, or bottled beverage products.
(9)
“Poultry box” means any permanent type of container which is used by processors, distributors, retailers, food service establishments, or their agents as a means to transport, store, or carry poultry.
(10)
“Registered owner” means any person, firm, corporation, or association registered with the secretary of state as the owner of an identifying name or mark described in subdivisions (6) and (10) of this section.
(11)
“Secretary” means the secretary of state.
(12)
“Shopping cart” means a basket which is mounted on wheels, or a similar device, generally used in a retail establishment by a customer for the purpose of transporting goods of any kind.
History of Section.
P.L. 1984, ch. 395, § 1; P.L. 1990, ch. 158, § 2; P.L. 2007, ch. 139, § 1; P.L. 2007, ch. 282, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.1 - Grocery and Laundry Carts, Milk Cases, Egg Baskets, and Bakery ContainersSection 11-41.1-10. - Illegal use of shopping carts, laundry carts, dairy cases, dispenser cases, egg baskets, bakery containers and plastic bulk merchandise containers.

§ 11-41.1-10. Illegal use of shopping carts, laundry carts, dairy cases, dispenser cases, egg baskets, bakery containers and plastic bulk merchandise containers.
It is a violation of this chapter:
(1)
To remove any shopping cart, laundry cart, dairy case, dispenser case, egg basket, bakery container, or plastic bulk merchandise container from the premises or parking area of a retail establishment with intent to temporarily or permanently deprive the owner of the cart, dairy case, dispenser case, egg basket, bakery container, or plastic bulk merchandise container or the retailer of possession of the cart, dairy case, dispenser case, egg basket, bakery container, or plastic bulk merchandise container;
(2)
To remove a shopping cart, laundry cart, dairy case, dispenser case, egg basket, bakery container, or plastic bulk merchandise container without written authorization, from its owner or from the premises or parking area of any retail establishment;
(3)
To remove, obliterate, or alter any serial number or sign affixed to a shopping cart, laundry cart, dairy case, dispenser case, egg basket, bakery container, or plastic bulk merchandise container.
History of Section.
P.L. 1984, ch. 395, § 1; P.L. 2007, ch. 139, § 1; P.L. 2007, ch. 282, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.1 - Grocery and Laundry Carts, Milk Cases, Egg Baskets, and Bakery ContainersSection 11-41.1-11. - Deposits.

§ 11-41.1-11. Deposits.
The requiring, taking, or accepting of any deposit upon delivery of any dairy case, egg basket, poultry box, shopping cart, laundry cart, bakery container, dispenser case, or plastic bulk merchandise container shall not be deemed a sale of the case, basket, box, cart, or container, optional or otherwise.
History of Section.
P.L. 1984, ch. 395, § 1; P.L. 1990, ch. 158, § 2; P.L. 2007, ch. 139, § 1; P.L. 2007, ch. 282, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.1 - Grocery and Laundry Carts, Milk Cases, Egg Baskets, and Bakery ContainersSection 11-41.1-12. - Penalty.

§ 11-41.1-12. Penalty.
Any person who violates any of the provisions of this chapter is guilty of larceny, punishable as provided in § 11-41-5.
History of Section.
P.L. 1984, ch. 395, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.1 - Grocery and Laundry Carts, Milk Cases, Egg Baskets, and Bakery ContainersSection 11-41.1-13. - Scope of chapter.

§ 11-41.1-13. Scope of chapter.
This chapter shall not apply to the owner of a shopping cart or laundry cart, or dairy case or egg basket or poultry box, or bakery container, dispenser case, or plastic bulk merchandise container or to a retailer, or to their agents or employees, or to a customer who has written consent from the owner of a shopping cart, laundry cart, dairy case, dispenser case, egg basket, or poultry box, or bakery container or plastic bulk merchandise container or from a retailer, to possess the cart, case, basket, box bakery container, or plastic bulk merchandise container or to remove it from the premises or the parking area of the retail establishment.
History of Section.
P.L. 1984, ch. 395, § 1; P.L. 1990, ch. 158, § 2; P.L. 2007, ch. 139, § 1; P.L. 2007, ch. 282, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.1 - Grocery and Laundry Carts, Milk Cases, Egg Baskets, and Bakery ContainersSection 11-41.1-14. - Purchase of shopping carts, dairy cases, dispenser cases, egg baskets, bakery containers or plastic bulk merchandise containers for recycling, shredding, or destruction — Verification of seller's identity — Proof of ownership record.

§ 11-41.1-14. Purchase of shopping carts, dairy cases, dispenser cases, egg baskets, bakery containers or plastic bulk merchandise containers for recycling, shredding, or destruction — Verification of seller's identity — Proof of ownership record.
(a)
Any person or entity purchasing shopping carts, dairy cases, dispenser cases, egg baskets, bakery containers or plastic bulk merchandise containers, who is in the business of recycling, shredding, or destruction of shopping carts, dairy cases, dispenser cases, egg baskets, bakery containers or plastic bulk merchandise containers shall obtain a proof of ownership record from a person selling five (5) or more shopping carts, dairy cases, dispenser cases, egg baskets, bakery containers or plastic bulk merchandise containers that shows that the person selling the carts, cases, baskets, or containers has lawful possession or ownership of the carts, cases, baskets, or containers, and shall also verify the seller's identity by a driver's license or other government-issued photo identification. The proof of ownership record shall include all of the following information:
(1)
The name, address, telephone number, and signature of the seller or the seller's authorized representative.
(2)
The name and address of the buyer or consignee if not sold.
(3)
A description of the product including number of units.
(4)
The date of the transaction.
(b)
The information required to be collected by this section shall be kept for one year from the date of purchase or delivery, whichever is later.
History of Section.
P.L. 2007, ch. 139, § 2; P.L. 2007, ch. 282, § 2; P.L. 2008, ch. 475, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.1 - Grocery and Laundry Carts, Milk Cases, Egg Baskets, and Bakery ContainersSection 11-41.1-2.1. - Bakery containers — Designation of owners.

§ 11-41.1-2.1. Bakery containers — Designation of owners.
Any person, firm, corporation, or association engaged in receiving, packing, handling, or selling bakery products in permanent containers may, in order to designate the ownership of those containers or distinguish them from other similar containers, adopt, own, and use any name or mark and permanently affix that name or mark on any bakery container it owns, except a cardboard, fiberboard, or corrugated container.
History of Section.
P.L. 1990, ch. 158, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.1 - Grocery and Laundry Carts, Milk Cases, Egg Baskets, and Bakery ContainersSection 11-41.1-2. - Shopping carts, laundry carts, dairy cases, dispenser cases, egg

baskets, bakery containers, poultry boxes, and plastic bulk merchandise containers.

§ 11-41.1-2. Shopping carts, laundry carts, dairy cases, dispenser cases, egg baskets, bakery containers, poultry boxes, and plastic bulk merchandise containers.

Any person, firm, corporation, or association owning shopping carts, laundry carts, dairy cases, dispenser cases, egg baskets, bakery containers, poultry boxes, or plastic bulk merchandise containers may register with the secretary of state a description of the name or mark affixed or stamped on those cases, baskets, containers or boxes for identification purposes. If the secretary of state determines that the name or mark is not a duplication of any name or mark previously recorded in its files and does not so closely resemble any other recorded name or mark as to be misleading or deceiving, the secretary of state shall register and record the name or mark in a file to be provided and kept by the secretary of state for that purpose, along with the name and address of the registering owner of the name or mark. If the secretary of state determines that the name or mark so applied for is a duplication of any name or mark previously recorded by the secretary of state or so closely resembles a name or mark as to be misleading or deceiving, the application shall be denied and the applicant may register some other name or mark in the manner described in this section.

History of Section.

P.L. 1984, ch. 395, § 1; P.L. 1990, ch. 158, § 2; P.L. 2007, ch. 139, § 1; P.L. 2007, ch. 282, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.1 - Grocery and Laundry Carts, Milk Cases, Egg Baskets, and Bakery ContainersSection 11-41.1-3. - Illegal use of shopping carts, laundry carts, dairy cases, dispenser cases, egg baskets, bakery containers, poultry boxes, or plastic bulk merchandise containers.

§ 11-41.1-3. Illegal use of shopping carts, laundry carts, dairy cases, dispenser cases, egg baskets, bakery containers, poultry boxes, or plastic bulk merchandise containers.

No person, firm, corporation, or association other than the registered owner of the name or mark shall use for any purpose any container which is identified with or by any name or mark registered with the secretary of state as provided by § 11-41.1-2. No person, firm, corporation, or association shall deface, obliterate, destroy, cover up, or otherwise remove or conceal any name or mark without the written consent of the registered owner.

History of Section.

P.L. 1984, ch. 395, § 1; P.L. 1990, ch. 158, § 2; P.L. 2007, ch. 139, § 1; P.L. 2007, ch. 282, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.1 - Grocery and Laundry Carts, Milk Cases, Egg Baskets, and Bakery ContainersSection 11-41.1-4. - Possession of shopping carts, laundry carts, dairy cases, dispenser cases, egg baskets, bakery containers, poultry boxes, orplastic bulk merchandise containers.

§ 11-41.1-4. Possession of shopping carts, laundry carts, dairy cases, dispenser cases, egg baskets, bakery containers, poultry boxes, orplastic bulk merchandise containers.

Any person who is in possession of any shopping cart, laundry cart, dairy case, dispenser case, egg basket, bakery container, poultry box, or plastic bulk merchandise container with a registered name or mark shall be presumed to be in possession of stolen property and shall be guilty of larceny and punished as provided in § 11-41-5.

History of Section.

P.L. 1984, ch. 395, § 1; P.L. 1990, ch. 158, § 2; P.L. 2007, ch. 139, § 1; P.L. 2007, ch. 282, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.1 - Grocery and Laundry Carts, Milk Cases, Egg Baskets, and Bakery ContainersSection 11-41.1-5. - Transportation of shopping carts, dairy cases, dispenser cases, egg baskets, bakery containers, poultry boxes, and plastic bulk merchandise containers — Bill of lading.

§ 11-41.1-5. Transportation of shopping carts, dairy cases, dispenser cases, egg baskets, bakery containers, poultry boxes, and plastic bulk merchandise containers — Bill of lading.

It shall be unlawful for any common carrier or private carrier for hire, except those engaged in the transporting of dairy products, eggs, poultry, or bakery products to and from farms or bakeries where they are produced, to receive or transport any container marked with a registered name or mark unless the carrier has in his or her possession a bill of lading or invoice for the container.

History of Section.

P.L. 1984, ch. 395, § 1; P.L. 1990, ch. 158, § 2; P.L. 2007, ch. 139, § 1; P.L. 2007, ch. 282, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.1 - Grocery and Laundry Carts, Milk Cases, Egg Baskets, and Bakery ContainersSection 11-41.1-6. - Unlawful removal of shopping carts, dairy cases, dispenser cases, egg baskets, bakery containers, and plastic bulk merchandise containers.

§ 11-41.1-6. Unlawful removal of shopping carts, dairy cases, dispenser cases, egg baskets, bakery containers, and plastic bulk merchandise containers.

It is a violation of this chapter for any person not in lawful possession of a shopping cart, dairy case, dispenser case, egg basket, bakery container, or plastic bulk merchandise container to remove a shopping cart or dairy case or dispenser case or egg basket or bakery container or plastic bulk merchandise container from the premises, parking area, or any other area of any retail establishment, or from any dairy or bakery delivery vehicle, if:

(1)
The shopping cart, dairy case, bakery container, dispenser case, egg basket or plastic bulk merchandise container is marked on at least two (2) sides with a registered name or mark; and
(2)
A notice to the public, warning that use by any person other than the registered owner is punishable by law, is visibly displayed on the dairy case.
History of Section.
P.L. 1984, ch. 395, § 1; P.L. 1990, ch. 158, § 2; P.L. 2007, ch. 139, § 1; P.L. 2007, ch. 282, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.1 - Grocery and Laundry Carts, Milk Cases, Egg Baskets, and Bakery ContainersSection 11-41.1-7. - Egg baskets — Designation of owner.

§ 11-41.1-7. Egg baskets — Designation of owner.
Any person, firm, corporation, or association engaged in receiving, packing, handling, or selling eggs in permanent baskets which contain four (4) dozen or more shell eggs may adopt, own, and use any name or mark and permanently affix or stamp that name or mark on any egg basket, except cardboard, fiberboard, or corrugated containers, owned by that person, firm, corporation, or association, in order to designate the ownership of those baskets or distinguish them from other similar baskets.
History of Section.
P.L. 1984, ch. 395, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.1 - Grocery and Laundry Carts, Milk Cases, Egg Baskets, and Bakery ContainersSection 11-41.1-8. - Poultry boxes, designation of owners.

§ 11-41.1-8. Poultry boxes, designation of owners.
Any person, firm, corporation, or association engaged in receiving, packing, handling, or selling poultry in permanent boxes may adopt, own, and use any name or mark and permanently affix or stamp that name or mark on any poultry box, except cardboard, fiberboard, or wood containers, owned by the person, firm, corporation, or association, in order to designate the ownership of those boxes or distinguish them from other similar boxes.
History of Section.
P.L. 1984, ch. 395, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.1 - Grocery and Laundry Carts, Milk Cases, Egg Baskets, and Bakery ContainersSection 11-41.1-9. - Unlawful removal of shopping carts, dairy cases, dispenser cases, egg baskets, poultry boxes, bakery containers, and plastic bulk or merchandise containers.

§ 11-41.1-9. Unlawful removal of shopping carts, dairy cases, dispenser cases, egg baskets, poultry boxes, bakery containers, and plastic bulk or merchandise containers.
It is a violation of this chapter for any person not in lawful possession of a shopping cart or dairy case or dispenser case or egg basket or poultry box or bakery container, or plastic bulk merchandise container to remove an egg basket, poultry box, or plastic bulk merchandise container from the premises, parking area or any other area of any processor, distributor, retailer, or food service establishment.
History of Section.
P.L. 1984, ch. 395, § 1; P.L. 2007, ch. 139, § 1; P.L. 2007, ch. 282, § 1; P.L. 2008, ch. 475, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.2 - Alteration of Electronic Equipment — Serial NumbersSection 11-41.2-1. - Definitions.

§ 11-41.2-1. Definitions.
(a)
“Alter” means to change or remove any identification number affixed by the maker or owner of equipment described in this chapter.
(b)
“Electronic equipment” means any television receiver, radio receiver, transmitter, transceiver, tuner, amplifier, speaker, earphone, video recorder or playback device, audio recorder or playback device, mobile telephone, computer, or accessory having an identification number unique to the item of equipment.
(c)
“Identification number” means any number or letter-number combination, unique to the specific item of equipment, engraved or embossed on the equipment by either the maker or owner of the equipment.
History of Section.
P.L. 1991, ch. 233, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.2 - Alteration of Electronic Equipment — Serial NumbersSection 11-41.2-2. - Alteration of identification numbers.

§ 11-41.2-2. Alteration of identification numbers.
Any person who shall alter the identification number of any item of electronic equipment as defined in this chapter shall, upon conviction, be sentenced as follows:
(1)
If the value of the property exceeds five hundred dollars ($500), by imprisonment for not more than three (3) years, or by a fine of not more than five thousand dollars ($5,000), or both;
(2)
If the value of the property does not exceed five hundred dollars ($500), the person shall be punished by imprisonment for not more than one year, or by a fine of not more than one thousand dollars ($1,000), or both.
History of Section.
P.L. 1991, ch. 233, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41.2 - Alteration of Electronic Equipment — Serial NumbersSection 11-41.2-3. - Possession of electronic equipment with altered identification numbers.

§ 11-41.2-3. Possession of electronic equipment with altered identification numbers.
Any person who shall knowingly be in possession of any item of electronic equipment as defined in this chapter with altered identification numbers shall, upon conviction, be sentenced as follows:
(1)
If the value of the property exceeds five hundred dollars ($500), by imprisonment for not more than two (2) years, or by a fine of not more than five thousand dollars ($5,000), or both;
(2)
If the value of the property does not exceed five hundred dollars ($500), the person shall be punished by imprisonment for not more than one year, or by a fine of not more than five hundred dollars ($500), or both.
History of Section.
P.L. 1991, ch. 233, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-1. - Stealing as larceny.

§ 11-41-1. Stealing as larceny.
Every person who shall steal any money, goods, or chattels, or any note of the general treasurer of this state for the payment of money, any bank bill, any certificate of any bank or of any public officer or corporation securing the payment of money to any person or certifying it to be due, any certificate of stock in any corporation, any order entitling a person to money or other article, or any bill of exchange, bill of lading, railroad ticket, bond, warrant, obligation, bill, or promissory note for the payment of money, or other valuable property, or any record or paper belonging to any public officer, or any writ, warrant, or other legal process, or any book or part of one containing an account, any receipt for money or other article paid or delivered, any adjustment or document of any kind relating to the payment of money or delivery of any article, any indenture of apprenticeship, or any deed, covenant, indenture, or assurance whatsoever respecting any property, real or personal, shall be deemed guilty of larceny.
History of Section.
G.L. 1896, ch. 279, § 11; C.P.A. 1905, § 1172; G.L. 1909, ch. 345, § 11; P.L. 1915, ch. 1258, § 10; G.L. 1923, ch. 397, § 11; G.L. 1938, ch. 608, § 11; G.L. 1956, § 11-41-1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-10. - Robbing of fish nets and weirs.

§ 11-41-10. Robbing of fish nets and weirs.
Every person who shall rob or draw any fishpot, weir, or net belonging to any other person shall be fined not exceeding twenty dollars ($20.00).
History of Section.
G.L. 1896, ch. 279, § 25; G.L. 1909, ch. 345, § 25; G.L. 1923, ch. 397, § 25; G.L. 1938, ch. 608, § 25; G.L. 1956, § 11-41-10.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-11.1. - Unlawful appropriation.

§ 11-41-11.1. Unlawful appropriation.
Any person to whom any money or other property of another shall be entrusted or delivered for a particular purpose, who shall intentionally appropriate to his or her own use that money or property, shall be deemed guilty of unlawful appropriation and shall be fined not more than fifty thousand dollars ($50,000) or three (3) times the value of the money or property thus appropriated, whichever is greater, or imprisoned not more than twenty (20) years, or both. However, if the sum or value of the property so appropriated is less than one thousand dollars ($1,000), he or she shall be fined not more than one thousand dollars ($1,000) or imprisoned for not more than one year, or both.

History of Section.
P.L. 1995, ch. 154, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-11. - Embezzlement by bank officer or employee.

§ 11-41-11. Embezzlement by bank officer or employee.
Every officer, agent, or servant of any bank, savings bank, or trust company who shall embezzle or appropriate to his or her own use any moneys, goods, effects, or funds of any bank, savings bank or trust company with intent to cheat or defraud it or any person, shall be deemed guilty of larceny, and shall be fined not exceeding twenty thousand dollars ($20,000) or be imprisoned for a term not exceeding twenty (20) years.
History of Section.
G.L. 1896, ch. 279, § 17; P.L. 1908, ch. 1590, § 81; G.L. 1909, ch. 345, § 17; G.L. 1923, ch. 397, § 17; G.L. 1938, ch. 608, § 17; G.L. 1956, § 11-41-11.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-12. - Fraudulent conversion by agent or factor.

§ 11-41-12. Fraudulent conversion by agent or factor.
Every agent or factor who shall deposit or pledge any goods, wares, or merchandise or any bill of lading, receipt, or certificate of a warehouse keeper or inspector, or any warrant or order for the delivery of goods with which he or she shall have been entrusted, or which shall have been consigned to him or her as a security for any money or other property borrowed or received by the agent or factor, and shall apply or dispose of the proceeds to his or her own use, in violation of good faith, and with intent to defraud any owner of the goods, shall be deemed and taken to be guilty of a felony and shall be fined not exceeding one thousand dollars ($1,000) or be imprisoned not exceeding five (5) years.
History of Section.
G.L. 1896, ch. 279, § 21; G.L. 1909, ch. 345, § 21; G.L. 1923, ch. 397, § 21; G.L. 1938, ch. 608, § 21; G.L. 1956, § 11-41-12; P.L. 2022, ch. 69, § 1, effective June 15, 2022; P.L. 2022, ch. 70, § 1, effective June 15, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-13. - Obtaining signature by false pretenses.

§ 11-41-13. Obtaining signature by false pretenses.
Every person who, by any false pretense or pretenses, with intent to cheat or defraud, shall obtain the signature of any person to any written instrument, the false making of which would be punished as forgery, shall be punished by imprisonment for not more than five (5) years or by a fine of not more than one thousand dollars ($1,000), or both.
History of Section.
G.L. 1896, ch. 279, § 15; G.L. 1909, ch. 345, § 15; G.L., ch. 345, § 14, as enacted by P.L. 1915, ch. 1258, § 10; G.L. 1923, ch. 397, § 14; G.L. 1938, ch. 608, § 14; G.L. 1956, § 11-41-13.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-14.1. - Concealment of book or other property while on premises of library — Removal of book or other property from library.

§ 11-41-14.1. Concealment of book or other property while on premises of library — Removal of book or other property from library.
(a)
Whoever, without authority, with the intention of converting to his or her own or another's use, willfully conceals a book or other library property, while still on the premises of the library, or willfully or without authority removes any book or other library property from any of the libraries or collections set forth in § 11-44-15, shall be deemed guilty of larceny, and upon, conviction, shall be punished as provided by § 11-41-5 and shall be ordered to make restitution to the library in the full retail value of the books or library property.
(b)
Any person reasonably believed to have committed or to be committing the crime set forth in subsection (a) of this section shall be subject to detention by a police officer in accordance with § 12-7-1.
(c)
Any employee or agent of a library, eighteen (18) years of age or older, who observes any person willfully concealing or attempting to conceal books or other library property on his or her person or amongst his or her belongings or upon the person or amongst the belongings of another, and leaving the premises with the books or other library property without first having an employee or agent record the removal of the property, or injuring or destroying books and other library property as set forth in § 11-44-15, may stop the person. Immediately upon stopping the person the library employee shall identify himself or herself and state the reason for stopping the person. If after the initial confrontation with the person under suspicion, the library employee has reasonable grounds to believe

that at the time stopped the person was committing or attempting to commit the crime of larceny as set forth in this section or the misdemeanor set forth in § 11-44-15, the employee or agent may detain the person for a time sufficient to summon a police officer to the library. In no case shall the detention be for a period of more than one-half (½) hour. The detention must be accomplished in a reasonable manner without unreasonable restraints or excessive force, and may take place only on the premises of the library where the alleged crime occurred. Library premises includes the interior of a building, structure, or other enclosure in which a library facility is located, the exterior appurtenances to any building, structure, or enclosure, and the land on which the building, structure, or other enclosure is located. Any person so stopped by an employee or agent of a library shall promptly identify himself or herself by name and address. Once placed under detention, no other information shall be required of the person and no written and/or signed statement shall be elicited from him or her until a police officer has taken him or her into custody. The employee or agent may however examine, for the purposes of ascertaining whether any book or other library property has been properly checked out by the person, the property which the employee has reasonable grounds to believe were unlawfully taken in violation of this chapter or injured or destroyed in violation of chapter 44 of title 11. Should the person detained refuse to surrender the item for examination, a limited and reasonable search may be conducted. Only packages, shopping bags, handbags, or other property in the immediate possession of the person detained, but not including any clothing worn by the person, may be searched.

(d)

For the purposes of this chapter, “reasonable grounds” includes knowledge that a person has concealed or injured a book or other library property while on the premises or is leaving the premises with the library property without having an employee of the library record the removal of the property from the premises.

(e)

In detaining a person whom the employee or agent of the library has reasonable grounds to believe is committing the crime of larceny set forth in this chapter or the misdemeanor set forth in chapter 44 of title 11, the employee or agent may use a reasonable amount of non-deadly force when and only when that force is necessary to protect himself or herself or to prevent the escape of the person being detained or the loss of his or her property.

(f)

In any civil action by a person detained under these sections against the library or employee or agent of the library so detaining him or her arising out of the detention, evidence that the defendant had reasonable grounds to believe that the plaintiff was at the time in question committing or attempting to commit the crime set forth in either section shall create a rebuttable presumption that the plaintiff was so committing or attempting to commit the crime.

History of Section.

P.L. 1983, ch. 296, § 2; P.L. 1985, ch. 436, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-14. - Failure to return book or other library property.

§ 11-41-14. Failure to return book or other library property.

(a)

Any person who shall take or borrow any book or other library property from any of the libraries or collections as defined in § 11-44-15(b), and who, upon neglect to return it within the time required and specified in the bylaws, rules, or regulations of the library owning the property, after receiving notice in writing by the librarian or other proper custodian of the property that it is overdue, shall upon further neglect to return it within sixty (60) days from the date of the notice be guilty of a misdemeanor and shall be fined not more than twenty-five dollars ($25.00), the fine to be for the use of the library. A written or printed notice given personally or sent by mail to a last known or registered place of residence shall be considered a sufficient notice. In addition, if the book should be lost, destroyed, or not returned, the person shall within sixty (60) days after being so notified pay to the custodian the replacement value of the book, including all reasonable processing costs, as determined by the governing board having jurisdiction.

(b)

All library users shall be notified of the penalties provided in subsection (a) of this section at the time they obtain or renew their library privileges. The final notice provided for in subsection (a) of this section shall also contain notice of the penalties.

History of Section.

G.L. 1896, ch. 279, § 53; P.L. 1907, ch. 1463, § 2; G.L. 1909, ch. 345, § 56; G.L. 1923, ch. 397, § 56; G.L. 1938, ch. 608, § 64; G.L. 1956, § 11-41-14; P.L. 1983, ch. 296, §§ 1, 2; P.L. 1985, ch. 436, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-15. - Recovered stolen property.

§ 11-41-15. Recovered stolen property.

(a)

The officer who shall apprehend any person as principal or accessory in any robbery or larceny shall secure the property alleged to be stolen and shall be answerable for the property, and shall annex a schedule of it to his or her return. Upon receipt of the property from the apprehending officer, the clerk or person in charge of the storage of alleged stolen property for a police department shall enter into a book a description of every article of property alleged to be stolen which was brought to the police department and shall

attach a number to each article.
(b)(1)
The clerk or person in charge of the storage of alleged stolen property may deliver the property to the owner of the property upon satisfactory proof of ownership, provided that the following steps are followed:
(i)
A complete photographic record of the property is made;
(ii)
The person from whom custody of the property was taken is served with a notice of the claim of ownership and is given a reasonable opportunity to be heard as to why the property should not be delivered to the person claiming ownership;
(iii)
A signed declaration of ownership under penalty of perjury is obtained from the person to whom the property is delivered.
(2)
The delivery of property to the owner shall be without prejudice to the state or any other person who may have a claim to the property. Any property subject to forfeiture under any provision of law shall not be returned pursuant to this section.
(c)
Upon application to the superior court by the person from whom custody of the property was taken, a review of the determination of the clerk or the person in charge of the storage of alleged stolen property shall be made within thirty (30) days of the receipt of that application. The court shall have the power to order the property taken into the custody of the court upon a finding that the person to whom the property was delivered was not entitled to it.
(d)
The clerk or person in charge of the storage of alleged stolen property shall not be liable for damages for any official act performed in good faith in the course of carrying out the provisions of this section.
(e)
The photographic record of the alleged stolen property required by paragraph (b)(1)(i) of this section shall be allowed to be introduced as evidence in any court of this state in place of the actual alleged stolen property.
History of Section.
G.L. 1896, ch. 279, § 26; G.L. 1909, ch. 345, § 27; G.L. 1923, ch. 397, § 27; G.L. 1938, ch. 608, § 27; G.L. 1956, § 11-41-15; P.L. 1976, ch. 170, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-16.1. - Sale or concealment of leased personal property.

§ 11-41-16.1. Sale or concealment of leased personal property.
(a)
Any person being in possession of personal property under a lease who sells, transfers, conceals, or aids in concealing the property, or any part of it, or refuses to return the leased personal property after the time of expiration of the lease with the intent of depriving the owner of the property, shall be guilty of larceny and be subject to the penalties set forth in § 11-41-5.
(b)
The use of a false or fictitious name or address in obtaining leased personal property shall constitute prima facie evidence of intent to violate this section.
(c)
“Leased personal property”, as used in this section, means any personal property received pursuant to a written contract, by which one owning the property (lessor) grants to another (lessee) the right to possess, use, and enjoy the personal property for a specified period of time for a specified sum.
History of Section.
P.L. 1984, ch. 249, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-16. - Sale or concealment of property leased or purchased on conditional sale.

§ 11-41-16. Sale or concealment of property leased or purchased on conditional sale.
Whoever, being in possession of personal property, other than wearing apparel, received upon a written and conditional contract of sale or acquired upon a written lease, or in which any person, firm, or corporation shall have a valid and perfected security interest in accordance with the provisions of title 6A, sells, conveys, conceals, or aids in concealing the property, or any part of it, or refuses to return the property with intent to defraud, before performance of the conditions precedent to acquiring its title, shall be guilty of larceny and be subject to the penalties set forth in § 11-41-5.
History of Section.
G.L. 1923, ch. 401, § 58; P.L. 1926, ch. 828, § 1; G.L. 1938, ch. 612, § 55; G.L. 1956, § 11-41-16; P.L. 1975, ch. 173, § 1; P.L. 1984, ch. 249, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and

MisappropriationSection 11-41-17. - Unauthorized transfer of vehicle sold on conditional sale.

§ 11-41-17. Unauthorized transfer of vehicle sold on conditional sale.
Every person who, with intent to place beyond the control of the vendor, any motor vehicle sold on condition that the title shall remain in the vendor after delivery, shall remove, conceal, or aid or abet the removal or concealment of the vehicle, and any vendee of a conditional sale who shall sell or convey the property without the consent of the vendor, and without informing the person to whom he or she sells or conveys that it is subject to the conditional sale, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars ($500), or be imprisoned not more than one year, or both.
History of Section.
P.L. 1926, ch. 803, § 1; G.L. 1938, ch. 608, § 79; G.L. 1956, § 11-41-17.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-18. - Defacement or conversion of rental battery.

§ 11-41-18. Defacement or conversion of rental battery.
Any person, other than the owner or the owner's duly authorized agent, who shall wrongfully or maliciously remove, deface, alter, or destroy, or cause to be removed, defaced, altered, or destroyed, the word "rental" printed, painted, stamped upon or attached to any electric storage battery, or who shall wrongfully sell, give, or attempt to sell or give to any person any electric storage battery so marked, or who shall, without the written consent of the owner, retain in his or her possession any electric storage battery so marked, with intent to wrongfully keep or dispose of the battery by sale or gift, shall be fined not more than one hundred dollars ($100).
History of Section.
G.L. 1923, ch. 397, § 75; P.L. 1927, ch. 1041, § 1; G.L. 1938, ch. 608, § 82; G.L. 1956, § 11-41-18.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-19. - Refusal to return rental battery.

§ 11-41-19. Refusal to return rental battery.
Every person having in his or her possession any electric storage battery, the property of another, who neglects or refuses for a period of fourteen (14) days after demand for it shall have been made to deliver it to its owner, shall be guilty of a misdemeanor and shall be fined not more than twenty dollars ($20.00), and shall be liable to the owner in an action of the case for the value of the electric storage battery at the time it was delivered to the person. Demand for the return of an electric storage battery shall be made in writing and shall be served upon the person upon whom demand is made by leaving it in his or her hands and possession or by sending it to him or her, postage fully prepaid, by registered or certified mail, to the address given by him or her at the time he or she received the battery.
History of Section.
G.L. 1923, ch. 397, § 76; P.L. 1932, ch. 1882, § 1; G.L. 1938, ch. 608, § 83; impl. am. P.L. 1956, ch. 3717, § 1; G.L. 1956, § 11-41-19.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-2. - Receiving stolen goods.

§ 11-41-2. Receiving stolen goods.
Every person who shall fraudulently receive any stolen money, goods, securities, chattels, or other property, knowing it to be stolen, shall be deemed guilty of larceny, although the person who stole the property may not have been prosecuted or convicted for it. The possession of any stolen property shall be evidence of guilty knowledge by the person having possession that the property was stolen, unless the person shows that it was acquired in the due course of trade and for adequate consideration.
History of Section.
G.L. 1896, ch. 279, § 13; C.P.A. 1905, § 1173; G.L. 1909, ch. 345, § 13; G.L. 1923, ch. 397, § 13; P.L. 1928, ch. 1208, § 1; G.L. 1938, ch. 608, § 13; G.L. 1956, § 11-41-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-20.1. - Shoplifting — Use of implements in concealment.

§ 11-41-20.1. Shoplifting — Use of implements in concealment.
Whoever shall willfully take possession of any goods, wares, or merchandise offered for sale by any store or other mercantile establishment, or whoever shall willfully conceal upon his or her person, among his belongings, or upon the person or among the belongings of another unpurchased goods, wares, or merchandise of any store or other mercantile establishment either inside the store or other mercantile establishment or outside, but in its immediate vicinity, with the intention of converting it to his or her own use without paying the purchase price, with intention of depriving the owner of all or some part of the value, while wearing any article of clothing, or carrying any implement of any kind specifically designed or adapted for the purpose of concealing, carrying away, or otherwise unlawfully removing any merchandise from a store, knowing the clothing or implement to be designed or adapted for that purpose, with the intent to use or employ it or allow it be used or employed for an unlawful purpose, shall be guilty

of a felony and shall be punished by a fine of not less than five hundred dollars ($500) nor more than five thousand dollars ($5,000) or by imprisonment for not more than five (5) years, or both.
History of Section.
P.L. 1982, ch. 214, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-20. - Shoplifting.

§ 11-41-20. Shoplifting.
(a)
For the purpose of this section:
(1)
“Conceal” means to place merchandise in such a manner that it is not visible through ordinary observation.
(2)
“Full retail value” means the merchant’s stated price of the merchandise.
(3)
“Merchandise” means any items of tangible personal property offered for sale within a retail mercantile establishment.
(4)
“Merchant” means an owner or operator of any retail mercantile establishment or any agent, employee, lessee, officer, or director of the owner or operator.
(5)
“Premises of a retail mercantile establishment” includes the retail mercantile establishment, and common use areas in shopping centers, and all parking areas set aside by a merchant or on behalf of a merchant for the parking of vehicles for the convenience of the patrons of the retail mercantile establishment.
(6)
“Retail mercantile establishment” means any place where merchandise is displayed, held, stored or offered for sale to the public.
(7)
“Shopping cart” means those push carts of the type or types which are commonly provided by grocery stores, drug stores, or other retail mercantile establishments for the use of the public in transporting commodities on or from the premises of the retail mercantile establishment.
(b)
Whoever shall engage in the following shall be guilty of the crime of shoplifting:
(1)
Take possession of, carry away, transfer or cause to be carried away or transferred any merchandise displayed, held, stored, or offered for sale by a retail mercantile establishment with the intention of depriving the merchant of all or any part of the full retail value of the merchandise;
(2)
Alter, transfer, or remove a label, price tag, marking, indicia of value or any other markings which aid in determining value affixed to any merchandise displayed, held, stored or offered for sale in a retail mercantile establishment and attempt to purchase or purchase the merchandise personally or in consort with another at less than the full retail value with the intention of depriving the merchant of all or any part of the full retail value of such merchandise;
(3)
Transfer any merchandise displayed, held, stored or offered for sale in a retail mercantile establishment from one container to another in an attempt to purchase or purchase the merchandise personally or in consort with another at less than the full retail value with the intention of depriving the merchant of all or any part of the full retail value of the merchandise; or
(4)
Remove a shopping cart from the premises of a retail mercantile establishment without the consent of the merchant given at the time of the removal with the intention of depriving the merchant of the possession, use, or benefit of the cart.
(c)
The fact that a person conceals upon his person, among his or her belongings, or upon the person or among the belongings of another merchandise displayed, held, stored or offered for sale in a retail mercantile establishment, for which he or she has not paid the full retail value, and the merchandise has been taken beyond the area within the retail mercantile establishment where payment for it is to be made, shall be prima facie evidence that the person has possessed, carried away, or transferred the merchandise with the intention of depriving the merchant of all or part of the full retail value of the merchandise without paying the full retail value of the merchandise.
(d)
Any person convicted of the crime of shoplifting shall be guilty of a misdemeanor and shall be punished by a fine of not less than fifty dollars ($50.00) or two times the full retail value of the merchandise, whichever is greater, but not more than five hundred dollars ($500), or by imprisonment for not more than one year, or both; provided, any person convicted of the crime of shoplifting merchandise with a retail value of over one hundred dollars ($100) who has previously been convicted of shoplifting shall be guilty

of a felony and shall be punished by a fine of not more than five thousand dollars ($5,000), or by imprisonment of not more than five (5) years, or both.
History of Section.
P.L. 1959, ch. 133, § 1; P.L. 1968, ch. 255, § 1; P.L. 1971, ch. 176, § 1; P.L. 1980, ch. 396, § 1; P.L. 1981, ch. 208, §§ 1, 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-21. - Shoplifting — Enforcement.

§ 11-41-21. Shoplifting — Enforcement.
(a)
Any person reasonably believed to have committed or to be committing the crime of shoplifting as defined in § 11-41-20 shall be subject to detention by a police officer in accordance with § 12-7-1.
(b)
Any merchant who observes any person concealing or attempting to conceal merchandise on his person or amongst his or her belongings or upon the person or amongst the belongings of another, transporting merchandise beyond the area within the retail mercantile establishment where payment for it is to be made without making payment for it, removing or altering price tags on merchandise, or switching the containers of merchandise may stop the person. Immediately upon stopping the person, the merchant shall identify himself or herself and state his or her reason for stopping the person. If after his or her initial confrontation with the person under suspicion, the merchant has reasonable grounds to believe that at the time stopped the person was committing or attempting to commit the crime of shoplifting on the premises, the merchant may detain the person for a reasonable time sufficient to summon a police officer to the premises. In no case shall the detention be for a period exceeding one hour. Detention must be accomplished in a reasonable manner without unreasonable restraint or excessive force, and may take place only on the premises of the retail mercantile establishment where the alleged shoplifting occurred. Any person so stopped by a merchant pursuant to this section shall promptly identify himself or herself by name and address. Once placed under detention, no other information shall be required of the person and no written and/or signed statement, except as provided in subsection (c) of this section, shall be elicited from the person until a police officer has taken him or her into custody. The merchant may, however, examine for the purposes of ascertaining ownership any merchandise which is in plain view which the merchant has reasonable grounds to believe was unlawfully taken or otherwise tampered with in violation of § 11-41-20.
(c)(1)
A merchant may request a person detained for shoplifting to sign a statement waiving his or her right to bring a civil action arising from the detention in return for a signed statement from the merchant waiving the right to bring criminal charges based upon the alleged shoplifting. Any statement shall state in writing in large print at the top of the form that the person detained has a right to remain silent and a right not to make or sign any statement and a right to call an attorney.
(2)
It shall be unlawful to circulate or cause to be circulated any signed statement or the name of any person signing the statement to a person or persons not employed by the retail mercantile establishment which obtained the statement, other than in defense of a legal action arising from the detention. Any person circulating or causing to be circulated this information shall be civilly liable to the person who signed the statement.
(d)
For the purposes of this section, “reasonable grounds” includes knowledge that a person has concealed unpurchased merchandise of the establishment while on the premises, or has altered or removed identifying labels on merchandise while on the premises, or is leaving the premises with unpurchased concealed or altered merchandise in his or her possession.
(e)
In detaining a person whom the merchant has reasonable grounds to believe is committing the crime of shoplifting, the merchant may use a reasonable amount of non-deadly force when and only when that force is necessary to protect himself or herself, or to prevent the escape of the person being detained or the loss of his or her property.
(f)
In any civil action by a person detained under this section against the merchant so detaining him or her arising out of the detention, evidence that the defendant had reasonable grounds as defined in subsection (d) of this section to believe that the plaintiff was at the time in question committing or attempting to commit the crime of shoplifting as defined in § 11-41-20 shall create a rebuttable presumption that the plaintiff was so committing or attempting to commit the crime.
History of Section.
P.L. 1959, ch. 133, § 1; P.L. 1981, ch. 208, § 3; P.L. 1985, ch. 105, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-22. - Severability of shoplifting provisions.

§ 11-41-22. Severability of shoplifting provisions.
If any section, clause, sentence, paragraph or part of §§ 11-41-20 — 11-41-22 shall for any reason be adjudged invalid, the remainder of §§ 11-41-20 — 11-41-22 shall not be affected.
History of Section.

P.L. 1959, ch. 133, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-23. - Larceny of marine equipment.

§ 11-41-23. Larceny of marine equipment.
Every person who shall steal or attempt to steal any boat, marine motor, marine electronic equipment, marine rescue or safety equipment, or navigational equipment, or who shall fraudulently receive any boat, marine motor, marine electronic equipment, marine safety or navigation equipment, or marine equipment with serial numbers removed, shall be punished by imprisonment for not less than one year nor more than ten (10) years, or by a fine of not more than one thousand dollars ($1,000), or by both.
History of Section.
P.L. 1978, ch. 209, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-24. - Habitual offender.

§ 11-41-24. Habitual offender.
Any person who shall be convicted three (3) times for the crime of shoplifting as defined in § 11-41-20 or larceny as defined in § 11-41-1 or receiving stolen goods as defined in § 11-41-2, or who shall have been convicted three (3) times of any combination of the crimes described in this section, shall also be charged as an habitual offender and, upon conviction, shall be fined not less than two hundred dollars ($200) nor more than five hundred dollars ($500) and shall be imprisoned not less than six (6) months nor more than one year.
History of Section.
P.L. 1979, ch. 142, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-25.1. - Theft of motor fuel.

§ 11-41-25.1. Theft of motor fuel.
Every person who shall leave the premises of a retail motor fuel dealer without paying said dealer for fuel taken shall be guilty of larceny. Any person convicted of violating this section, and the retail value of the fuel taken was five hundred dollars ($500) or less, shall be punished by imprisonment for not more than one year or a fine of not more than five hundred dollars ($500) or both. Any person convicted of violating this section, and the retail value of the fuel taken exceeds five hundred dollars ($500), shall be punished by imprisonment for not more than ten (10) years or by a fine of not more than five thousand dollars ($5,000) or both.
History of Section.
P.L. 2006, ch. 340, § 1; P.L. 2006, ch. 439, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-25. - Siphoning of gasoline.

§ 11-41-25. Siphoning of gasoline.
Every person who shall siphon or otherwise steal gasoline from a motor vehicle shall be punished by a fine of not more than two hundred dollars ($200) for the first offense, and thereafter by a fine of not more than five hundred dollars ($500).
History of Section.
P.L. 1980, ch. 145, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-26. - Two-way mirrors and video cameras in retail store’s dressing rooms prohibited.

§ 11-41-26. Two-way mirrors and video cameras in retail store’s dressing rooms prohibited.
No person who owns or operates a retail mercantile establishment as defined in § 11-41-20(a)(6) which sells clothing to the public shall maintain in any dressing room on the premises any two-way mirror or electronic video camera or any similar device capable of filming or projecting an image of a person inside the dressing room or booth. Any person who violates the provisions of this section shall, upon conviction, be punished by a fine of one hundred dollars ($100).
History of Section.
P.L. 1987, ch. 316, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-27. - Wrongful conversion by officer or state or municipal employee.

§ 11-41-27. Wrongful conversion by officer or state or municipal employee.
Whoever, being an officer or employee of the state of Rhode Island, or any department, agency, instrumentality or political subdivision of the state, or any city or town, embezzles or wrongfully converts to his or her own use or benefit, or to the use or benefit of any other, any money or property which comes into his or her possession or control in the execution of that office or

employment, shall be fined not more than fifty thousand dollars ($50,000) or three (3) times the value of the money or property thus embezzled or converted, whichever is greater, or imprisoned not more than twenty (20) years, or both; except that if the sum or value of the property embezzled is less than one hundred dollars ($100) he or she shall be fined not more than one thousand dollars ($1,000) or imprisoned not more than one year, or both.
History of Section.
P.L. 1991, ch. 153, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-28. - Civil restitution for shoplifting.

§ 11-41-28. Civil restitution for shoplifting.
(a)
An adult or emancipated minor who commits or attempts to commit a larceny of goods for sale on the premises of a merchant as set forth in § 11-41-20 shall be civilly liable to the merchant in an amount consisting of:
(1)
Not more than the retail value of the merchandise if not recovered in merchantable condition; plus
(2)
A penalty of not more than one hundred dollars ($100); plus
(3)
Court costs.
(b)
A store employee shall be liable in a civil action for larceny of goods for sale on the premises of his or her merchant employer and for larceny of cash from the merchant. The civil liability to the merchant shall be in the amount consisting of:
(1)
Not more than the value of the goods or cash; plus
(2)
A penalty assessed of not more than one hundred dollars ($100); plus
(3)
Court costs.
(c)
A conviction or a plea of guilty to the offense of shoplifting is not a prerequisite to the bringing of a civil suit, obtaining a judgment, or collecting that judgment under this section.
(d)
The fact that a merchant may bring action against an individual as provided in this section shall not limit the right of the merchant to demand, orally or in writing, that a person who is liable for damages and penalties under this section remit the damages prior to the consideration of the commencement of any legal action.
(e)
An action for recovery of damages and penalties under this section may be brought in any court of competent jurisdiction, including the small claims court of a district court, if the total damages do not exceed the jurisdictional limit of the small claims court.
(f)
The provisions of this section shall not be construed to prohibit or limit any other course of action permitted by law which a merchant may have against a person who unlawfully takes merchandise from the merchant’s premise.
(g)
If the person to whom a written demand is made complies with the demand within twenty (20) days after the receipt of the demand, that person shall be given a written release from further civil liability with respect to the specific act of retail theft; provided, that written demand shall not include penalties.
History of Section.
P.L. 1992, ch. 228, § 1; P.L. 2006, ch. 576, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-29. - Insurance fraud — Prohibited activities.

§ 11-41-29. Insurance fraud — Prohibited activities.
(a)
When used in this section:
(1)
“Insurer” means, but is not limited to, an authorized insurer, self-insurer, re-insurer, broker, producer, or any agent of them.
(2)
“Larceny” means the crime of larceny established in this chapter and by common law, including the requirement of specific intent.
(3)
“Person” means any individual, partnership, association, firm, corporation, or any other legal entity.

(4)
“Statement” means, but is not limited to, any written notice, statement, proof of loss, bill of lading, receipt for payment, invoice, account, estimate of property damages, bills for services, diagnosis, prescription, hospital or doctor records, x-rays, test result or other evidence of loss, injury or expense.
(b)(1)
Every person who, with the intent to deceive, prepares or assists, abets, or solicits another to prepare or make any written statement that is intended to be presented to any insurer in connection with, or in support of, any application for the issuance of an insurance policy, knowing that the statement contains any false information material to the application, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not more than one thousand dollars ($1,000), or by imprisonment for a period of not more than one year, or both.
(2)
Every person who, with the intent to deceive, prepares or assists, abets, or solicits another to prepare or make any written statement, including computer-generated documents, that is intended to be presented to any insurer in connection with, or in support of, any claim for payment or other benefit pursuant to an insurance policy, knowing that the statement contains any false information material to the claim, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not more than one thousand dollars ($1,000), or by imprisonment for a period of not more than one year, or both.
(3)
Every person who, with the intent to deceive, presents or causes to be presented to any insurer any written statement, including computer-generated documents, as part of or in support of a claim for payment or other benefit pursuant to an insurance policy, knowing that the statement contains false information material to the claim, shall be deemed guilty of larceny.
(4)
Every person who, with the intent to deceive, presents or causes to be presented to any claimant any written statement, including computer-generated documents, as part of or in support of its contest of any claim for payment or other benefit pursuant to an insurance policy, knowing that the statement contains any false information material to the claim, shall be deemed guilty of larceny.
History of Section.
P.L. 1993, ch. 350, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-3. - Embezzlement and fraudulent conversion.

§ 11-41-3. Embezzlement and fraudulent conversion.
Every official of a financial institution and every officer, agent, clerk, servant, or other person to whom any money or other property shall be entrusted for any specific purpose, and every person acting as executor, administrator, conservator, guardian, receiver, assignee, custodian, or trustee appointed by order, decree or judgment of court, or by deed, will or other instrument in writing, who shall embezzle or fraudulently convert to his or her own use, or who shall take or secrete, with intent to embezzle or fraudulently convert to his or her own use, any money or other property which shall have come into his or her possession or shall be under his or her care or charge by virtue of his or her employment or for that specific purpose or by virtue of his or her acting as executor, administrator, guardian, conservator, receiver, assignee, custodian, or trustee, and every person who shall collect or receive money or property from another for a commission to be retained out of the money or other property so collected or received, and who shall fraudulently retain out of that money or property so collected or received more than the amount of the commission, and shall embezzle or fraudulently convert it to his or her own use, or shall take or secrete it with intent to embezzle or fraudulently to convert the same to his or her own use, shall be deemed guilty of larceny and shall be fined not more than fifty thousand dollars ($50,000) or three (3) times the value of the money or property thus embezzled or converted, whichever is greater, or imprisoned not more than twenty (20) years, or both, except that if the sum or value of the property embezzled is less than one hundred dollars ($100), he or she shall be fined not more than one thousand dollars ($1,000), or imprisoned not more than one year, or both.
History of Section.
G.L. 1896, ch. 279, § 16; C.P.A. 1905, § 1175; P.L. 1908, ch. 1521, § 1; G.L. 1909, ch. 345, § 16; P.L. 1915, ch. 1258, § 10; G.L. 1923, ch. 397, § 16; G.L. 1938, ch. 608, § 16; G.L. 1956, § 11-41-3; P.L. 1991, ch. 138, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-30. - Fraud as to health insurer.

§ 11-41-30. Fraud as to health insurer.
Every person who shall obtain health care services from a provider of those services by any false pretense or pretenses with intent to cheat or defraud a health care services insurer or a service corporation organized under chapters 18, 19, 20, 20.1, 20.2 or 41 of title 27 shall be deemed guilty of larceny.
History of Section.
P.L. 1995, ch. 64, § 1; P.L. 1995, ch. 263, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-31. - Pension revocation.

§ 11-41-31. Pension revocation.

(a)

Notwithstanding any law to the contrary, any person who is convicted or pleads guilty or nolo contendere to any offense, and the offense is related to his or her public office of employment pursuant to § 36-10.1-2, the judge, as part of any sentence imposed, may revoke or reduce any retirement or any benefit or payment to which the public official or public employee is otherwise entitled under titles 36, 16, 45, and 8, under chapter 30 of title 28, under chapter 43 of title 31 or under chapter 28 of title 42.

(b)(1)

In determining whether the retirement or other benefit shall be revoked or reduced the court shall consider and make a finding on the following factors:

(i)

The fact that the allowance of retirement or other benefits or payments for service under this title, under title 16, under title 45, under title 8, under chapter 30 of title 28, under chapter 43 of title 31, and under chapter 28 of title 42 presumes and requires that the service shall have been honorably rendered;

(ii)

The severity of the crime related to public office or public employment of which the public official or public employee has been convicted or to which the public official or public employee has pleaded guilty or nolo contendere;

(iii)

The amount of monetary loss suffered by the public official's or public employee's employer or by any other person as a result of the subject crime related to public office or public employment;

(iv)

The degree of public trust reposed in the subject public official or public employee by virtue of his or her public office or public employment; and

(v)

Any other factors that, in the judgment of the superior court, justice may require.

(2)

If the superior court determines that the retirement or other benefits or payments of a public official or public employee should be revoked or reduced under this chapter, it may, in its discretion and after taking into consideration the status of the pension as marital property and the financial needs and resources of any innocent spouse, dependent and/or designated beneficiaries of the public official or public employee, order that some or all of the revoked or reduced benefits or payments be paid to any innocent spouse, dependent or beneficiary as justice may require.

(3)

If the court determines that the retirement or other benefits or payments of a public official or public employee should not be revoked or reduced under this chapter, it shall order that the retirement or other benefits or payments be made to the public official or public employee.

(c)

Prior to revoking or reducing the benefit, the court shall order a pre-sentence report pursuant to § 12-19-6.

(d)

Nothing in this section shall be construed to prohibit an innocent party from notifying the court by motion of an interest in the pension benefit.

(e)

For purposes of this chapter, "domestic partner" shall be defined as a person who, prior to the decedent's death, was in an exclusive, intimate and committed relationship with the decedent, and who certifies by affidavit that their relationship met the following qualifications:

(1)

Both partners were at least eighteen (18) years of age and were mentally competent to contract;

(2)

Neither partner was married to anyone else;

(3)

Partners were not related by blood to a degree which would prohibit marriage in the state of Rhode Island;

(4)

Partners resided together and had resided together for at least one year at the time of death; and

(5)

Partners were financially interdependent as evidenced by at least two (2) of the following:

(i)

Domestic partnership agreement or relationship contract;

(ii)

Joint mortgage or joint ownership of primary residence;

(iii)

Two (2) of: (A) joint ownership of motor vehicle; (B) joint checking account; (C) joint credit account; (D) joint lease; and/or

(iv)
The domestic partner had been designated as a beneficiary for the decedent’s will, retirement contract or life insurance.
History of Section.
P.L. 1996, ch. 291, § 1; P.L. 2007, ch. 510, § 5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-32. - Theft of historic stone walls.

§ 11-41-32. Theft of historic stone walls.
(a)
This section shall be known as the “Leona Kelley Act.”
(b)
“Property”, as defined in § 11-41-1, includes an historic stone wall as defined in subsection (c) of this section, and any person convicted of the theft of an historic stone wall, or portions of a wall, shall be subject to the penalties for larceny as provided in § 11-41-5.
(c)
For the purposes of this chapter, “historic stone wall” is defined as a vertical structure of aligned natural stone, originally constructed in the 17th, 18th, 19th or 20th centuries, to designate a property boundary between farmsteads or to segregate agricultural activities with a single farmstead or to designate property lines. This definition includes new stone walls which closely approximate the appearance of adjoining stone walls with respect to coursing, stone type, joint width, construction and distribution of stones by size.
(d)
Anyone convicted of the larceny of an historic stone wall, or portions of a wall, or convicted of attempt to commit larceny, shall be civilly liable to the property owner for the cost of replacing the stones and any other compensable damages related to the larceny.
(e)
Any person who makes any plea to a charge under this section, or any person found guilty or convicted under this section, may be ordered to make restitution as a part of his or her sentence and/or disposition. That restitution shall include, but not be limited to, the value of the historic stone wall or portions of it, the reasonable value of any labor and other materials necessary to repair and/or return the wall to the condition it was in prior to the theft, and any other reasonable expenses that, in the discretion of the sentencing judge, are necessary to do justice in disposing of the case. This section is in addition to any other sanctions a sentencing judge may impose in his or her discretion.
History of Section.
P.L. 2001, ch. 251, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-33. - Larceny of farm products.

§ 11-41-33. Larceny of farm products.
(a) Definitions.
As used in this section:
(1)
“Farm product” means goods used in a farming operation, including, but not limited to:
(i)
Crops grown, growing, or to be grown, including, but not limited to, crops produced on trees, vines, and bushes, aquatic goods produced in aquacultural operations, and horticultural and forestry products;
(ii)
Livestock, born or unborn, including aquatic goods produced in aquacultural operations;
(iii)
Supplies used or produced in a farming operation; or
(iv)
Products of crops or livestock in their unmanufactured states.
(2)
“Farming operation” means the commercial raising, cultivating, propagating, fattening, grazing, or any other farming, livestock, or aquacultural, horticultural or forestry operation, whereby the operation is eligible to be classified as a farm pursuant to the provisions of chapter 27 of title 44.
(3)
“Value” means credible evidence that establishes the worth of the farm product on the day of the theft in comparison with a farm product of the same variety and weight.
(b)
It shall be unlawful for any person to steal a farm product that is the property of a farming operation, from the farm itself, or the place where the farm product is sold.

(c)
Any person found in violation of this section shall be guilty of a felony if the wholesale value of the farm product is two hundred and fifty dollars ($250) or more, and, upon conviction, shall be subject to imprisonment of not more than five (5) years, a fine of not more than five thousand dollars ($5,000), or both.
(d)
Any person found in violation of this section shall be guilty of a misdemeanor if the wholesale value of the farm product is less than two hundred and fifty dollars ($250) and, upon conviction, shall be subject to imprisonment of no more than one year, a fine of not more than one thousand dollars ($1,000), or both.
History of Section.
P.L. 2014, ch. 154, § 1; P.L. 2014, ch. 166, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-34. - Fraud against the department of human services.

§ 11-41-34. Fraud against the department of human services.
(a)
The following establishments and/or retail outlets are prohibited from accepting electronic benefit transfer cards issued by the department of human services:
(1)
Liquor stores;
(2)
Casinos or at facilities that conduct casino gaming as defined in chapter 61.2 of title 42;
(3)
Gambling facilities as defined by chapter 9 of title 41;
(4)
Retail establishments that provide adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment as defined in the Social Security Act, 42 U.S.C. § 608(a).
(b)
A store owner who knowingly allows a prohibited, electronic-benefit transaction in violation of this section shall be guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars ($500) for a first offense; by a fine of not less than five hundred dollars ($500) nor more than two thousand five hundred dollars ($2,500) for a second offense; and for a third, or subsequent, offense shall be guilty of a felony and shall be punished by a fine of not less than two thousand five hundred dollars ($2,500).
(c)
In addition to the penalties imposed by subsection (b), the department of human services is further authorized to suspend and/or revoke any license necessary to conduct business.
History of Section.
P.L. 2016, ch. 377, § 2; P.L. 2016, ch. 499, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-4. - Obtaining property by false pretenses or personation.

§ 11-41-4. Obtaining property by false pretenses or personation.
Every person who shall obtain from another designedly, by any false pretense or pretenses, any money, goods, wares, or other property, with intent to cheat or defraud, and every person who shall personate another or who shall falsely represent himself or herself to be the agent or servant of another and shall receive any money or other property intended to be delivered to the person so personated, or to the alleged principal or master of that agent or servant, shall be deemed guilty of larceny.
History of Section.
G.L. 1896, ch. 279, §§ 14, 15; C.P.A. 1905, § 1174; G.L. 1909, ch. 345, §§ 14, 15; P.L. 1915, ch. 1258, § 10; G.L. 1923, ch. 397, § 15; G.L. 1938, ch. 608, § 15; G.L. 1956, § 11-41-4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-5. - Penalties for larceny.

§ 11-41-5. Penalties for larceny.
(a)
Any person convicted of any offense under §§ 11-41-1 — 11-41-6, except § 11-41-3, shall be punished as follows, according to the value of the property or money stolen, received, embezzled, fraudulently appropriated, converted, or obtained, received, taken, or secreted by false pretenses or otherwise with intent to cheat, defraud, embezzle, or fraudulently convert:
(1)
If the value exceeds one thousand five hundred dollars ($1,500), and is less than five thousand dollars ($5,000), by imprisonment for not more than three (3) years or by a fine of not more than one thousand five hundred dollars ($1,500), or both;

(2)
If the value exceeds five thousand dollars ($5,000), but is less than ten thousand dollars ($10,000), by imprisonment for not more than six (6) years or by a fine of not more than three thousand dollars ($3,000), or both; and
(3)
If the value exceeds ten thousand dollars ($10,000), or if the property is a firearm as defined in § 11-47-5.1, regardless of its value, the person shall be punished by imprisonment for not more than ten (10) years or by a fine of not more than five thousand dollars ($5,000), or both. If the value does not exceed one thousand five hundred dollars ($1,500), the person shall be punished by imprisonment for not more than one year, or by a fine of not more than five hundred dollars ($500), or both. Any person convicted of an offense under § 11-41-2 who shall be found to have knowingly obtained the property from a person under eighteen (18) years of age, notwithstanding the value of the property or money, shall be punished by imprisonment for not more than ten (10) years or by a fine of not more than five thousand dollars ($5,000), or both.
(b)
Any person convicted of an offense in violation of §§ 11-41-1 — 11-41-7, except § 11-41-3, that involves a victim who is a person sixty-five (65) years of age or older at the time of the offense and which involves property or money stolen, received, embezzled, fraudulently appropriated, converted, or obtained, received, taken, or secreted by false pretenses or otherwise with intent to cheat, defraud, embezzle, or fraudulently convert, with a value in excess of five hundred dollars ($500), shall be punished by imprisonment for not less than two (2) years but not more than fifteen (15) years or by a fine of not more than five thousand dollars ($5,000), or both. If the value of the property or money does not exceed five hundred dollars ($500), the person shall be punished by imprisonment for not less than one year but not more than five (5) years or by a fine of not more than three thousand dollars ($3,000), or both.
(c)
In addition to any other penalties pursuant to this section, an elected official or candidate for office convicted of violating § 11-41-1, § 11-41-2, § 11-41-3, or § 11-41-4 where the theft is a campaign account created, pursuant to title 17, for the benefit of the person so convicted, all restitution shall be deposited into the Rhode Island crime victim compensation program fund and not into the campaign account of that person convicted of the offense.
History of Section.
G.L. 1896, ch. 279, § 11; G.L., ch. 279, § 16; C.P.A. 1905, § 1175; P.L. 1908, ch. 1521, § 1; G.L. 1909, ch. 345, § 16; G.L., ch. 345, § 18; P.L. 1915, ch. 1258, § 10; G.L. 1923, ch. 397, § 18; G.L. 1938, ch. 608, § 18; G.L. 1956, § 11-41-5; P.L. 1979, ch. 224, § 1; P.L. 1980, ch. 318, § 1; P.L. 1984, ch. 278, § 1; P.L. 1985, ch. 287, § 1; P.L. 1987, ch. 90, § 1; P.L. 1988, ch. 271, § 1; P.L. 1991, ch. 38, § 1; P.L. 1993, ch. 324, § 1; P.L. 2012, ch. 137, § 1; P.L. 2012, ch. 176, § 1; P.L. 2017, ch. 344, § 2; P.L. 2017, ch. 354, § 2; P.L. 2021, ch. 383, § 1, effective July 13, 2021; P.L. 2021, ch. 384, § 1, effective July 13, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-6. - Attempted larceny.

§ 11-41-6. Attempted larceny.
Whoever attempts to commit larceny by doing any act toward the commission of the offense, but fails in its perpetration, shall, unless otherwise provided, suffer the same punishment which might have been inflicted if the attempted offense had been committed.
History of Section.
G.L. 1923, ch. 402, § 4; P.L. 1923, ch. 480, § 1; G.L. 1938, ch. 608, § 11; G.L. 1956, § 11-41-6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-7. - Larceny from the person.

§ 11-41-7. Larceny from the person.
Every person who shall steal or attempt to steal from the person of another any money, goods, chattels, or other article enumerated in § 11-41-1, shall be imprisoned not less than one year nor more than ten (10) years.
History of Section.
G.L. 1896, ch. 279, § 12; G.L. 1909, ch. 345, § 12; G.L. 1923, ch. 397, § 12; G.L. 1938, ch. 608, § 12; G.L. 1956, § 11-41-7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-8. - Stealing of animals.

§ 11-41-8. Stealing of animals.
Every person who shall steal or attempt to steal any horse or other domestic animal shall be punished by imprisonment for not more than one year or by a fine of not more than five hundred dollars ($500), or both; in case a fine is imposed, one-half (½) shall inure to the use of the complainant.
History of Section.
G.L. 1896, ch. 279, § 68; P.L. 1908, ch. 1569, § 1; G.L. 1909, ch. 345, § 71; P.L. 1915, ch. 1258, § 13; G.L. 1923, ch. 397, § 71; G.L. 1938, ch. 608, § 78; G.L. 1956, § 11-41-8.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-41 - Theft, Embezzlement, False Pretenses, and MisappropriationSection 11-41-9. - Theft of poultry — Receiving stolen poultry.

§ 11-41-9. Theft of poultry — Receiving stolen poultry.
Every person who steals poultry from any building or enclosure in which poultry are kept or confined, or whoever shall receive poultry, knowing it to have been stolen, shall be punished by imprisonment for not more than one year or by fine of not more than five hundred dollars ($500), or by both. One-half (½) of any fine imposed under this section shall inure to the complainant.
History of Section.
P.L. 1899, ch. 672, § 1; G.L. 1909, ch. 345, § 26; P.L. 1912, ch. 853, § 1; P.L. 1915, ch. 1258, § 11; G.L. 1923, ch. 397, § 26; G.L. 1938, ch. 608, § 26; G.L. 1956, § 11-41-9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-42 - Threats and ExtortionSection 11-42-1.1. - Extortion by public official.

§ 11-42-1.1. Extortion by public official.
Any person, being an elected or appointed official or employee of the state, or of any political subdivision of the state, or of any city or town of the state, or representing himself or herself to be, or assuming to act as an official or employee, who, under color or pretense of office, commits or attempts to commit an act of extortion, shall, upon conviction, be imprisoned for a term of not more than fifteen (15) years or fined not more than twenty-five thousand dollars ($25,000), or both, and shall forfeit all unjust enrichment.
History of Section.
P.L. 1987, ch. 359, § 1; P.L. 1992, ch. 461, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-42 - Threats and ExtortionSection 11-42-1.2. - Kickbacks from public works projects.

§ 11-42-1.2. Kickbacks from public works projects.
Any person who by force, intimidation, or threat of procuring dismissal from employment, or loss of loan or grant from the state or political subdivision thereof or city or town, induces any person employed in the construction, completion, or repair of any public building, public work, or building or work financed in whole or in part by loans or grants by the state or any political subdivision or any city or town of the state, or any person receiving or benefiting from a grant or loan, to give up any part of the compensation to which the person is entitled under a contract of employment, shall be imprisoned for a term not more than fifteen (15) years, or be fined not more than twenty-five thousand dollars ($25,000), or both, and shall forfeit all unjust enrichment.
History of Section.
P.L. 1987, ch. 359, § 1; P.L. 1992, ch. 461, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-42 - Threats and ExtortionSection 11-42-1. - Excessive fees or bond demanded by public officer.

§ 11-42-1. Excessive fees or bond demanded by public officer.
Every officer appointed by the state or by any city or town in the state, whose fees are stated by law, who shall corruptly exact or extort any more or greater fees for any service than are stated and allowed by law, or who shall corruptly levy, demand, receive, or take, under color of his or her office, any bond, bill, note, or other assurance or promise whatsoever, securing the payment of a greater sum of money for any service than he or she is authorized to demand and receive by law, shall be imprisoned not exceeding one year or be fined not exceeding one thousand dollars ($1,000).
History of Section.
G.L. 1896, ch. 276, § 16; G.L. 1909, ch. 342, § 16; G.L. 1923, ch. 394, § 16; G.L. 1938, ch. 605, § 16; G.L. 1956, § 11-42-1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-42 - Threats and ExtortionSection 11-42-2. - Extortion and blackmail.

§ 11-42-2. Extortion and blackmail.
Whoever, verbally or by a written or printed communication, maliciously threatens to accuse another of a crime or offense or by a verbal or written communication maliciously threatens any injury to the person, reputation, property, or financial condition of another, or threatens to engage in other criminal conduct with intent to extort money or any unlawful pecuniary advantage, or with intent to compel any person to do any act against his or her will, or to prohibit any person from carrying out a duty imposed by law, shall be punished by imprisonment in the adult correctional institutions for not more than fifteen (15) years or by a fine of not more than twenty-five thousand dollars ($25,000), or both.
History of Section.
G.L. 1896, ch. 277, § 17; G.L. 1909, ch. 343, § 17; G.L. 1923, ch. 395, § 17; P.L. 1934, ch. 2113, § 1; G.L. 1938, ch. 606, § 17; G.L. 1956, § 11-42-2; impl. am. P.L. 1956, ch. 3721, § 1; P.L. 1980, ch. 95, § 1; P.L. 1992, ch. 461, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-42 - Threats and ExtortionSection 11-42-4. - Threats to public officials.

§ 11-42-4. Threats to public officials.
(a)
Whoever knowingly and willfully delivers or conveys, directly or indirectly, a verbal or written threat to take the life of, or to inflict bodily harm upon, a public official or a member of his or her immediate family because of the performance or nonperformance of some public duty; because of hostility of the person making the threat toward the status or position of the public official; or because of some other factor related to the official's public existence, shall be guilty of a felony and shall be imprisoned for not more than five (5) years, or fined not more than five thousand dollars ($5,000), or both.
(b)
For purposes of this section:
(1)
"Public official" means a person who is elected or appointed to office in accordance with the constitution, a statute, or a city or town charter, or who is a judge, magistrate, assistant attorney general, special assistant attorney general, or law enforcement officer, or in the case of an elective office, any person who has filed the required documents for nomination or election to that office or who is appointed by the governor to serve as the director or his or her designee of a state department that is established and the qualifications and duties of which are prescribed by statute to discharge a public duty for the state of Rhode Island;
(2)
"Immediate family" means a public official's spouse, child, or children.
History of Section.
P.L. 1984, ch. 248, § 1; P.L. 1996, ch. 83, § 1; P.L. 1997, ch. 299, § 1; P.L. 2015, ch. 44, § 1; P.L. 2015, ch. 46, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-42 - Threats and ExtortionSection 11-42-5. - Simulating legal process.

§ 11-42-5. Simulating legal process.
(a)
No person, firm, corporation, association, agent or employee shall in any manner coerce, intimidate, threaten, retaliate against or attempt to coerce or intimidate or threaten any public official as defined in § 11-42-4 in connection with any claim, demand or account, by the issuance, utterance or delivery of any matter, printed, typed or written, which is unauthorized by a statute or court of this state and that simulates in form and substance legal process of a court of this state.
(b)
No person shall prepare, send, deliver, issue, serve, execute, or otherwise act to further the operation of any unauthorized process.
(c)
As used in this section:
(1)
"Legal process" means a summons, complaint, pleading, writ, warrant, injunction, notice, subpoena, lien, order, or other document issued or entered by or on behalf of a court or lawful tribunal or lawfully filed with or recorded by a governmental agency that is used as a means of exercising or acquiring jurisdiction over a person or property, or a Uniform Commercial Code (UCC) or other filing with the secretary of state or any city or town recorder that creates or purports to create a lien or cloud on the title of real or personal property, or to assert or give notice of a legal claim against a person or property, or to direct persons to take or refrain from an action.
(2)
"Unauthorized process" means any of the following:
(i)
A document simulating legal process that is prepared or issued by or on behalf of an entity that purports or represents itself to be a lawful tribunal or a court, public employee, or other agency created, established, authorized, or sanctioned by law but is not a lawful tribunal or court, public officer, or other agency created, established, authorized, or sanctioned by law.
(ii)
A document that by its form, wording, use of the name of the state of Rhode Island or any lawful tribunal, public employee, or subdivision thereof, use of seals or insignia, or general appearance has a tendency meant to create in the mind of the ordinary person the false impression that it has judicial or other official authorization, sanction or approval.
(iii)
A document that would otherwise be legal process except that it was not authorized, issued or entered by or on behalf of a court or lawful tribunal or lawfully filed with, authorized by or recorded by a governmental agency as required by law. However, this subparagraph does not apply to a document that would otherwise be legal process but for one or more technical defects, including, but not limited to, errors involving names, spelling, addresses, or time of issue or filing or other defects that do not relate to the substance of the claim or action underlying the document.
(3)
A person who violates this section shall be guilty of a felony and shall be imprisoned for not more than five (5) years, or fined not more than five thousand dollars ($5,000), or both.
History of Section.

P.L. 2005, ch. 94, § 1; P.L. 2005, ch. 108, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-43 - Treason and Related OffensesSection 11-43-1. - Treason.

§ 11-43-1. Treason.
Every person who shall be convicted of treason against this state by levying war against the state or by adhering to the enemies of this state, giving them aid and comfort, shall be imprisoned during life.
History of Section.
G.L. 1896, ch. 275, § 1; G.L. 1909, ch. 341, § 1; G.L. 1923, ch. 392, § 1; G.L. 1938, ch. 603, § 1; G.L. 1956, § 11-43-1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-43 - Treason and Related OffensesSection 11-43-10. - Arrest and commitment of persons charged.

§ 11-43-10. Arrest and commitment of persons charged.
Whenever any person shall be adjudged to be probably guilty of any offense under this chapter, he or she may be committed to the adult correctional institutions in any county, there to remain until discharged by order of law, and warrant of commitment shall issue accordingly, directed to the division of sheriffs or to either of the city or town sergeants or town constables in the same county with himself or herself, and to the warden of the adult correctional institutions, which warrant may be executed by the officer charged with it, although beyond his or her precinct, and shall constitute him or her, while charged with it, an officer, the obstructing of whom, while in the execution of this office, shall be punished as is or may be by law in other cases provided.
History of Section.
G.L. 1896, ch. 275, § 10; G.L. 1909, ch. 341, § 10; G.L. 1923, ch. 392, § 10; G.L. 1938, ch. 603, § 10; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 11-43-10; P.L. 2012, ch. 324, § 39; P.L. 2015, ch. 260, § 16; P.L. 2015, ch. 275, § 16.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-43 - Treason and Related OffensesSection 11-43-2. - Proof required for treason.

§ 11-43-2. Proof required for treason.
No person shall be convicted of treason against this state by levying war against the state, or by adhering to the enemies of this state, giving them aid and comfort, but by testimony of two (2) lawful witnesses to the same overt act for which he or she shall then be on trial, unless he or she shall confess it in open court.
History of Section.
G.L. 1896, ch. 275, § 3; G.L. 1909, ch. 341, § 3; G.L. 1923, ch. 392, § 3; G.L. 1938, ch. 603, § 3; G.L. 1956, § 11-43-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-43 - Treason and Related OffensesSection 11-43-3. - Misprision of treason.

§ 11-43-3. Misprision of treason.
Every person who shall have knowledge of the commission of treason against this state by levying war against this state or by adhering to the enemies of the state, giving them aid and comfort, and who shall conceal it, and shall not as soon as possible, disclose and make known the treason to the governor or to some magistrate, shall be deemed guilty of misprision of treason against this state and shall be imprisoned not exceeding twenty (20) years, nor less than five (5) years, or be fined not exceeding ten thousand dollars ($10,000).
History of Section.
G.L. 1896, ch. 275, § 2; G.L. 1909, ch. 341, § 2; G.L. 1923, ch. 392, § 2; G.L. 1938, ch. 603, § 2; G.L. 1956, § 11-43-3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-43 - Treason and Related OffensesSection 11-43-7. - Unlawful exercise of functions of state office.

§ 11-43-7. Unlawful exercise of functions of state office.
Every person, except as duly elected according to the laws of this state, who shall assume or exercise any of the legislative, executive, or ministerial functions of the office of governor, lieutenant-governor, senator, member of the house of representatives, secretary of state, attorney general, or general treasurer of this state, within the territorial limits of the state, as they are now actually had and enjoyed, either separately or with others, or shall assemble with others, for the purpose of exercising any of those functions, shall be imprisoned during life.
History of Section.
G.L. 1896, ch. 275, § 6; G.L. 1909, ch. 341, § 6; G.L. 1923, ch. 392, § 6; G.L. 1938, ch. 603, § 6; G.L. 1956, § 11-43-7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-43 - Treason and Related OffensesSection 11-43-8. - Venue of indictments or information and prosecutions.

§ 11-43-8. Venue of indictments or information and prosecutions.
Indictments or informations under this chapter may be preferred and found in the discretion of the attorney general, without

reference to the county in which the offense is charged to have been committed, but they shall be tried in the court for the county where found, unless the court shall for good cause remove it into some other county.
History of Section.
G.L. 1896, ch. 275, § 8; C. P. A. 1905, § 1170; G.L. 1909, ch. 341, § 8; G.L. 1923, ch. 392, § 8; G.L. 1938, ch. 603, § 8; G.L. 1956, § 11-43-8; P.L. 1974, ch. 118, § 8.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-43 - Treason and Related OffensesSection 11-43-9. - Indorsement of complaints.

§ 11-43-9. Indorsement of complaints.
No warrant shall issue to apprehend any person for any violation of this chapter, unless the complaint shall be first allowed of and indorsed or countersigned by the governor or by the attorney general.
History of Section.
G.L. 1896, ch. 275, § 9; G.L. 1909, ch. 341, § 9; G.L. 1923, ch. 392, § 9; G.L. 1938, ch. 603, § 9; G.L. 1956, § 11-43-9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-1. - Vandalism — Obstruction of lawful pursuits.

§ 11-44-1. Vandalism — Obstruction of lawful pursuits.
(a)
Every person who shall willfully and maliciously or mischievously injure or destroy or write upon, paint, or otherwise deface the property of another, or obstruct the use of the property of another, or obstruct another in the prosecution of his or her lawful business or pursuits, in any manner, the punishment of which is not specifically provided for by statute, shall be guilty of a misdemeanor and shall be fined not exceeding one thousand dollars ($1,000) and/or be imprisoned not exceeding one year, and shall be liable to make restitution for the injury or damage caused. Every person convicted of a first offense under this section shall be required to perform up to one hundred (100) hours of public community restitution work, and for a second or subsequent conviction shall be required to perform up to two hundred (200) hours of public community restitution work. Provided, further that every person who shall willfully and maliciously or mischievously injure or destroy or write upon, paint or otherwise deface government property, or obstruct the use of that property, shall be punished in accordance with this statute. Jurisdiction for matters involving government property shall be concurrent with the district court or the respective city or town police or municipal court.
(b)
Where the provisions of The Domestic Violence Prevention Act, chapter 29 of title 12, are applicable, the penalties for violation of this section shall also include the penalties as provided in § 12-29-5.
History of Section.
G.L. 1896, ch. 279, § 45; P.L. 1902, ch. 964, § 1; G.L. 1909, ch. 345, § 48; G.L. 1923, ch. 397, § 48; G.L. 1938, ch. 608, § 48; G.L. 1956, § 11-44-1; P.L. 1980, ch. 296, § 1; P.L. 1985, ch. 85, § 1; P.L. 1988, ch. 539, § 11; P.L. 1995, ch. 89, § 1; P.L. 1995, ch. 167, § 1; P.L. 1995, ch. 221, § 1; P.L. 1997, ch. 206, § 1; P.L. 1997, ch. 300, § 1; P.L. 2000, ch. 109, § 10.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-10. - Injurious substances on baiting places.

§ 11-44-10. Injurious substances on baiting places.
Every person who shall strew or place any powder or brimstone or other sulfurous substance upon any baiting place not his or her own property, or shall burn upon that place any of those substances saturated with tar or turpentine, shall be fined not less than five dollars ($5.00) nor more than twenty dollars ($20.00).
History of Section.
G.L. 1896, ch. 279, § 28; G.L. 1909, ch. 345, § 29; G.L. 1923, ch. 397, § 29; G.L. 1938, ch. 608, § 29; G.L. 1956, § 11-44-10.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-11. - Injury to boundary or line markers.

§ 11-44-11. Injury to boundary or line markers.
Every person who shall willfully break down, remove, injure, obscure, or destroy any monument erected for the purpose of designating the boundaries of any town or city or any tract or lot of land, or any tree marked for that purpose, or any stake set up to mark the line or grade of any railroad, or any marker erected for the purpose of designating a public right-of-way to water areas of the state, shall be imprisoned not exceeding one year or be fined not exceeding five hundred dollars ($500).
History of Section.
G.L. 1896, ch. 279, § 34; G.L. 1909, ch. 345, § 38; G.L. 1923, ch. 397, § 38; G.L. 1938, ch. 608, § 38; G.L. 1956, § 11-44-11; P.L. 1971, ch. 27, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-12.1. - Damage to instrumentality of public transportation.

§ 11-44-12.1. Damage to instrumentality of public transportation.
Every person who shall willfully cut or deface or otherwise injure any instrumentality of public transportation managed by or belonging to a public corporation shall be punished by a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500), or by imprisonment not exceeding thirty (30) days, or both.
History of Section.
P.L. 1982, ch. 238, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-12. - Injury to public property.

§ 11-44-12. Injury to public property.
Every person who shall willfully cut or deface or otherwise injure any public building or fence or other property shall be fined not less than one hundred dollars ($100) unless the amount of damage exceeds one hundred dollars ($100). If that amount shall exceed one hundred dollars ($100), then he or she shall be punished by a fine which is not less than three (3) times the amount of the damage nor more than five hundred dollars ($500), or imprisonment not exceeding one year, or both, and, in addition to any sentence, shall be ordered to make restitution in the full amount of damage done.
History of Section.
G.L. 1896, ch. 278, § 4; G.L. 1909, ch. 344, § 4; G.L. 1923, ch. 396, § 4; G.L. 1938, ch. 607, § 4; G.L. 1956, § 11-44-12; P.L. 1982, ch. 243, §§ 1, 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-13. - Injury to public statues and monuments.

§ 11-44-13. Injury to public statues and monuments.
Every person who shall willfully trespass upon, deface, mutilate, cover or keep covered, or otherwise injure the Soldiers' and Sailors' Monument in the city of Providence, or any other public statue or monument, may be punished by a fine not exceeding one thousand dollars ($1,000) and/or by imprisonment not exceeding one year, and shall, in addition to imprisonment and/or fine, be ordered to make full restitution to the public or governmental entity incurring the expense of repairing the statue or monument.
History of Section.
P.L. 1908, ch. 1542, § 1; G.L. 1909, ch. 344, § 5; G.L. 1923, ch. 396, § 5; G.L. 1938, ch. 607, § 5; G.L. 1956, § 11-44-13; P.L. 2009, ch. 326, § 1; P.L. 2009, ch. 327, § 1; P.L. 2011, ch. 341, § 2; P.L. 2011, ch. 375, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-14. - Breaking lamps or windows.

§ 11-44-14. Breaking lamps or windows.
Every person who shall willfully break any lamp, lantern, or window shall, for every lamp, lantern, or window broken, be fined not exceeding two hundred dollars ($200).
History of Section.
G.L. 1896, ch. 278, § 5; G.L. 1909, ch. 344, § 6; G.L. 1923, ch. 396, § 6; G.L. 1938, ch. 607, § 6; G.L. 1956, § 11-44-14; P.L. 1978, ch. 285, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-15. - Injuring or destroying books and other property of libraries, archives, or other records repositories.

§ 11-44-15. Injuring or destroying books and other property of libraries, archives, or other records repositories.
(a)
Any person who willfully, maliciously, or wantonly writes upon, injures, defaces, tears, cuts, mutilates, or destroys any book, record, or other property belonging to or in the custody of any public county or regional library, the state library, the state archives, the state records center or other repository of public records, museum, or any library or collection belonging to or in the custody of any educational, eleemosynary, benevolent, hereditary, or historical library, or patriotic institution, organization, or society, or state or local agency, shall be guilty of a misdemeanor and shall be ordered to make restitution in the full retail value of the books, records or other property, and may be fined not more than one hundred dollars ($100), to be for use of the library, archives, or records repository.
(b)
"Book, records, or other property" as used in this section includes any book, plate, picture, photograph, engraving, painting, drawing, map, newspaper, magazine, pamphlet, broadside, manuscript, document, letter, public record, equipment, microform, sound recording, audiovisual materials in any format, magnetic or other tapes, electronic data processing records, artifacts, or other documentary, written, or printed material, regardless of physical form or characteristics, belonging to, on loan to, or otherwise in the custody of, any library, museum, archives, or repository of public or other records institution.
History of Section.
G.L. 1896, ch. 279, § 52; P.L. 1907, ch. 1463, § 1; G.L. 1909, ch. 345, § 55; G.L. 1923, ch. 397, § 55; G.L. 1938, ch. 608, § 63; G.L.

1956, § 11-44-15; P.L. 1983, ch. 296, §§ 3, 4; P.L. 1985, ch. 436, § 2; P.L. 1989, ch. 499, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-16. - Removal of gravel from or deposit of debris on Easton's Beach.

§ 11-44-16. Removal of gravel from or deposit of debris on Easton's Beach.
Every person who shall remove any sand or any gravel from any part of Easton's Beach, as defined in § 11-44-18, shall be fined twenty dollars ($20.00) for every offense. Every person who shall deposit or leave on the beach any dead animal, offal, filth, rubbish, or refuse matter, shall be fined twenty dollars ($20.00) for every offense.
History of Section.
G.L. 1896, ch. 279, § 58; G.L. 1909, ch. 345, § 61; G.L. 1923, ch. 397, § 61; G.L. 1938, ch. 608, § 69; G.L. 1956, § 11-44-16.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-17. - Enforcement of § 11-44-16.

§ 11-44-17. Enforcement of § 11-44-16.
Any police constable of Newport or of Middletown, viewing any offense committed in violation of § 11-44-16, shall immediately arrest the offender, whether in Newport or in Middletown, and cause him or her to be prosecuted for the offense as soon as may be possible before the district court.
History of Section.
G.L. 1896, ch. 279, § 59; G.L. 1909, ch. 345, § 62; G.L. 1923, ch. 397, § 62; G.L. 1938, ch. 608, § 70; G.L. 1956, § 11-44-17.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-18. - Bounds of Easton's Beach.

§ 11-44-18. Bounds of Easton's Beach.
Easton's Beach, for the purposes of §§ 11-44-16 and 11-44-17, shall embrace all the lands bounded and described as follows: a tract of land in Newport, bounded northerly on land now or formerly of George H. Norman, easterly on the division line between the town of Middletown and the city of Newport, southerly on the ocean at low-water mark, and westerly on land now or formerly of the Gibbs Land Company to the Bath Road, and along and across that road to and along the cliffs at land now or formerly of J. W. Chandler; and a tract of land in Middletown, bounded northerly on the northern side of a road which runs from the foot of Bath Road in Newport, easterly through the above bounded beach or land, and then onward over the lands between Easton's Beach and Sachuest Beach, easterly on the line of the old fence or wall which has hitherto separated the upland of the Benjamin Easton Farm from Easton's Beach and the sandy tract adjoining it, southerly on the ocean at low-water mark, and westerly on the division line between Newport and Middletown.
History of Section.
G.L. 1896, ch. 279, § 60; G.L. 1909, ch. 345, § 63; G.L. 1923, ch. 397, § 63; G.L. 1938, ch. 608, § 71; G.L. 1956, § 11-44-18.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-19. - Deposit of debris on Middletown beaches.

§ 11-44-19. Deposit of debris on Middletown beaches.
Every person who shall deposit or leave on any beach in the town of Middletown, any dead animal, offal, filth, rubbish, waste, or refuse matter, shall be fined twenty dollars ($20.00) for every offense.
History of Section.
G.L. 1909, ch. 345, § 73; P.L. 1922, ch. 2225, § 1; G.L. 1923, ch. 397, § 74; G.L. 1938, ch. 608, § 72; G.L. 1956, § 11-44-19.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-2. - Injury or removal of vegetation — Buildings and fences.

§ 11-44-2. Injury or removal of vegetation — Buildings and fences.
Every person who shall take and carry away, without the consent of the owner, any corn, grain, fruit, or growing vegetable out of any field, garden, or orchard, or who shall willfully and without the consent of the owner root up, cut down, or otherwise injure or destroy or take and carry away any tree or underwood growing or standing upon the land of another, or remove any cord wood, or shall maliciously root up, cut down, or otherwise injure or destroy any tree, root, fruit, or vegetable growing in any garden, field, orchard, highway, common, or public square, or who shall take and carry away, without the consent of the owner, any cultivated plant, tree, or shrub from any graveyard or from any public or private grounds, or who shall wantonly or maliciously injure or destroy any plant or shrub growing upon the land or in the building of another, or who shall poison the earth about any plant or shrub so as to prevent or injure its growth, or who shall maliciously or wantonly in any way injure or deface any building not his or her own, or break the glass or any part of it in any building, or shall maliciously injure any fence or stone wall on or enclosing lands not his or her own, shall be imprisoned not exceeding one year or be fined not exceeding triple the value of the damage or one thousand dollars ($1,000), whichever is lower; and shall be required to pay the party injured a penalty not to exceed triple the value of the damage caused by the person; provided, that if any person shall knowingly use or permit to be used any vehicle for the

commission of any of the offenses enumerated in this section, he or she shall also be penalized in the manner specified in title 31.
History of Section.
G.L. 1896, ch. 279, § 23; P.L. 1900, ch. 736, § 1; C.P.A. 1905, § 1177; G.L. 1909, ch. 345, § 23; G.L. 1923, ch. 397, § 23; P.L. 1928, ch. 1215, § 1; G.L. 1938, ch. 608, § 23; G.L. 1956, § 11-44-2; P.L. 1980, ch. 276, § 2; P.L. 1982, ch. 237, § 1; P.L. 1992, ch. 426, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-20. - Property of life saving corps — Interference or deception.

§ 11-44-20. Property of life saving corps — Interference or deception.
Every person who shall willfully destroy any of the property or apparatus of the United States Volunteer Life Saving Corps, or steal or misappropriate it, or any part of it, or willfully interfere with any of its life savers in the performance of their duty, or who shall call for help or aid while in or on the water with intent to deceive any of the life savers, shall, upon conviction, be imprisoned not more than six (6) months, or fined not more than five hundred dollars ($500).
History of Section.
G.L. 1909, ch. 345, § 72; P.L. 1911, ch. 663, § 1; G.L. 1923, ch. 397, § 72; G.L. 1938, ch. 608, § 80; G.L. 1956, § 11-44-20.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-21.1. - Graffiti — Defacing private residences, offices, businesses or commercial property.

§ 11-44-21.1. Graffiti — Defacing private residences, offices, businesses or commercial property.
(a)(1)
Every person who shall willfully, maliciously or mischievously write upon, paint, or otherwise deface the private property or residence of another, any office building, business or commercial property or public building or public property, shall be guilty of a misdemeanor, for the first and second offense, said penalty shall not exceed a one thousand dollars ($1,000) fine and community service not exceeding two hundred (200) hours. Every person convicted of a third or subsequent offense under this section shall be guilty of a felony, subject to imprisonment not exceeding two (2) years, a fine of up to two thousand dollars ($2,000), and shall be required to perform up to three hundred (300) hours of community service. The court, upon conviction or adjudication, shall order restitution to the victim in the amount of removal, repair, or replacement costs.
(2)
If the graffiti is positioned on an overpass or an underpass and requires that traffic be interfered with in order to remove it, or the entity responsible for the area in which the clean-up is to take place must provide assistance in order for the removal to take place safely, the court shall order an additional assessment of one thousand dollars ($1,000).
(b)
If the person is a minor, upon adjudication, in addition to the penalties in subsection (a):
(1)
The family court may, in addition to any other order or decree the court makes under this chapter, order the division of motor vehicles to:
(i)
Suspend the minor’s operator’s license; or
(ii)
Invalidate the minor’s learner’s permit; for one year beginning the date of the order.
(2)
Notwithstanding any other provision of this chapter, the family court may order the parent or legal guardian of any minor found to have committed the crime of graffiti, to submit restitution to the victim or victims of such graffiti by payment in money if the minor is in the custody of and residing with such parent or guardian, and if the family court finds, after hearing, that the graffiti was a direct result of the parent or legal guardian having neglected to exercise reasonable supervision and control of the minor’s conduct. For the purposes of this section, liability for compensation shall be limited to ten thousand dollars ($10,000).
(3)
If the person violates the family court’s order to submit restitution under this section, such person shall be guilty of contempt. The court may permit payments under this section to be made in installments, for a period of up to seven (7) years, to be administered by the court.
History of Section.
P.L. 2007, ch. 311, § 1; P.L. 2013, ch. 497, § 1; P.L. 2013, ch. 508, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-21.2. - Restitution or removal of graffiti — Rescission of order suspending or invalidating operator’s license or learner’s permit.

§ 11-44-21.2. Restitution or removal of graffiti — Rescission of order suspending or invalidating operator’s license or learner’s permit.
If a court of suitable jurisdiction has entered an order for suspension or invalidation of a minor’s operator’s license or a learner’s permit pursuant to § 11-44-21.1, and if the same court subsequently determines that the minor has fulfilled his or her restitution

obligation, the court may:
(1)
Rescind the order for suspension or invalidation; and/or
(2)
Allow the minor to receive a license or permit before the period of suspension or invalidation ends.
History of Section.
P.L. 2013, ch. 497, § 2; P.L. 2013, ch. 508, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-21. - Vandalizing alarms or call boxes — False alarms.

§ 11-44-21. Vandalizing alarms or call boxes — False alarms.
Whoever opens a signal box connected with a police, fire, or motorist aid call system for the purpose of giving or causing to be given a false alarm, or interferes in any way with a signal box by breaking, cutting, injuring, or defacing it; or, without authority, opens, tampers, or meddles with a signal box, or with any part or parts of it, or with the police signal wires, or with anything connected with it, or, with that purpose, willfully or knowingly tampers or meddles with a signal box connected with a fire signal system or with any part or thing connected with it, or, with that purpose, willfully or knowingly tampers or meddles with a motorist aid call box, or by any means gives or aids or abets in the giving of a false alarm of fire or emergency or falsely summons an ambulance or rescue apparatus, shall be subject to punishment by imprisonment for up to one year, or fined not more than five hundred dollars ($500), or both. Upon conviction for any offense referred to in this section, the court shall, in addition to imposing a fine and/or imprisonment, order the offender to make restitution to the appropriate state, city, or town authority or agency for any expenditures necessitated by the commission of the offense.
History of Section.
G.L. 1896, ch. 278, § 6; G.L. 1909, ch. 344, § 7; G.L. 1923, ch. 396, § 7; P.L. 1928, ch. 1155, § 1; G.L. 1938, ch. 607, § 7; P.L. 1941, ch. 1009, § 1; P.L. 1942, ch. 1238, § 1; P.L. 1952, ch. 2881, § 1; G.L. 1956, § 11-44-21; P. L. 1971, ch. 211, § 1; P.L. 1981, ch. 153, §§ 1, 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-22. - Throwing articles at moving vehicles.

§ 11-44-22. Throwing articles at moving vehicles.
Every person who shall willfully throw, shoot, or in any other manner propel a snowball or any other object at any moving motor or other vehicle in use upon the roads or highways of this state shall, upon conviction, be punished by a fine not exceeding five hundred dollars ($500), or by imprisonment not exceeding one year, or both.
History of Section.
P.L. 1967, ch. 124, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-23. - Throwing objects at police officer, firefighter or police or fire vehicles.

§ 11-44-23. Throwing objects at police officer, firefighter or police or fire vehicles.
Every person who shall willfully throw, shoot, or in any other manner propel a rock or any other object at any police officer, firefighter, or any police or fire vehicle, whether moving or not, shall, upon conviction, be punished by a fine not exceeding five hundred dollars ($500) or by imprisonment not exceeding one year, or both.
History of Section.
P.L. 1970, ch. 268, § 1; P.L. 1971, ch. 221, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-24. - Blocking or obstructing public rights-of-way to water.

§ 11-44-24. Blocking or obstructing public rights-of-way to water.
Every person who shall obstruct or block or cause any obstruction of any public rights-of-way to water areas of the state shall be imprisoned not exceeding one year or be fined not exceeding five hundred dollars ($500).
History of Section.
P.L. 1971, ch. 23, § 1; P.L. 1979, ch. 142, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-25. - Deposit of debris on public rights-of-way to water.

§ 11-44-25. Deposit of debris on public rights-of-way to water.
Every person who shall deposit or leave on any public right-of-way to water areas of the state, any dead animal, offal, filth, rubbish, waste, or refuse matter, shall be fined not exceeding one hundred dollars ($100) for every offense.
History of Section.

P.L. 1971, ch. 22, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-26.1. - Mandatory minimum fine for willful trespass within school buildings.

§ 11-44-26.1. Mandatory minimum fine for willful trespass within school buildings.
Every person who willfully trespasses or, having no legitimate purpose for his or her presence, or having been suspended from attendance at any school, remains within a building used for a public or private school, college, university, junior college, or other public or private educational institution, or on the school grounds or campus grounds of any public or private school, college, university, junior college, or other public or private educational institution after having been forbidden so to do by a local or state police officer or a guard, security officer, or an official of the school, college, university, junior college or other educational institution, shall for the first offense be punished at least by a fine of not less than fifty dollars ($50.00) nor more than five hundred dollars ($500), and shall for the second offense be punished by a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500), and for the third or any subsequent offense by a fine of not less than one hundred fifty dollars ($150) nor more than five hundred dollars ($500), and may in addition, be imprisoned not exceeding six (6) months.
History of Section.
P.L. 1983, ch. 52, § 2; P.L. 1986, ch. 183, § 1; P.L. 1986, ch. 197, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-26. - Willful trespass — Remaining on land after warning — Exemption for tenants holding over.

§ 11-44-26. Willful trespass — Remaining on land after warning — Exemption for tenants holding over.
(a)
Every person who willfully trespasses or, having no legitimate purpose for his or her presence, remains upon the land of another or upon the premises or curtilage of the domicile of any person legally entitled to the possession of that domicile, after having been forbidden to do so by the owner of the land or the owner's duly authorized agent or a person legally entitled to the possession of the premises, shall be punished by a fine not exceeding one thousand dollars ($1,000), or imprisonment for a term not exceeding one year, or both.
(b)
This section shall not apply to tenants or occupants of residential premises who, having rightfully entered the premises at the commencement of the tenancy or occupancy, remain after that tenancy or occupancy has been or is alleged to have been terminated. The owner or landlord of the premises may recover possession only through appropriate civil proceedings.
(c)
Where the provisions of The Domestic Violence Prevention Act, chapter 29 of title 12, are applicable, the penalties for violation of this section shall also include the penalties as provided in § 12-29-5.
History of Section.
P.L. 1973, ch. 279, § 1; P.L. 1975, ch. 175, § 1; P.L. 1980, ch. 360, § 1; P.L. 1983, ch. 52, § 1; P.L. 1987, ch. 119, § 1; P.L. 1988, ch. 539, § 11.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-27. - Fishing from Jamestown Bridge prohibited.

§ 11-44-27. Fishing from Jamestown Bridge prohibited.
No person shall take or attempt to take any fish from the waters of Narragansett Bay while the person is on any part of the roadway, walkway, or railings of the Jamestown Bridge, except a special walkway as may be constructed exclusively for the purpose of fishing. Any person violating any provision of this section shall, upon conviction, be fined twenty-five dollars ($25.00) or imprisoned for not more than thirty (30) days, or both.
History of Section.
P.L. 1974, ch. 284, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-28. - Trespass upon premises of private recreational facilities.

§ 11-44-28. Trespass upon premises of private recreational facilities.
Every person who willfully trespasses and remains upon the land or premises of private recreational facilities, after having been forbidden to do so by the owner or the person having control over the facility, shall be punished by a fine not exceeding five hundred dollars ($500); provided, the existing rights of fishers shall not be infringed. "Facilities" as used in this section means private property used for games, sports, or entertainment, including, without limitation, golf courses, beaches, and bathing facilities.
History of Section.
P.L. 1974, ch. 68, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-29. - Willful breaking of glass.

§ 11-44-29. Willful breaking of glass.
Every person who shall willfully break glass on any public highway, public property, or public building within this state shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding five hundred dollars ($500).
History of Section.
P.L. 1978, ch. 188, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-3. - Arrest and detention of persons taking fruits and vegetables.

§ 11-44-3. Arrest and detention of persons taking fruits and vegetables.
Every deputy sheriff, town or city sergeant, town constable, or police officer, who shall discover any person or persons in the act of taking and carrying away any growing fruit or vegetables as prohibited by § 11-44-2, shall arrest that person or persons and detain the person or persons in custody until a complaint can be made against him, her, or them for the offense for which he, she, or they shall have been arrested and until he, she, or they be taken on a warrant issued upon the complaint; provided, that the arrest and detention without a warrant shall not continue longer than the space of twenty-four (24) hours.
History of Section.
G.L. 1896, ch. 279, § 24; G.L. 1909, ch. 345, § 24; G.L. 1923, ch. 397, § 24; P.L. 1928, ch. 1215, § 2; G.L. 1938, ch. 608, § 24; G.L. 1956, § 11-44-3; P.L. 1994, ch. 134, § 5; P.L. 2012, ch. 324, § 40; P.L. 2015, ch. 260, § 17; P.L. 2015, ch. 275, § 17.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-30. - Posting of signs — Types.

§ 11-44-30. Posting of signs — Types.
Whenever any signs are required to be posted to indicate no trespassing, shooting, trapping, fishing, or the like, it shall be sufficient to post the land conspicuously with clear and legible signs which signs can be affixed with cloth, metal, or paperboard, or by conspicuously stencil-painting the word “Posted.”
History of Section.
P.L. 1982, ch. 195, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-31. - Desecration of places of public assemblage.

§ 11-44-31. Desecration of places of public assemblage.
Every person who shall, willfully and maliciously or mischievously, injure or destroy or write upon, paint, or otherwise damage or deface: (1) any church, synagogue, or other building, structure, or place used for religious worship or other religious purpose; (2) any cemetery, mortuary, or other facility used for the purpose of burial or memorializing the dead; (3) any building used for educational purposes or as a community meeting place and which is owned by an organization exempt from taxation under 26 U.S.C. § 501; (4) any public building owned and/or operated by the government of the United States or by the government of the state of Rhode Island or its political subdivisions; (5) the grounds adjacent to and owned or rented by any institution, facility, building, structure, or place described in subdivisions (1), (2), (3), or (4) of this section; or (6) any personal property contained in any institution, facility, building, structure, or place described in subdivisions (1), (2), (3), (4), or (5) of this section; shall be guilty of a felony, and, upon conviction, shall be punished by a fine not to exceed ten thousand dollars ($10,000) or imprisonment not exceeding five (5) years, or both.
History of Section.
P.L. 1982, ch. 374, § 1; P.L. 1986, ch. 512, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-32. - Clearance of public rights of way.

§ 11-44-32. Clearance of public rights of way.
(a)
Every person, firm, or corporation who is the owner of land abutting a public sidewalk shall keep the sidewalk free of any shrubs or other debris under the control of the owner. The owner shall also be required to see that the branches of any tree under his or her control which overhang a public sidewalk are at least seven (7) feet above the sidewalk.
(b)
Any person, firm, or corporation violating the provisions of this section shall, upon adjudication be subject to a civil penalty of not more than five hundred dollars ($500).
History of Section.
P.L. 1985, ch. 396, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-4. - Shooting, trapping or fishing on posted lands — Destruction of signs.

§ 11-44-4. Shooting, trapping or fishing on posted lands — Destruction of signs.
Whoever shall enter upon the land of another without the owner's permission for the purpose of either shooting, trapping, or fishing when that land shall be conspicuously posted with clear and legible signs stating that shooting, trapping or fishing, as the case may be, is prohibited, or whoever shall remain upon the premises of another for the purpose of shooting, trapping, or fishing after having been forbidden to do so by the owner of the premises or the owner's authorized agent, or whoever shall without right mutilate, destroy, or remove any sign stating that shooting, trapping or fishing, as the case may be, is prohibited, shall be fined not exceeding twenty dollars ($20.00).
History of Section.
P.L. 1902, ch. 1006, § 1; G.L. 1909, ch. 136, § 25; G.L. 1923, ch. 137, § 23; G.L. 1938, ch. 248, § 19; G.L. 1956, § 11-44-4; P.L. 1971, ch. 186, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-5. - Willful damage while hunting, trapping or fishing.

§ 11-44-5. Willful damage while hunting, trapping or fishing.
Whoever shall enter upon land of another for the purpose of hunting, trapping or fishing, and while upon the land shall do any willful damage to the property of the owner of the land, shall be fined not exceeding twenty dollars ($20.00). The owner of the property may recover from any person convicted of a violation of the provisions of this section, in an action of the case, twice the amount of the damages so sustained; and the license to pursue, hunt, and kill game in the state of Rhode Island during the open season issued under the provisions of chapter 13 of title 20 to any persons who shall thereafter be convicted of a violation of the provisions of this section shall be forfeited and no license shall be issued to him or her under the provisions of title 20 for a period of one year after that conviction.
History of Section.
P.L. 1921, ch. 2097, § 3; G.L. 1923, ch. 137, § 32; G.L. 1938, ch. 248, § 23; G.L. 1956, § 11-44-5.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-6. - Defacement of bank bills and notes.

§ 11-44-6. Defacement of bank bills and notes.
Every person who shall willfully and mischievously tear, cut, burn, or in any other manner damage and impair the integrity, strength, or usefulness for circulation of any bank bill or note issued by any corporation which is established as a bank in this state, or shall willfully and mischievously write, print, blot, or stamp any impression on a bill or note, or shall aid and abet in any of the offenses provided in this section, shall be imprisoned not exceeding one year nor less than one month.
History of Section.
G.L. 1896, ch. 279, § 36; G.L. 1909, ch. 345, § 40; G.L. 1923, ch. 397, § 40; G.L. 1938, ch. 608, § 40; G.L. 1956, § 11-44-6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-7. - Misappropriation of vehicle, boat, or animal.

§ 11-44-7. Misappropriation of vehicle, boat, or animal.
Every person who shall willfully, mischievously, or without right, take, drive, ride, or use any carriage, wagon, or other vehicle other than a motor vehicle, or any boat, or any horse, ox, or cow, or milk any cow, the property of another, without the consent of the owner or of the person having the lawful custody of the property, shall be punished by a fine of not more than one thousand dollars ($1,000), or by imprisonment for not more than one year, or both; provided that nothing contained in this section shall be construed to apply to any case where property is taken with the intent to steal the property or where it is taken under a claim of right.
History of Section.
G.L. 1896, ch. 279, § 41; P.L. 1902, ch. 963, § 1; G.L. 1909, ch. 345, § 45; P.L. 1909, ch. 460, § 1; P.L. 1915, ch. 1258, § 12; G.L. 1923, ch. 397, § 45; G.L. 1938, ch. 608, § 45; impl. am. P.L. 1950, ch. 2595, art. 12, § 4; G.L. 1956, § 11-44-7; P.L. 1989, ch. 214, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-8. - Injury to or interference with water-control structures.

§ 11-44-8. Injury to or interference with water-control structures.
Every person who shall willfully and maliciously break down, injure, remove, or destroy any dam, reservoir, canal, or trench, or any gate, flume, flash-board, or other appurtenance, or any of the wheels, mill-gear, or machinery of a water-mill, or willfully or wantonly, without color of right, draw off the water contained in a millpond, reservoir, canal, or trench, or willfully and maliciously, without color of right, obstruct the water of a mill-pond, reservoir, canal, or trench from flowing out of it, shall be imprisoned not exceeding five (5) years or be fined not exceeding two thousand dollars ($2,000).
History of Section.
G.L. 1896, ch. 279, § 38; G.L. 1909, ch. 345, § 42; G.L. 1923, ch. 397, § 42; G.L. 1938, ch. 608, § 42; G.L. 1956, § 11-44-8.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-44 - Trespass and VandalismSection 11-44-9. -

Firing of weapon near baiting place.

§ 11-44-9. Firing of weapon near baiting place.
Every person who, between the first day of April and the first day of November in any year, shall maliciously fire any gun, musket, blunderbuss, or pistol, within eighty (80) rods of any baiting place, not his or her own property, and actually used in the proper season for the baiting and netting of wild pigeons, shall be fined not exceeding twenty dollars ($20.00), nor less than five dollars ($5.00).
History of Section.
G.L. 1896, ch. 279, § 27; G.L. 1909, ch. 345, § 28; G.L. 1923, ch. 397, § 28; G.L. 1938, ch. 608, § 28; G.L. 1956, § 11-44-9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-45.1 - Unreasonable Noise LevelsSection 11-45.1-1. - Declaration of policy.

§ 11-45.1-1. Declaration of policy.
It is hereby declared to be the policy of the state to prohibit unreasonable, excessive and annoying noise levels from all sources subject to its police power. At certain levels, low frequency sound (between 100-20 cps) when substantially amplified, often referred to as sub-woofer frequency, can be extremely penetrating, disturbing and poses a danger to the health and safety of the individual using equipment creating the sound, and to other individuals in the immediate area from which the sound is being generated. The noise being generated may originate from radios, CD players, DVD players, tape players, televisions and other audio-producing equipment.
History of Section.
P.L. 2003, ch. 194, § 1; P.L. 2003, ch. 203, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-45.1 - Unreasonable Noise LevelsSection 11-45.1-2. - Violations of acceptable noise levels.

§ 11-45.1-2. Violations of acceptable noise levels.
It shall be unlawful for any person to operate any equipment as set forth in § 11-45.1-1 from which the sound created by this equipment is capable of penetrating a closed vehicle from twenty (20) feet away from the location at which the sound is being generated, or heard from one hundred (100) feet away by a person outside from which the sound is originating. This section shall include, but not be limited to, sound electronically generated by autos, trucks, motor homes, mobile homes, houses, apartment buildings, condominiums, commercial buildings, or from any type of portable sound producing equipment that can be carried or placed outdoors which through its operation exceeds the provision of this chapter. All state and municipal vehicles shall be exempt from the provisions of this chapter, nor any person firm, corporation or other legal entity which holds a valid state or municipal entertainment license to sponsor a parade, carnival or other similar special event.
History of Section.
P.L. 2003, ch. 194, § 1; P.L. 2003, ch. 203, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-45.1 - Unreasonable Noise LevelsSection 11-45.1-3. - Penalties.

§ 11-45.1-3. Penalties.
Any person who violates the provisions of this chapter shall, upon conviction, be subject to a fine in the amount of one hundred dollars ($100) for a first offense, two hundred dollars ($200) for a second offense, and three hundred dollars ($300) for the third and any subsequent offense.
History of Section.
P.L. 2003, ch. 194, § 1; P.L. 2003, ch. 203, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-45 - Disorderly ConductSection 11-45-1. - Disorderly conduct.

§ 11-45-1. Disorderly conduct.
(a)
A person commits disorderly conduct if he or she intentionally, knowingly, or recklessly:
(1)
Engages in fighting or threatening, or in violent or tumultuous behavior;
(2)
In a public place or near a private residence that he or she has no right to occupy, disturbs another person by making loud and unreasonable noise which under the circumstances would disturb a person of average sensibilities;
(3)
Directs at another person in a public place offensive words which are likely to provoke a violent reaction on the part of the average person so addressed;
(4)

Alone or with others, obstructs a highway, street, sidewalk, railway, waterway, building entrance, elevator, aisle, stairway, or hallway to which the public or a substantial group of the public has access or any other place ordinarily used for the passage of persons, vehicles, or conveyances;
(5)
Engages in conduct which obstructs or interferes physically with a lawful meeting, procession, or gathering;
(6)
Enters upon the property of another and for a lascivious purpose looks into an occupied dwelling or other building on the property through a window or other opening; or
(7)
Who without the knowledge or consent of the individual, looks for a lascivious purpose through a window, or any other opening into an area in which another would have a reasonable expectation of privacy, including, but not limited to, a restroom, locker room, shower, changing room, dressing room, bedroom, or any other such private area, notwithstanding any property rights the individual may have in the location in which the private area is located.
(8)
[Deleted by P.L. 2008, ch. 183, § 1].
(b)
Any person, including a police officer, may be a complainant for the purposes of instituting action for any violation of this section.
(c)
Any person found guilty of the crime of disorderly conduct shall be imprisoned for a term of not more than six (6) months, or fined not more than five hundred dollars ($500), or both.
(d)
In no event shall subdivisions (a)(2) — (5) of this section be construed to prevent lawful picketing or lawful demonstrations including, but not limited to, those relating to a labor dispute.
History of Section.
P.L. 1979, ch. 304, § 1; P.L. 1987, ch. 44, § 1; P.L. 1988, ch. 539, § 12; P.L. 1998, ch. 124, § 1; P.L. 1998, ch. 301, § 1; P.L. 2003, ch. 193, § 1; P.L. 2003, ch. 195, § 1; P.L. 2004, ch. 202, § 1; P.L. 2004, ch. 206, § 1; P.L. 2007, ch. 330, § 1; P.L. 2008, ch. 183, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-45 - Disorderly ConductSection 11-45-2. - Indecent exposure — Disorderly conduct.

§ 11-45-2. Indecent exposure — Disorderly conduct.
(a)
A person commits indecent exposure/disorderly conduct when for the purpose of sexual arousal, gratification or stimulation, such person intentionally, knowingly, or recklessly:
(1)
Exposes his or her genitals to the view of another under circumstances in which his or her conduct is likely to cause affront, distress, or alarm to that person;
(b)
Any person may be a complainant for the purposes of instituting action for any violation of this section. This act shall not apply to any conduct between consenting adults where the complainant is an unintended witness;
(c)
Any person found guilty of, or who pleads nolo contendere to the crime of indecent exposure/disorderly conduct, shall be imprisoned for a term of not more than one year, or fined not more than one thousand dollars ($1,000), or both. Any subsequent offense shall be punished by imprisonment for a term of up to three (3) years;
(d) Counseling.
Every person convicted of, or placed on probation for a violation of this section, may be ordered to attend appropriate professional counseling to address his or her behavior;
(e)
In no event shall the provisions of this section be construed to apply to breastfeeding in public.
History of Section.
P.L. 2008, ch. 183, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-46.1 - Intertidal Salt MarshesSection 11-46.1-1. - Disturbing intertidal salt marshes — Penalty.

§ 11-46.1-1. Disturbing intertidal salt marshes — Penalty.
(a)
Whereas:
(1)
Article I, § 17 of the constitution of the state of Rhode Island guarantees to the people the free right of fishery; and
(2)

The free right of fishery cannot be enjoyed unless both finfish and shellfish are in abundance to be caught; and
(3)
The metabolism and catabolism of plants and animals which constitute the estuarine complex found in salt marshes furnishes the nitrates, phosphates, sugars, plankton, and organic chemicals necessary for the nurture of finfish and shellfish throughout the Narragansett Bay area and its environs; and
(4)
All the salt marshes of this state are in jeopardy of despoliation by persons unmindful of the economic and esthetic consequences of that spoliation.
(b)
Any person who dumps or deposits mud, dirt, or rubbish upon, or who excavates and disturbs the ecology of, intertidal salt marshes, or any part of one, without first obtaining a permit issued by the department of environmental management shall be fined for each offense five hundred dollars ($500), one half (½) to the use of the state and one half (½) to the use of the complainant.
(c)
Any person who violates an order of the director of the department of environmental management to cease dumping or excavating shall be fined fifty dollars ($50.00) for each day he or she continues the dumping or excavating.
(d)
Any person who so disturbs the ecology of an intertidal salt marsh may, upon complaint of the director of the department, filed in the superior court, be required to restore the salt marsh to the extent practical.
(e)
For the purposes of this chapter an intertidal salt marsh shall be prima facie presumed to be those areas upon which grow some, but not necessarily all, of the following: salt marsh grass (Spartina Alterniflora), black grass (Juncus gerardi), seaside lavender (Limonium carolinianum), saltwort (Salicornea europaea), salt meadow grass (Spartina patens), spike grass (Distichlis spicata), salt marsh bullrush (Scirpus maritima) and sand spurrey (Spergularia marina), and upon which exists salt marsh peat.
(f)
The director of natural resources shall refuse to issue such permit if, in his or her judgment, the dumping or depositing of mud, dirt or rubbish or excavation would disturb the ecology of intertidal salt marshes.
History of Section.
P.L. 1965, ch. 26, § 1; P.L. 1967, ch. 73, § 1; P.L. 1969, ch. 175, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-46 - WatersSection 11-46-1. - Boats required to have underwater exhaust.

§ 11-46-1. Boats required to have underwater exhaust.
It shall be unlawful to use a boat propelled in whole or in part by gas, gasoline, naphtha, or other explosive material unless the engine operated by the gas, gasoline, naphtha, or other explosive material is provided with an underwater exhaust or a muffler.
History of Section.
P.L. 1910, ch. 593, § 1; G.L. 1923, ch. 119, § 24; G.L. 1938, ch. 602, § 1; G.L. 1956, § 11-46-1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-46 - WatersSection 11-46-2. - Penalty for violations.

§ 11-46-2. Penalty for violations.
Any person operating or causing to be operated upon the public waters of this state a boat in violation of the provisions of § 11-46-1 shall be punished by a fine of not less than five dollars ($5.00) nor more than twenty-five dollars ($25.00) for each offense.
History of Section.
P.L. 1910, ch. 593, § 2; G.L. 1923, ch. 119, § 25; G.L. 1938, ch. 602, § 2; G.L. 1956, § 11-46-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-46 - WatersSection 11-46-3. - Power boats on Spring Lake.

§ 11-46-3. Power boats on Spring Lake.
It shall be unlawful to use fuel powered motor boats, with the exception of emergency boats, on Spring Lake in the town of Burrillville.
History of Section.
P.L. 1961, ch. 189.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-46 - WatersSection 11-46-4. - Enforcement.

§ 11-46-4. Enforcement.
Enforcement of § 11-46-3 shall be within the jurisdiction of the director of environmental management.
History of Section.
P.L. 1961, ch. 189, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47.1 - Large Capacity Feeding Device Ban of

2022Section 11-47.1-1. - Short title.

§ 11-47.1-1. Short title.
This chapter shall be known and may be cited as the “Rhode Island Large Capacity Feeding Device Ban Act of 2022.”
History of Section.
P.L. 2022, ch. 99, § 1, effective June 20, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47.1 - Large Capacity Feeding Device Ban of 2022Section 11-47.1-2. - Definitions.

§ 11-47.1-2. Definitions.
As used in this chapter:
(1)
“Federally licensed firearm dealer” means a person who holds a valid federal firearm dealers license issued pursuant to 18 U.S.C. § 923(a).
(2)
“Large capacity feeding device” means a magazine, box, drum, tube, belt, feed strip, or other ammunition feeding device which is capable of holding, or can readily be extended to hold, more than ten (10) rounds of ammunition to be fed continuously and directly therefrom into a semi-automatic firearm. The term shall not include an attached tubular device which is capable of holding only .22 caliber rimfire ammunition.
History of Section.
P.L. 2022, ch. 99, § 1, effective June 20, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47.1 - Large Capacity Feeding Device Ban of 2022Section 11-47.1-3. - Large capacity feeding devices prohibited.

§ 11-47.1-3. Large capacity feeding devices prohibited.
(a)
No person, except for a federally licensed firearm dealer, shall manufacture, sell, offer to sell, transfer, purchase, possess, or have under his or her control a large capacity feeding device, except as otherwise authorized under this chapter. Any person convicted of violating the provisions of this section shall be punished by imprisonment of not more than five (5) years, or by a fine of up to five thousand dollars ($5,000), and the large capacity feeding device shall be subject to forfeiture.
(b)
The provisions of subsection (a) of this section shall not apply to:
(1)
Any person who, on June 20, 2022, lawfully possesses a large capacity feeding device; provided that, within one hundred eighty (180) days of June 20, 2022, the person:
(i)
Permanently modifies the large capacity feeding device such that it cannot hold more than ten (10) rounds of ammunition;
(ii)
Surrenders the large capacity feeding device to the police department in the city or town where the person resides in accordance with the procedures for surrender of weapons set forth by the police department or the Rhode Island state police, or, if there is no such police department or the person resides out of state, to the Rhode Island state police; or
(iii)
Transfers or sells the large capacity feeding device to a federally licensed firearm dealer or person or firm outside the State of Rhode Island that is lawfully entitled to own or possess such a feeding device.
(2)(i)
Any law enforcement officer exempt under §§ 11-47-9 and 11-47-9.1; or
(ii)
A retired law enforcement officer exempt under §§ 11-47-9 and 11-47-9.1 who is not otherwise prohibited from receiving such a feeding device from such agency upon retirement, and who has a permit to carry pursuant to § 11-47-18(b).
(3)
An active duty member of the Armed Forces of the United States or the National Guard who is authorized to possess and carry such a feeding device.
History of Section.
P.L. 2022, ch. 99, § 1, effective June 20, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-1. - Short title.

§ 11-47-1. Short title.
This chapter may be cited as the “Firearms Act”.
History of Section.

P.L. 1927, ch. 1052, § 20; G.L. 1938, ch. 404, § 20; G.L. 1956, § 11-47-1; P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-10. - License or permit not required to carry to target range.

§ 11-47-10. License or permit not required to carry to target range.
No license or permit shall be required for the purpose of carrying or transporting any pistol or revolver from one's home or place of business to a bona fide target practice range, nor from a bona fide target practice range to one's home or place of business, to engage in any shoot meet, or practice, provided that the pistol or revolver is broken down, unloaded and carried as openly as circumstances will permit, or provided that the pistols or revolvers are unloaded and secured in a separate container suitable for the purpose.
History of Section.
G.L. 1938, ch. 404, § 5(a); P.L. 1954, ch. 3322, § 1; G.L. 1956, § 11-47-7; G.L. 1956, § 11-47-10; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-11. - License or permit to carry concealed pistol or revolver.

§ 11-47-11. License or permit to carry concealed pistol or revolver.
(a)
The licensing authorities of any city or town shall, upon application of any person twenty-one (21) years of age or over having a bona fide residence or place of business within the city or town, or of any person twenty-one (21) years of age or over having a bona fide residence within the United States and a license or permit to carry a pistol or revolver concealed upon his or her person issued by the authorities of any other state or subdivision of the United States, issue a license or permit to the person to carry concealed upon his or her person a pistol or revolver everywhere within this state for four (4) years from date of issue, if it appears that the applicant has good reason to fear an injury to his or her person or property or has any other proper reason for carrying a pistol or revolver, and that he or she is a suitable person to be so licensed. The license or permit shall be in triplicate in form to be prescribed by the attorney general and shall bear the fingerprint, photograph, name, address, description, and signature of the licensee and the reason given for desiring a license or permit and in no case shall it contain the serial number of any firearm. The original shall be delivered to the licensee. Any member of the licensing authority, its agents, servants, and employees shall be immune from suit in any action, civil or criminal, based upon any official act or decision, performed or made in good faith in issuing a license or permit under this chapter.
(b)
Notwithstanding any other chapter or section of the general laws of the state of Rhode Island, the licensing authority of any city or town shall not provide or release to any individual, firm, association or corporation the name, address, or date of birth of any person who has held or currently holds a license or permit to carry a concealed pistol or revolver. This section shall not be construed to prohibit the release of any statistical data of a general nature relative to age, gender and racial or ethnic background nor shall it be construed to prevent the release of information to parties involved in any prosecution of § 11-47-8 or in response to a lawful subpoena in any criminal or civil action which the person is a party to that action.
History of Section.
P.L. 1927, ch. 1052, § 6; G.L. 1938, ch. 404, § 6; G.L. 1956, § 11-47-8; G.L., § 11-47-11, as enacted by P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1986, ch. 270, § 1; P.L. 1993, ch. 414, § 1; P.L. 1996, ch. 342, § 1; P.L. 1998, ch. 268, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-12. - License or permit fee.

§ 11-47-12. License or permit fee.
A fee of forty dollars ($40.00) shall be charged and shall be paid for each license or permit to the licensing authority issuing it. Every license or permit shall be valid for four (4) years from the date when issued unless sooner revoked. The fee charged for issuing of the license or permit shall be applied for the use and benefit of the city, town, or state of Rhode Island.
History of Section.
P.L. 1927, ch. 1052, § 6; G.L. 1938, ch. 404, § 6; G.L. 1956, § 11-47-9; G.L., § 11-47-12, as enacted by P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1986, ch. 426, § 1; P.L. 1996, ch. 342, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-13. - Revocation of license or permit.

§ 11-47-13. Revocation of license or permit.
Any license or permit may be revoked for just cause at any time by the authority granting it, and, upon revocation, the authority shall give immediate notice to the attorney general, who shall immediately note the revocation, with the date of revocation, upon the copy of the license or permit on file in his or her office.
History of Section.
P.L. 1927, ch. 1052, § 6; G.L. 1938, ch. 404, § 6; G.L. 1956, § 11-47-10; G.L. 1956, § 11-47-13; P.L. 1959, ch. 75, § 1; P.L. 1975,

ch. 278, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-14. - Licenses and permits to banks and carriers.

§ 11-47-14. Licenses and permits to banks and carriers.
The attorney general may issue a license or permit to any banking institution doing business in this state or to any public carrier who is in the business of transporting mail, money, securities, or other valuables, to possess and use machine guns under any regulations that the attorney general may prescribe.
History of Section.
P.L. 1927, ch. 1052, § 7; G.L. 1938, ch. 404, § 7; P.L. 1941, ch. 991, § 1; G.L. 1956, § 11-47-11; G.L. 1956, § 11-47-14; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-15.1. - Qualifications required of law enforcement officers appointed after June 6, 1970.

§ 11-47-15.1. Qualifications required of law enforcement officers appointed after June 6, 1970.
(a)
Except as provided in § 11-47-15.3, all law enforcement officers of this state and its political subdivisions whose permanent appointment shall take place later than June 6, 1970, shall qualify on the official National Rifle Association B-21 police combat target firing a score of one hundred sixty-five (165) or better out of a possible score of two hundred fifty (250) with fifty (50) rounds in the distance, time period, and position required in the course:
(1)
Stage A: Seven (7) yards, ten (10) shots crouch position, time twenty-five (25) seconds.
(2)
Stage B: twelve (12) yards, five (5) shots point shoulder left hand, five (5) shots point shoulder right hand, both unsupported, and five (5) shots kneeling, time seventy-five (75) seconds.
(3)
Stage C: twenty-one (21) yards, five (5) shots point shoulder left hand supported, five (5) shots point shoulder right hand supported, time forty-five (45) seconds.
(4)
Stage D: twenty-five (25) yards, five (5) shots prone, five (5) shots left hand barricade, five (5) shots right hand barricade, time one minute forty-five (1:45) seconds.
(b)
All stages are started with the weapon loaded with 5 rounds and holstered.
History of Section.
P.L. 1970, ch. 282, § 1; P.L. 1997, ch. 364, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-15.2. - Definitions of law enforcement firing positions.

§ 11-47-15.2. Definitions of law enforcement firing positions.
(a)
“Barricade” means standing on both feet drawing the weapon and using the free hand to support it, with the use of the barricade.
(b)
“Crouch position” means exerted effort to reduce the size of the body, weapon may be fired with one or two hands, the shooter may not drop to his or her knee(s).
(c)
“Kneeling” means kneeling on one knee, the other extended towards the target. One arm may be supported on the forward knee. The weapon may be fired with either hand and may be supported by the free hand.
(d)
“Point shoulder” means a semi-crouch position with weapon held at shoulder level.
(e)
“Prone” means body extended on the ground, head towards the target. The weapon may be supported by both hands which are extended towards the target. The shooter shall assume this position by dropping to his or her knees. Weapon shall be drawn while in kneeling position, free hand shall be extended forward to support shooter as he or she continues into the prone position.
History of Section.
P.L. 1970, ch. 282, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-15.3. - Commission on law enforcement standards and training.

§ 11-47-15.3. Commission on law enforcement standards and training.
(a)
In lieu of the provisions of §§ 11-47-15.1, 11-47-15.2 and 11-47-17, each law enforcement department of this state and its political subdivisions may, on an annual basis, submit to the commission on law enforcement standards and training, referred to in this section as the “commission”, a proposal for the training and qualification of their officers on all firearms which they are authorized to carry or use in the performance of their official duties.
(b)
Each proposal shall include training and qualification in the following areas:
(1)
Decision shooting;
(2)
Reduced light shooting;
(3)
Moving targets;
(4)
Use of cover;
(5)
Non-dominate hand shooting;
(6)
Alternate position shooting;
(7)
Reloading drills;
(8)
Malfunction drills.
(c)
A minimum number of one hundred (100) rounds shall be fired by each officer during the training and qualification.
(d)
Qualification shall be no less than twenty percent (20%) nor more than fifty percent (50%) of the total rounds fired. A minimum qualifying score shall be sixty-six percent (66%) of the rounds fired during the qualification phase.
(e)
The commission shall review each proposal and, within fourteen (14) days, notify the department, in writing, whether the proposal is accepted or rejected. In the case of rejection, the commission shall make recommendations to the department which, if implemented, would make the proposal acceptable. Upon receipt of this notification, the department shall have fourteen (14) days to submit a new proposal that is acceptable to the commission.
(f)
In the event that a department neglects to submit a proposal to the commission or fails to submit a proposal that is approved by the commission, the officers of that department shall be required to fulfill the requirements for qualification as set out in § 11-47-15.1, 11-47-15.2, 11-47-17 or 11-47-17.1.
(g)
All law enforcement officers of this state and its political subdivisions whose permanent appointment shall take place after July 1, 1997, will be required to qualify under the provisions of this section with all weapons which they are authorized to carry or use in the execution of their official duties.
(h)
Any law enforcement officer of this state and its political subdivisions whose permanent appointment took place prior to July 1, 1997, may elect to qualify under the applicable provisions of § 11-47-15.1, 11-47-15.2, 11-47-17 or 11-47-17.1.
History of Section.
P.L. 1997, ch. 364, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-15. - Proof of ability required for license or permit.

§ 11-47-15. Proof of ability required for license or permit.
No person shall be issued a license or permit to carry a pistol or revolver concealed upon his or her person until he or she has presented certification as prescribed in § 11-47-16 that he or she has qualified with a pistol or revolver of a caliber equal to or larger than the one he or she intends to carry, that qualification to consist of firing a score of one hundred ninety-five (195) or better out of a possible score of three hundred (300) with thirty (30) consecutive rounds at a distance of twenty-five (25) yards on the army “L” target, firing “slow” fire. The “slow” fire course shall allow ten (10) minutes for the firing of each of three (3) ten (10) shot strings.
History of Section.
P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-16.1. - Special commission on law enforcement weapons qualifications of retired officers.

§ 11-47-16.1. Special commission on law enforcement weapons qualifications of retired officers.

(a)

There is hereby created a special commission to be known as the "Law Enforcement Weapons Qualifications of Retired Officers Commission."

(b)

The purpose and charge of said commission shall be to study all aspects of firearms qualifications, standards, and certifications for all retired law enforcement officers appointed after June 17, 1959, from each of the city and town police departments of this state.

(c)

The commission shall consist of eight (8) members: one of whom shall be the president of the State Fraternal Order of Police, or designee; one of whom shall be the president of the Providence Fraternal Order of Police, Lodge No. 3, or designee; one of whom shall be the superintendent of the Rhode Island state police, or designee; one of whom shall be a representative of a local branch of the International Brotherhood of Police Officers, to be appointed by the national president of the IBPO; one of whom shall be the executive director of the New England Police Chiefs Association, or designee; one of whom shall be the chairman of the Rhode Island commission on law enforcement standards and training, or designee; one of whom shall be the Rhode Island attorney general, or designee; and one of whom shall the president of the Rhode Island State Rifle and Revolver Association or designee.

(d)

Vacancies in said commission shall be filled in like manner as the original appointment.

(e)

The membership of said commission shall receive no compensation for their services.

(f)

All departments and agencies of the state shall furnish such advice and information, documentary and otherwise, to said commission and its agents as is deemed necessary or desirable by the commission to facilitate the purposes of this resolution.

(g)

The commission shall report its findings and recommendations to the general assembly annually, on or before January 2, commencing in 2009.

History of Section.

P.L. 2008, ch. 368, § 1; P.L. 2008, ch. 383, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-16. - Certification of qualification.

§ 11-47-16. Certification of qualification.

The range officer of the Rhode Island state police, the range officer of any city or town police department maintaining a regular and continuing firearms training program, a pistol instructor certified by the National Rifle Association and/or the United States Revolver Association, and any other qualified persons that the attorney general may designate are authorized to certify the qualification required by §§ 11-47-15 and 11-47-15.1. The certification required by §§ 11-47-15, 11-47-15.1 and § 11-47-15.3 shall be accomplished on a form to be prescribed by the attorney general.

History of Section.

P.L. 1959, ch. 75, § 1; P.L. 1970, ch. 282, § 2; P.L. 1997, ch. 364, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-17.1. - Mandatory or discretionary nature of § 11-47-15.1 requirements — Qualification reports to be filed.

§ 11-47-17.1. Mandatory or discretionary nature of § 11-47-15.1 requirements — Qualification reports to be filed.

(a)

All law enforcement officers of this state and its political subdivisions, whose permanent appointment shall take place later than June 6, 1970, shall be required to qualify with the pistol or revolver with which they are armed prior to their permanent appointment, that qualification to be as required in §§ 11-47-15.1 and 11-47-15.3. All permanent appointed law enforcement officers of this state and its political subdivisions who are required to qualify under § 11-47-17 may, at the discretion of the officer, qualify under either § 11-47-15, § 11-47-15.1, or § 11-47-15.3. The failure of any law enforcement officer to qualify under the provisions of this section revokes his or her privilege of carrying a pistol or revolver, whether concealed or not, on or about his or her person. Qualification under this section will be required at periods of not more than one year.

(b)

Copies of all of the qualification reports shall be filed with the office of the attorney general.

History of Section.

P.L. 1970, ch. 282, § 1; P.L. 1978, ch. 279, § 1; P.L. 1997, ch. 364, § 2; P.L. 2007, ch. 73, art. 3, § 15; P.L. 2022, ch. 212, § 1, effective June 27, 2022; P.L. 2022, ch. 213, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-17. - Qualifications

required of law enforcement officers appointed after June 17, 1959.

§ 11-47-17. Qualifications required of law enforcement officers appointed after June 17, 1959.
Except as provided in § 11-47-15.3, all law enforcement officers of this state and its political subdivisions whose permanent appointment shall take place after June 17, 1959, will be required to qualify with the pistol or revolver with which they are armed prior to their permanent appointment, that qualification to be the same as that required in § 11-47-15. Town constables or police constables, special officers, and all law enforcement officers, who by law are authorized to carry side arms and whose appointments are made on a recurring basis, will be required to qualify not later than one year following the date of enactment of this section and their commissions or warrants will be plainly marked or stamped "QUALIFIED WITH PISTOL OR REVOLVER" and will be signed and dated by the certifying authority attesting to that fact. The failure of any law enforcement officer to qualify under the provisions of this section revokes his or her privilege of carrying a pistol or revolver, whether concealed or not, on or about his or her person. All law enforcement officers of this state and its political subdivisions will repeat this qualification at periods of not more than one year.
History of Section.
P.L. 1959, ch. 75, § 1; P.L. 1997, ch. 364, § 2; P.L. 2007, ch. 73, art. 3, § 15; P.L. 2015, ch. 260, § 18; P.L. 2015, ch. 275, § 18; P.L. 2022, ch. 212, § 1, effective June 27, 2022; P.L. 2022, ch. 213, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-18. - License or permit issued by attorney general on showing of need — Issuance to retired police officers.

§ 11-47-18. License or permit issued by attorney general on showing of need — Issuance to retired police officers.
(a)
The attorney general may issue a license or permit to any person twenty-one (21) years of age or over to carry a pistol or revolver, whether concealed or not, upon his or her person upon a proper showing of need, subject to the provisions of §§ 11-47-12 and 11-47-15; that license or permit may be issued notwithstanding the provisions of § 11-47-7.
(b)
All state police officers and permanent members of city and town police forces of this state who have retired in good standing after at least twenty (20) years of service, or retired in good standing due to a physical disability other than a psychological impairment, may be issued a license or permit by the attorney general subject to the provisions of §§ 11-47-12 and 11-47-15. The term "in good standing" means that at the time of retirement, the police officer was not facing disciplinary action that could have resulted in his or her termination for misconduct or unfitness for office. Any member of the licensing authority, and its agents, servants, and employees shall be immune from suit in any action, civil or criminal, based upon any official act or decision, performed or made in good faith in issuing a license or permit under this chapter.
(c)
Notwithstanding any other chapter or section of the general laws of the state of Rhode Island, the attorney general shall not provide or release to any individual, firm, association or corporation the name, address, or date of birth of any person who has held or currently holds a license or permit to carry a concealed pistol or revolver. This section shall not be construed to prohibit the release of any statistical data of a general nature relative to age, gender and racial or ethnic background nor shall it be construed to prevent the release of information to parties involved in any prosecution of § 11-47-8 or in response to a lawful subpoena in any criminal or civil action which said person is a party to such action.
History of Section.
G.L. 1938, ch. 404, § 7; P.L. 1950, ch. 2452, § 2; G.L. 1956, § 11-47-13; G.L. 1956, § 11-47-18; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1981, ch. 387, § 1; P.L. 1990, ch. 396, § 1; P.L. 1993, ch. 414, § 1; P.L. 1998, ch. 268, § 1; P.L. 2007, ch. 368, § 1; P.L. 2007, ch. 438, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-19. - Machine gun manufacturers' licenses or permits.

§ 11-47-19. Machine gun manufacturers' licenses or permits.
The attorney general may issue to any person, firm, or corporation, engaged in manufacturing in this state, a license or permit to manufacture and sell machine guns and any or all machine gun parts under any regulations that the attorney general may prescribe.
History of Section.
G.L. 1938, ch. 404, § 7; P.L. 1941, ch. 991, § 1; G.L. 1956, § 11-47-12; G.L. 1956, § 11-47-19; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-2. - Definitions.

§ 11-47-2. Definitions.
When used in this chapter, the following words and phrases are construed as follows:
(1)
"3D printing process" means 3D printing or additive manufacturing which is a process of making three (3) dimensional solid objects from a computer file and shall include any of various processes in which material is joined or solidified under computer control to

create a three (3) dimensional object, with material being added together including liquid molecules or powder grains.
(2)
“Antique firearm” is defined as that term is defined under the provisions of 18 U.S.C. § 921.
(3)
“Binary trigger” means a device that replaces a standard trigger on a semi-automatic weapon and is designed to fire one round on the pull of the trigger and another round upon release of the trigger.
(4)
“Bump-fire stock” means any device that replaces a semi-automatic weapon’s standard stock and is designed to slide back and forth rapidly, harnessing the weapon’s recoil to rapidly fire the weapon.
(5)
“Crime of violence” means and includes any of the following crimes or an attempt to commit any of them: murder, manslaughter, rape, first- or second-degree sexual assault, first- or second-degree child molestation, kidnapping, first- and second-degree arson, mayhem, robbery, burglary, breaking and entering, any felony violation involving the illegal manufacture, sale, or delivery of a controlled substance, or possession with intent to manufacture, sell, or deliver a controlled substance classified in schedule I or schedule II of § 21-28-2.08, any violation of § 21-28-4.01.1 or § 21-28-4.01.2 or conspiracy to commit any violation of these statutes, assault with a dangerous weapon, assault or battery involving grave bodily injury, or assault with intent to commit any offense punishable as a felony; upon any conviction of an offense punishable as a felony offense under § 12-29-5.
(6)
“Firearm” includes any machine gun, pistol, rifle, air rifle, air pistol, “blank gun,” “BB gun,” or other instrument from which steel or metal projectiles are propelled, or that may readily be converted to expel a projectile, except crossbows, recurve, compound, or longbows, and except instruments propelling projectiles that are designed or normally used for a primary purpose other than as a weapon. The frame or receiver of the weapon shall be construed as a firearm under the provisions of this section.
(7)
“Fugitive from justice” means any person who has fled from any state, territory, the District of Columbia, or possession of the United States to avoid prosecution for a crime of violence or to avoid giving testimony in any criminal proceeding.
(8)
“Ghost gun” means a firearm, including a frame or receiver, that lacks a unique serial number engraved or cased in metal alloy on the frame or receiver by a licensed manufacturer, maker, or importer under federal law or markings in accordance with 27 C.F.R. § 479.102. It does not include a firearm that has been rendered permanently inoperable, or a firearm that is not required to have a serial number in accordance with the federal Gun Control Act of 1968.
(9)
“Licensing authorities” means the board of police commissioners of a city or town where the board has been instituted, the chief of police or superintendent of police of other cities and towns having a regular organized police force, and, in towns where there is no chief of police or superintendent of police, it means the town clerk who may issue licenses upon the recommendation of the town sergeant, and it also means any other person or body duly authorized by the city or town charter or by state law.
(10)
“Machine gun” means any weapon that shoots, is designed to shoot, or can be readily restored to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. The term also includes the frame or receiver of the weapon, any combination of parts designed and intended for use in converting a weapon into a machine gun, and any combination of parts from which a machine gun can be assembled if the parts are in the possession or under the control of a person.
(11)
“Major component” means, with respect to a firearm:
(i)
The slide or cylinder or the frame or receiver of the firearm; and
(ii)
In the case of a rifle or shotgun, includes the barrel of the firearm.
(12)
“Person” includes an individual, partnership, firm, association, or corporation.
(13)
“Pistol” includes any pistol or revolver, and any shotgun, rifle, or similar weapon with overall length less than twenty-six inches (26″), but does not include any pistol or revolver designed for the use of blank cartridges only.
(14)
“Rifle” shall have the same meaning as in 26 U.S.C. § 5845(c), and by barrel length and overall length not be subject to registration pursuant to the National Firearms Act, 26 U.S.C. ch. 53 (prior § 5801 et seq.).
(15)
“Sawed-off rifle” means any rifle with overall length of less than twenty-six inches (26″) or barrel length of less than sixteen inches (16″).
(16)
“Sawed-off shotgun” means any shotgun with overall length of less than twenty-six inches (26″) or barrel length of less than

eighteen inches (18″).
(17)
“Sell” includes let or hire, give, lend, and transfer, and “purchase” includes hire, accept, and borrow, and “purchasing” shall be construed accordingly.
(18)
“Shotgun” shall have the same meaning as in 26 U.S.C. § 5845(d), and by barrel length and overall length not be subject to registration pursuant to the National Firearms Act, 26 U.S.C. ch. 53 (prior § 5801 et seq.).
(19)
“Trigger crank” means a trigger actuator that attaches to the trigger of a semi-automatic weapon and causes the weapon to fire by turning the crank handle.
(20)
“Undetectable firearm” means any firearm that:
(i)
After removal of all parts, other than a major component, is not as detectable by walk-through metal detectors commonly used at airports or other public buildings; or
(ii)
Any major component of which, if subjected to inspection by the types of detection devices commonly used at airports or other public buildings for security screening, would not generate an image that accurately depicts the shape of the component; or
(iii)
Is manufactured wholly of plastic, fiberglass, or through a 3D printing process; or
(iv)
Upon which the frame or receiver lacks a unique serial number engraved or cased into on the frame or receiver by a licensed manufacturer, maker, or importer under federal law, or markings in accordance with 27 C.F.R. § 479.102. Provided, however, this subsection shall not apply to any firearm rendered permanently inoperable or a firearm manufactured prior to 1968.
History of Section.
P.L. 1927, ch. 1052, § 1; G.L. 1938, ch. 404, § 1; P.L. 1950, ch. 2452, § 1; G.L. 1956, § 11-47-2; P.L. 1959, ch. 75, § 1; P.L. 1974, ch. 184, § 1; P.L. 1975, ch. 278, § 1; P.L. 1988, ch. 660, § 1; P.L. 1989, ch. 542, § 7; P.L. 1991, ch. 333, § 1; P.L. 1995, ch. 153, § 1; P.L. 1996, ch. 275, § 1; P.L. 2012, ch. 213, § 1; P.L. 2012, ch. 232, § 1; P.L. 2018, ch. 5, § 1; P.L. 2018, ch. 8, § 1; P.L. 2020, ch. 9, § 1; P.L. 2020, ch. 10, § 1; P.L. 2022, ch. 133, § 1, effective June 21, 2022; P.L. 2022, ch. 134, § 1, effective June 21, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-20.1. - Armor-piercing bullets.

§ 11-47-20.1. Armor-piercing bullets.
It shall be unlawful within this state for any person to import, manufacture, sell, purchase, or otherwise transfer any bullets which have steel inner cores or cores of equivalent hardness and truncated cones and which are designed for use in pistols as armor-piercing or metal-piercing bullets. Any person who violates the provisions of this section shall be punished by imprisonment for not more than three (3) years, or a fine of not more than five thousand dollars ($5,000), or both. This section shall not apply to the purchase of those bullets by the Rhode Island state police, by any city or town police department of the state of Rhode Island, or by the department of environmental management for display as a part of a firearms training course under its auspices.
History of Section.
P.L. 1982, ch. 218, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-20.2. - Possession during commission of a felony.

§ 11-47-20.2. Possession during commission of a felony.
Any person who uses bullets referred to in § 11-47-20.1 in the commission of a felony or who carries bullets of that kind in any weapon during the commission of a felony shall, in addition to the punishment provided for the commission of the felony, be punished by imprisonment for not less than one year nor more than ten (10) years, or a fine of not more than ten thousand dollars ($10,000), or both.
History of Section.
P.L. 1982, ch. 218, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-20.3. - Injury or death of law enforcement officer.

§ 11-47-20.3. Injury or death of law enforcement officer.
Any person who uses bullets as defined in § 11-47-20.1 in the shooting of any law enforcement officer acting in the performance of his or her official duties so as to cause injury or death to the officer shall, upon conviction, be sentenced to life imprisonment.
History of Section.
P.L. 1990, ch. 462, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-20.4. - Body armor.

§ 11-47-20.4. Body armor.

(a)

It shall be unlawful within this state for any person to purchase, own or possess body armor, if that person has been convicted of a felony that is a crime of violence. It shall be an affirmative defense under this section that the defendant obtained prior written certification from his or her employer that the defendant's purchase, use or possession of body armor was necessary for the safe performance of lawful business activity. It shall also be an affirmative defense for a confidential informant or witness with a conviction for a crime of violence to possess body armor when that person is engaged by a law enforcement agency, for a legitimate law enforcement purpose, and is under the direct supervision and acting under the direct authorization of the colonel or chief of police of that law enforcement agency. Any person who violates the provisions of this section shall be punished by imprisonment for not more than three (3) years, or a fine of not more than five thousand dollars ($5,000), or both.

(b) Definitions.

For the purposes of this section, the following definitions shall apply:

(1)

"Crime of violence" means murder, manslaughter, first degree arson, kidnapping with intent to extort, robbery, larceny from the person, first degree sexual assault, second degree sexual assault, first and second degree child molestation, assault with intent to murder, assault with intent to rob, assault with intent to commit first degree sexual assault, burglary, and entering a dwelling house with intent to commit murder, robbery, sexual assault, or larceny.

(2)

"Body armor" means any product sold or offered for sale, in interstate or foreign commerce, as personal protective body covering intended to protect against gunfire, regardless of whether the product is to be worn alone or is sold as a complement to another product or garment.

History of Section.

P.L. 2012, ch. 135, § 1; P.L. 2012, ch. 144, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-20. - Sale or possession of silencers.

§ 11-47-20. Sale or possession of silencers.

It shall be unlawful within this state to manufacture, sell, purchase, or possess any muffler, silencer, or device for deadening or muffling the sound of a firearm when discharged; provided, however, that law enforcement officers utilizing said devices while acting within the scope of their official duties, as tactical teams and under the direct supervision of the police chief or the colonel of the state police or their designee, shall not be in violation of this section. Violations of this section shall be punished by imprisonment for not less than one year and one day.

History of Section.

P.L. 1927, ch. 1052, § 8; G.L. 1938, ch. 404, § 8; G.L. 1956, § 11-47-14; G.L. 1956, § 11-47-20; P.L. 1959, ch. 75, § 1; P.L. 2024, ch. 320, § 1, effective June 25, 2024; P.L. 2024, ch. 321, § 1, effective June 25, 2024.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-21. - Restrictions on possession or carrying of explosives or noxious substances.

§ 11-47-21. Restrictions on possession or carrying of explosives or noxious substances.

Any person, except a member of the state police, division of sheriffs, a member of the police force of any city or town, or a member of the Army, Navy, Air Force, or Marine Corps of the United States, or of the National Guard or organized reserves when on duty, who possesses, or carries on or about his or her person or in a vehicle, a bomb or bombshell, except for blasting or other commercial use, or who, with intent to use it unlawfully against the person or property of another, possesses or carries any explosive substance, or any noxious liquid, gas, or substance, shall be guilty of a violation of this chapter and punished as provided in § 11-47-26.

History of Section.

P.L. 1927, ch. 1052, § 9; G.L. 1938, ch. 404, § 9; G.L. 1956, § 11-47-15; G.L. 1956, § 11-47-21; P.L. 1959, ch. 75, § 1; P.L. 1994, ch. 134, § 6; P.L. 2012, ch. 324, § 41.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-22. - Forfeiture and destruction of unlawful firearms.

§ 11-47-22. Forfeiture and destruction of unlawful firearms.

(a)

No property right shall exist in any firearm unlawfully possessed, carried, or used, and all unlawful firearms are hereby declared to be nuisances and forfeited to the state.

(b)

When a firearm is lawfully seized, confiscated from or turned in by any person, it shall be placed in the custody of the superintendent of state police or the chief of police in the city or town in which it was seized, confiscated or turned in to. The officer

who takes custody of the firearm shall promptly ascertain, using available record keeping systems, including, but not limited to, the National Crime Information Center, whether the firearm has been reported stolen and if stolen shall notify the reporting law enforcement agency of the recovery of said firearm. If the police department in the city or town in which the firearm was seized or confiscated has not been notified by a justice of the superior court or the attorney general that the firearm is necessary as evidence in a criminal or civil matter, it shall be returned to the lawful owner. However, any owner of a firearm who shall knowingly fail to report the loss or theft of the firearm to the proper law enforcement authorities shall not be entitled to its return.

(c)

If a firearm is found not to be stolen and the owner cannot be readily ascertained within ninety (90) days subsequent to the seizure or confiscation of said firearm and the firearm is no longer necessary as evidence in a criminal or civil matter, the police department having custody of the firearm shall have the option of either: (1) destroying said firearm by rendering it permanently and irretrievably inoperable; (2) transferring custody of said firearms to the state crime laboratory for the purpose of criminal investigation; or (3) holding an auction of those firearms seized, confiscated or turned in to said police department; provided, however, any firearms to be transferred at auction shall be limited to antique firearms or curios or relics. For purposes of this section, “an antique firearm” shall be defined as any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured on or before 1899, and any replica of such firearm if such replica is not designed or redesigned for using rim-fire or conventional center fire fixed ammunition, or uses rim-fire or conventional center fire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade. “Curios or relics” shall be defined as firearms which are of special interest to collectors by reason of some quality other than is associated with firearms intended for sporting use or as offensive or defensive weapons. To be recognized as curios or relics, firearms must be manufactured at least fifty (50) years prior to the current date, but not including replicas thereof, and firearms which derive a substantial part of their monetary value from the fact that they are novel, rare, bizarre, or because of their association with some historical figure, period, or event.

(d)

In the event that an auction is held, bidders shall be limited to bona fide holders of a valid Federal Firearms License for Retail Sale or a Federal Firearms Collector License. Any auction shall be advertised at least once a week for a period of three (3) weeks preceding the date of the auction in a newspaper of general circulation, said notice clearly stating the time, location and terms of said auction. All funds realized shall be used to purchase and provide necessary safety equipment, including, but not limited to, bulletproof vests, for the police department holding the auction and shall not revert to any general fund of the state, city or town, as the case may be.

(e)

All firearms received by any police department in any manner shall be entered in the department’s permanent records and listed by make, model, caliber and serial number and the manner in which said firearm was disposed of and, if by auction, the name and federal license number of the buyer. A copy of said record shall be forwarded to the office of the Rhode Island Attorney General and the Bureau of Alcohol, Tobacco and Firearms of the United States Treasury Department on at least an annual basis.

History of Section.

P.L. 1927, ch. 1052, § 10; G.L. 1938, ch. 404, § 10; G.L. 1956, § 11-47-16; G.L. 1956, § 11-47-22; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 2003, ch. 418, § 1; P.L. 2003, ch. 432, § 1; P.L. 2008, ch. 267, § 1; P.L. 2008, ch. 417, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-23. - False information in securing firearm or license — Straw purchases.

§ 11-47-23. False information in securing firearm or license — Straw purchases.

(a)

No person shall, in purchasing or otherwise securing delivery of a shotgun, rifle, pistol, or revolver, or in applying for a license or permit to carry it, give false information or offer false evidence of his or her identity.

(b)

No person shall knowingly purchase or otherwise obtain a shotgun, rifle, pistol, or revolver on behalf of another person, or transfer a shotgun, rifle, pistol, or revolver to another person, whom the transferor knows or reasonably should know is prohibited from possessing a firearm under federal or state law.

(c)

A first violation of the provisions of this section may be punished by a fine of not more than five thousand dollars ($5,000), imprisonment for not more than five (5) years, or both. A second or subsequent violation of the provisions of this section may be punished by a fine of not more than ten thousand dollars ($10,000), imprisonment for not more than ten (10) years, or both.

History of Section.

P.L. 1927, ch. 1025, § 11; G.L. 1938, ch. 404, § 11; G.L. 1956, § 11-47-17; G.L., § 11-47-23; P.L. 1959, ch. 75, § 1; P.L. 1990, ch. 37, § 2; P.L. 1990, ch. 300, § 1; P.L. 2013, ch. 455, § 3; P.L. 2013, ch. 464, § 3; P.L. 2021, ch. 339, § 1, effective July 12, 2021; P.L. 2021, ch. 340, § 1, effective July 12, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-24. - Alteration of marks of identification on firearms.

§ 11-47-24. Alteration of marks of identification on firearms.
(a)
No person shall change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or if there is no name of the maker, model, or manufacturer's number then any other mark of identification on any firearm.
(b)
No person shall, absent recertification paperwork, knowingly receive, transport, or possess any firearm which has had the name of the maker or manufacturer's serial number removed, altered, or obliterated, or if there is no name of the maker, model, or manufacturer's number then any other mark of identification on any firearm.
(c)
Possession of any firearm, absent recertification paperwork, upon which the name of the maker, model, manufacturer's number, or if there is no name of the maker, model, or manufacturer's number then any other mark of identification on any firearm has been changed, altered, removed, or obliterated shall be prima facie evidence that the possessor has changed, altered, removed, or obliterated.
(d)
A person in possession of a firearm, with proof of ownership and/or transfer from a FFL dealer, may apply for recertification of that firearm from a Rhode Island based licensed firearms business owner who also is an FFL dealer or a local police chief and/or police department official if the name of the maker, model, manufacturer's number, or if there is no name of the maker, model, or manufacturer's number then any other mark of identification on the firearm has been only partially damaged.
(e)
The Rhode Island based licensed firearms business owner who is also an FFL dealer or a local police chief and/or police department official shall, within sixty (60) days of the application if he or she is reasonably able to verify the firearm ownership and identifying marks recertify the firearm or return the firearm to the person who presented it, certify by written notarized documentation that the firearm's name of the maker, model, manufacturer's number, or if there is no name of the maker, model, or manufacturer's number then any other mark of identification on the firearm has been partially damaged and is still identifiable and traceable to the record owner.
(f)
The sale or transfer of a recertified firearm and/or the submission of a report by the record owner that the firearm was stolen immediately voids all recertification documentation.
(g)
Violation of the provisions of this section may be punished by imprisonment for not more than five (5) years.
(h)
This section shall not apply to the lawful exchange of component parts of any firearms, nor to any antique and collectible weapons legally possessed by collectors and dealers of firearms as provided in § 11-47-25.
History of Section.
P.L. 1927, ch. 1052, § 12; G.L. 1938, ch. 404, § 13; G.L. 1956, § 11-47-18; G.L. 1956, § 11-47-24; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 2013, ch. 454, § 1; P.L. 2013, ch. 481, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-25. - Antique firearms and collections.

§ 11-47-25. Antique firearms and collections.
This chapter shall not apply to antique firearms unsuitable for use, nor to collections of firearms utilized and maintained for educational, scientific, or any similar purpose without intent to use the firearms.
History of Section.
P.L. 1927, ch. 1052, § 13; G.L. 1938, ch. 404, § 13; G.L. 1956, § 11-47-19; G.L. 1956, § 11-47-25; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-26. - Penalties for violations.

§ 11-47-26. Penalties for violations.
Unless otherwise specified, any violation of any provision of this chapter shall be punished by a fine of not more than one thousand dollars ($1,000), or imprisonment for not more than five (5) years, or both; provided, that a violation of any of the provisions of §§ 11-47-1 — 11-47-34 with relation to air rifle, air pistol, "blank gun," "BB gun," or other instrument other than a machine gun, shotgun, rifle, or pistol, from which steel or other metal projectiles are propelled, shall for the first offense be punished by a fine of not more than fifty dollars ($50.00) and for the second or any subsequent offense by a fine of not more than one hundred dollars ($100), or by imprisonment for not more than thirty (30) days, or both; and provided, further, that the provisions of chapter 1 of title 14 shall apply in the case of any person under the age of eighteen (18) years.
History of Section.
P.L. 1927, ch. 1052, § 14; P.L. 1929, ch. 1421, § 3; G.L. 1938, ch. 404, § 14; G.L. 1938, ch. 405, § 3; P.L. 1950, ch. 2452, § 3; G.L. 1956, §§ 11-47-20, 11-47-31; G.L. 1956, § 11-47-26; P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-27. - Standard of proof under §§ 11-47-1 — 11-47-34.

§ 11-47-27. Standard of proof under §§ 11-47-1 — 11-47-34.
No negative allegation of any kind need be averred or proved in any complaint under §§ 11-47-1 — 11-47-34, and the carrying or use of any firearm contrary to the provisions of those sections shall be evidence that the possession, carrying or use of any firearm is unlawful, but the respondent in any case brought under those sections may show any fact that would render the possession, or use, or carrying of the firearm lawful.
History of Section.
P.L. 1927, ch. 1052, § 15; G.L. 1938, ch. 404, § 15; G.L. 1956, § 11-47-21; G.L. 1956, § 11-47-27; P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-28. - Arrest and detention for possession of firearms.

§ 11-47-28. Arrest and detention for possession of firearms.
Every officer authorized to make an arrest may, without complaint and warrant, arrest any person who has in his or her possession any firearm whenever the officer has reasonable ground to suspect that the person possesses or is using or is carrying the firearm contrary to law. Any person so arrested may be detained a reasonable time, not exceeding twenty-four (24) hours, for the purpose of making an investigation concerning the person, but no person so arrested shall be detained longer than twenty-four (24) hours without complaint being made against him or her before some proper court or justice. If the officer making the arrest shall at any time within the twenty-four (24) hours satisfy himself or herself that there is no ground for making a criminal complaint against the person, he or she shall be discharged from custody.
History of Section.
P.L. 1927, ch. 1052, § 16; G.L. 1938, ch. 404, § 16; G.L. 1956, § 11-47-22; G.L. 1956, § 11-47-28; P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-29. - Certification of conviction of alien.

§ 11-47-29. Certification of conviction of alien.
In the case of the conviction under §§ 11-47-1 — 11-47-34 of a person who is not a citizen of the United States, it shall be the duty of the clerk of the court in which conviction is secured to certify the fact of the conviction to the proper officer of the United States government having supervision of the deportation of aliens.
History of Section.
P.L. 1927, ch. 1052, § 17; G.L. 1938, ch. 404, § 17; G.L. 1956, § 11-47-23; G.L. 1956, § 11-47-29; P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-3.1. - Carrying a stolen firearm when committing a crime of violence.

§ 11-47-3.1. Carrying a stolen firearm when committing a crime of violence.
No person shall commit a crime of violence when armed with or having available a stolen firearm. Every person violating the provisions of this section shall be punished: (1) for the first conviction by imprisonment for not less than five (5) nor more than fifteen (15) years; (2) for a second conviction under this section by imprisonment for not less than fifteen (15) nor more than twenty (20) years; and (3) for a third or subsequent conviction under this section by imprisonment for not less than twenty (20) years and may be imprisoned for life. The sentence imposed shall be consecutive to the underlying sentence for the crime of violence.
History of Section.
P.L. 1992, ch. 438, § 1; P.L. 2013, ch. 455, § 1; P.L. 2013, ch. 464, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-3.2. - Using a firearm when committing a crime of violence.

§ 11-47-3.2. Using a firearm when committing a crime of violence.
(a)
No person shall use a firearm while committing or attempting to commit a crime of violence. Every person violating the provisions of this section shall be punished: (1) for the first offense by imprisonment for ten (10) years; however, if the violation was committed by use of a machine gun as defined in § 11-47-2(10), the term of imprisonment shall be thirty (30) years; (2) for a second conviction under this section by imprisonment for twenty (20) years; however, if the violation was committed by use of a machine gun as defined in § 11-47-2(10), the term of imprisonment shall be life; and (3) for a third or subsequent conviction, the person shall be sentenced to life, or life without the possibility of parole by the sentencing judge after consideration of aggravating and mitigating circumstances contained in §§ 12-19.2-3 and 12-19.2-4. Any sentence imposed upon a person pursuant to this section shall be imposed consecutively to and not concurrently with any sentence imposed for the underlying crime or attempted crime, and the person shall not be afforded the benefits of deferment of sentence or parole; provided, that unless sentenced to life without the possibility of parole pursuant to subdivision (3) of this subsection, a person sentenced to life under this section may be granted parole.

(b)
Every person who, while committing an offense violating subsection (a) of this section, discharges a firearm shall be guilty of a felony and be imprisoned as follows:
(1)
Ten (10) years, if no injury to any other person results from the discharge;
(2)
Twenty (20) years, if a person other than a police officer is injured by the discharge of the firearm, or if a police officer who is engaged in the performance of his or her duty is deliberately endangered by the person's discharge of the firearm;
(3)
Life, if a police officer who is engaged in the performance of his or her duty is injured by the discharge of the firearm; and
(4)
Life, if the death or permanent incapacity of any person (other than the person convicted) results from the discharge of the firearm; provided that, involuntary manslaughter shall not be considered a "crime of violence" for the purpose of subdivision (b)(4) only.
(c)
The penalties defined in subsection (b) of this section shall run consecutively, and not concurrently, to any other sentence imposed and, notwithstanding the provisions of chapter 8 of title 13, the person shall not be afforded the benefits of deferment of sentence or parole; provided, that a person sentenced to life under subdivision (b)(3) or (b)(4) of this section may be granted parole.
History of Section.
P.L. 2000, ch. 158, § 2; P.L. 2000, ch. 285, § 2; P.L. 2012, ch. 216, § 1; P.L. 2012, ch. 230, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-3. - Carrying dangerous weapons or substances when committing crime of violence.

§ 11-47-3. Carrying dangerous weapons or substances when committing crime of violence.
No person shall commit or attempt to commit a crime of violence when armed with or having available any firearm, explosive substance, noxious liquid, gas or substance, or acid. Every person violating the provisions of this section shall be punished: (1) for the first conviction by imprisonment for not less than three (3) nor more than ten (10) years; (2) for a second conviction under this section by imprisonment for not less than ten (10) nor more than twenty (20) years; and (3) for a third or subsequent conviction the person convicted shall be sentenced to not less than fifteen (15) years to life imprisonment. For the penalties provided in this section he or she shall not be afforded the provisions of suspension or deferment of sentence, nor of probation.
History of Section.
P.L. 1927, ch. 1052, § 2; G.L. 1938, ch. 404, § 2; G.L. 1956, § 11-47-3; P.L. 1959, ch. 75, § 1; P.L. 1968, ch. 183, § 1; P.L. 1977, ch. 16, § 1; P.L. 1989, ch. 544, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-30. - Transfer or delivery of firearms to minors.

§ 11-47-30. Transfer or delivery of firearms to minors.
(a)
It shall be unlawful within this state for any person to transfer, give, convey, or cause to be transferred, given, or conveyed any firearm to any person under eighteen (18) years of age, when the person knows or has reason to know that the recipient is under eighteen (18) years of age, except for the limited purposes set forth in §§ 11-47-33 and 11-47-34 [repealed] and with the prior approval or consent of the parent or legal guardian of the minor.
(b)
Every person violating this section shall be punished, upon conviction, by imprisonment for not less than ten (10) years and not more than twenty (20) years. The prohibitions of this section shall not apply to any federally and state licensed retail dealer who makes reasonable efforts to verify a purchaser's age and shall not apply to the sale of an air rifle, air pistol, "blank gun", or "BB gun."
History of Section.
G.L. 1938, ch. 404, § 21; P.L. 1950, ch. 2452, § 4; G.L. 1956, § 11-47-24; G.L. 1956, § 11-47-30; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1999, ch. 389, § 1; P.L. 2000, ch. 158, § 1; P.L. 2000, ch. 285, § 1; P.L. 2022, ch. 135, § 1, effective June 21, 2022; P.L. 2022, ch. 136, § 1, effective June 21, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-31. - Sale, transfer or delivery of ammunition to minors.

§ 11-47-31. Sale, transfer or delivery of ammunition to minors.
(a)
It shall be unlawful within this state for any person to sell, transfer, give, convey, or cause to be sold, transferred, given or conveyed any ammunition, including any priming charge of powder, propelling charge of powder, or any form of missile or projectile to be ejected from a firearm to any person under eighteen (18) years of age when the person knows or has reason to know that the recipient is under eighteen (18) years of age, except for the limited purposes set forth in §§ 11-47-33 and 11-47-34 [repealed] and

with the prior approval or consent of the parent or legal guardian of the minor.
(b)
Every person violating this section shall be punished, upon conviction, by imprisonment for a term not to exceed ten (10) years. The prohibitions of this section shall not apply to any federally and state licensed retail dealer who makes reasonable efforts to verify a purchaser's age and shall not apply to the sale of ammunition for an air rifle, air pistol, "blank gun" or "BB gun."
History of Section.
G.L. 1938, ch. 404, § 22; P.L. 1950, ch. 2452, § 4; G.L. 1956, § 11-47-25; G.L. 1956, § 11-47-31; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1999, ch. 389, § 1; P.L. 2000, ch. 158, § 1; P.L. 2000, ch. 285, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-32. - Possession of ammunition by minor.

§ 11-47-32. Possession of ammunition by minor.
Except as provided in § 11-47-33, it shall be unlawful within this state for any person under eighteen (18) years of age to possess and use ammunition, including any priming charge of powder, propelling charge of powder, or any form of missile or projectile to be ejected from a firearm.
History of Section.
G.L. 1938, ch. 404, § 23; P.L. 1950, ch. 2452, § 4; G.L. 1956, § 11-47-26; G.L. 1956, § 11-47-32; P.L. 1959, ch. 75, § 1; P.L. 1999, ch. 374, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-33. - Possession of firearms by minors.

§ 11-47-33. Possession of firearms by minors.
(a)
It shall be unlawful within this state for any person under eighteen (18) years of age to possess and use any firearm unless the person is in the presence of a parent or guardian or supervising adult at any regular and recognized camp or rifle range approved by the Rhode Island state police or by the chief of police of the city or town in which the camp or rifle range is located; provided, that this provision shall not apply to minors engaged in lawful hunting activity under the supervision of a parent or guardian or qualified adult, minors participating in Reserve Officer Training Corps programs, ceremonial parade activities, competitive and target shooting, participants in state militia activities and minors participating in a basic firearms education program; provided, further, that a person under eighteen (18) years of age may carry a firearm, unloaded, in a suitable case to and from his or her home and the camp or range and from the camp or range to other camp or range when accompanied by a parent, guardian, or supervising adult.
(b)
For purposes of this section only, "qualified adult" means any person twenty-one (21) years of age or older and permitted by law to possess and use the firearm.
History of Section.
G.L. 1938, ch. 404, § 24; P.L. 1950, ch. 2452, § 4; G.L. 1956, § 11-47-27; G.L. 1956, § 11-47-33; P.L. 1959, ch. 75, § 1; P.L. 1999, ch. 374, § 1; P.L. 2022, ch. 135, § 1, effective June 21, 2022; P.L. 2022, ch. 136, § 1, effective June 21, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-35.1. - Persons exempt from § 11-47-35.

§ 11-47-35.1. Persons exempt from § 11-47-35.
The provisions of § 11-47-35 shall not apply to full-time members of the state police, full-time members of the state marshal's office, full-time members of city or town police departments, or state marshals or correctional officers or persons licensed under § 11-47-11.
History of Section.
P.L. 1987, ch. 135, § 1; P.L. 1992, ch. 383, § 1; P.L. 1993, ch. 202, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-35.2. - Sale of rifles/shotguns.

§ 11-47-35.2. Sale of rifles/shotguns.
(a)
No person shall deliver a rifle or shotgun to a purchaser until seven (7) days shall have elapsed from twelve o'clock (12:00) noon of the day following the day of application for the purchase, and when delivered, the rifle or shotgun shall be unloaded and securely wrapped, with the bill of sale for it to be enclosed within the wrapper with the rifle or shotgun. Any citizen of the United States and/or lawful resident of this state who is twenty-one (21) years of age or older, and any nonresident member of the armed forces of the United States who is stationed in this state and who is twenty-one (21) years of age or older, may, upon application, purchase or acquire a rifle or shotgun. At the time of applying for the purchase of a shotgun or rifle the purchaser shall complete and sign in triplicate and deliver to the seller the application form described in this section, and in no case shall it contain the serial number of

the rifle or shotgun.
(Face of application form)
Application to Purchase Shotgun or Rifle
Date ..... Hour ..... A.M. P.M.
Name .....
Address .....
(Street and number) (City or town) (State)
Date of Birth ..... Place of Birth .....
Height ..... Weight ..... Color hair .....
Color eyes .....
Scars .....
Tattoos .....
Other identifying marks .....
Are you a citizen of the United States .....
Are you a citizen of Rhode Island .....
How long .....
Where stationed .....
(Armed Forces only)
Number of rifles and/or shotguns to be purchased .....
Have you ever been convicted of a crime of violence .....
(See § 11-47-2 General Laws of Rhode Island)
Have you ever been adjudicated or under confinement as addicted to a controlled substance .....
Have you ever been adjudicated or under confinement for alcoholism .....
Have you ever been confined or treated for mental illness .....
From whom is shotgun or rifle being purchased .....
Seller's address .....
Seller's signature .....
Applicant's signature .....
(See § 11-47-23 for penalty for false information on this application)
(Reverse side of application form)
AFFIDAVIT: I certify that I have read and am familiar with the provisions of §§ 11-47-1 — 11-47-59, inclusive, of the general laws of the State of Rhode Island, and that I am aware of the penalties for violation of the provisions of the cited sections.
Signed .....
County of .....
State of Rhode Island
Subscribed and sworn before me this ..... day of ..... A.D. 20... .
Notary Public
.....
(b)
The person who is selling the rifle or shotgun shall, on the date of application, sign and forward by registered mail or by delivery in person, or by electronic mail if approved by the applicable police department, the original and duplicate copies of the application to the chief of police in the city or town in which the purchaser has his or her residence or to the superintendent of the Rhode Island state police in the instance where the purchaser either resides in the town of Exeter or resides out of state. The superintendent of the Rhode Island state police or the chief of police in the city or town in which the purchaser has his or her residence shall mark or stamp the original copy of the application form with the date and time of receipt and return it by the most expeditious means to the seller. The triplicate copy duly signed by the seller shall within seven (7) days be sent by him or her by registered mail, by delivery in person, or by electronic mail, to the attorney general. The person who is selling the rifle or shotgun shall retain the original copy duly receipted by the police authority to whom sent or delivered for a period of six (6) years with other records of the sale. It shall be the duty of the police authority to whom the duplicate copy of the application form is sent or delivered to make a background check of the applicant to ascertain whether he or she falls under the provisions of § 11-47-5, § 11-47-6, § 11-47-7, or § 11-47-23. If, after the lapse of seven (7) days from twelve o'clock (12:00) noon of the day following application, no disqualifying information has been received from the investigating police authority by the person who is selling the rifle or shotgun, he or she will deliver the firearm applied for to the purchaser. Upon the finding of no disqualifying information under the provisions of the above cited sections of this chapter, and in no case later than thirty (30) days after the date of application, the duplicate and triplicate copies of the application will be destroyed. Retention of the duplicate and triplicate copies in violation of this chapter or any unauthorized use of the information contained in them by a person or agency shall be punishable by a fine of not more than one thousand dollars ($1,000). The provisions of this section shall not apply to bona fide sales at wholesale to duly licensed retail dealers, nor to purchases by retail dealers duly licensed under the provisions of § 11-47-39.
(c)

The provisions of this section shall not apply to full-time members of the state police, full-time members of city or town police departments, persons licensed under §§ 11-47-9 and 11-47-11, or to sales of air rifles or “BB guns” or to sales of antique firearms as defined in § 11-47-2.
History of Section.
P.L. 1990, ch. 37, § 1; P.L. 1990, ch. 300, § 1; P.L. 1996, ch. 146, § 1; P.L. 2000, ch. 128, § 1; P.L. 2020, ch. 61, § 2; P.L. 2020, ch. 68, § 2; P.L. 2021, ch. 339, § 1, effective July 12, 2021; P.L. 2021, ch. 340, § 1, effective July 12, 2021; P.L. 2022, ch. 135, § 1, effective June 21, 2022; P.L. 2022, ch. 136, § 1, effective June 21, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-35.3. - Annual report on application process administration.

§ 11-47-35.3. Annual report on application process administration.
The attorney general shall provide the judiciary committees of the senate and house of representatives an annual report including the number of applications made pursuant to this section for the prior calendar year. The report shall include, but not be limited to, the number of applications received from sellers, the number of applications resulting in a determination that the potential buyer or transferee was prohibited from receipt or possession of a firearm pursuant to Rhode Island or federal law, the estimated costs of administering this chapter, and the number of instances in which a person requests amendment of the record pertaining to the person pursuant to §§ 11-47-35 and 11-47-35.2.
History of Section.
P.L. 1990, ch. 300, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-35. - Sale of concealable weapons — Safety courses and tests — Issuance of permits to certain government officers.

§ 11-47-35. Sale of concealable weapons — Safety courses and tests — Issuance of permits to certain government officers.
(a)(1)
No person shall deliver a pistol or revolver to a purchaser until seven (7) days shall have elapsed from twelve o’clock (12:00) noon of the day following the day of application for the purchase, and when delivered, the pistol or revolver shall be unloaded and securely wrapped, with the bill of sale to be enclosed within the wrapper with the pistol or revolver. Any citizen of the United States and/or lawful resident of this state who is twenty-one (21) years of age or older, and any nonresident member of the armed forces of the United States who is stationed in this state and who is twenty-one (21) years of age or older, may, upon application, purchase or acquire a pistol or revolver. At the time of applying for the purchase of a concealable firearm, the purchaser shall: (i) Complete and sign in triplicate and deliver to the person selling the pistol or revolver the application form described in this section, and in no case shall it contain the serial number of the pistol or revolver; and (ii) Present to the person selling the pistol or revolver a pistol/revolver safety certificate issued by the department of environmental management. The certificate shall be retained in the possession of the buyer. The pistol/revolver safety certificate shall certify that the purchaser has completed a basic pistol/revolver safety course as shall be administered by the department of environmental management.
(Face of application form)
Application to Purchase Pistol or Revolver
Date ..... Hour ..... A.M. P.M.
Name .....
Address .....
(Street and number) (City or town) (State)
Date of Birth ..... Place of Birth .....
Height ..... Weight ..... Color hair .....
Color eyes .....
Scars .....
Tattoos .....
Other identifying marks .....
Are you a citizen of the United States .....
Are you a citizen of Rhode Island .....
How long .....
Where stationed .....
(Armed Forces only)
Number of pistols and/or revolvers to be purchased .....
Have you ever been convicted of a crime of violence .....
(See § 11-47-2)
Have you ever been adjudicated or under confinement as addicted to a controlled substance .....
Have you ever been adjudicated or under confinement for alcoholism .....
Have you ever been confined or treated for mental illness .....
From whom is pistol or revolver being purchased .....

Seller’s address .....
Seller’s signature .....
Applicant’s signature .....
(See § 11-47-23 for penalty for false information on this application)
(Reverse side of application form)
AFFIDAVIT: I certify that I have read and am familiar with the provisions of §§ 11-47-1 — 11-47-55, inclusive, of the general laws of the State of Rhode Island, and that I am aware of the penalties for violation of the provisions of the cited sections. I further certify that I have completed the required basic pistol/revolver safety course.
Signed .....
(over)
County of .....
State of Rhode Island
Subscribed and sworn before me this ..... day of ..... A.D. 20... .
Notary Public
.....
(2)
The person selling the pistol or revolver shall on the date of application sign and forward by registered mail, by delivery in person, or by electronic mail if approved by the applicable police department, the original and duplicate copies of the application to the chief of police in the city or town in which the purchaser has his or her residence or to the superintendent of the Rhode Island state police in the instance where the purchaser either resides in the town of Exeter or resides out of state. The superintendent of the Rhode Island state police or the chief of police in the city or town in which the purchaser has his or her residence shall mark or stamp the original copy of the application form with the date and the time of receipt and return it by the most expeditious means to the person who is selling the pistol or revolver. The triplicate copy duly signed by the person who is selling the pistol or revolver shall within seven (7) days be sent by him or her by registered mail, by delivery in person, or by electronic mail to the attorney general. The person who is selling the pistol or revolver shall retain the original copy duly receipted by the police authority to whom sent or delivered for a period of six (6) years with other records of the sale. It shall be the duty of the police authority to whom the duplicate copy of the application form is sent or delivered to make a background check of the applicant to ascertain whether he or she falls under the provisions of § 11-47-5, § 11-47-6, § 11-47-7, or § 11-47-23. If, after the lapse of seven (7) days from twelve o’clock (12:00) noon of the day following application, no disqualifying information has been received from the investigating police authority by the person who is selling the pistol or revolver, he or she will deliver the firearm applied for to the purchaser. Upon the finding of no disqualifying information under the provisions of the above cited sections of this chapter, and in no case later than thirty (30) days after the date of application, the duplicate and triplicate copies of the application will be destroyed. Retention of the duplicate and triplicate copies in violation of this section or any unauthorized use of the information contained in the copies by a person or agency shall be punishable by a fine of not more than one thousand dollars ($1,000). The provisions of this section shall not apply to bona fide sales at wholesale to duly licensed retail dealers, nor to purchases by retail dealers duly licensed under the provisions of § 11-47-39.
(b)(1)
The department of environmental management shall establish the basic pistol/revolver safety course required by this section. The safety course shall consist of not less than two (2) hours of instruction in the safe use and handling of pistols and revolvers and the course shall be available to buyers continually throughout the year at convenient times and places but at least monthly at locations throughout the state, or more frequently as required. Proficiency in the use of pistols or revolvers shall not be prerequisite to the issuance of the safety certificate. No person shall be required to complete the course more than once; provided, that any person completing the course who is unable to produce the safety certificate issued by the department of environmental management shall be required to take the course again unless the person provides evidence to the department that he or she has successfully completed the course.
(2)
The administration of the basic pistol/revolver safety course required by this section shall not exceed the cost of thirty-five thousand dollars ($35,000) in any fiscal year.
(c)
Proof of passage of the department of environmental management’s basic hunter safety course will be equivalent to the pistol/revolver safety certificate mandated by this section.
(d)
Any person who has reason to believe that he or she does not need the required handgun safety course may apply by any written means to the department of environmental management to take an objective test on the subject matter of the handgun safety course. The test shall be prepared, as well as an instruction manual upon which the test shall be based, by the department. The manual shall be made available by any means to the applicant who may, within the time limits for application, take the objective test at the department or at any location where the handgun safety course is being given. Any person receiving a passing grade on the test shall be issued a pistol/revolver safety certificate by the department.
(e)

[Deleted by P.L. 2005, ch. 20, § 11 and P.L. 2005, ch. 27, § 11.]
(f)
The following persons shall be issued basic pistol/revolver permits by the department of environmental management: sheriffs, deputy sheriffs, the superintendent and members of the state police, prison or jail wardens or their deputies, members of the city or town police force, members of the park police, conservation officers, members of the airport police and officers of the United States government authorized by law to carry a concealed firearm and, at the discretion of the department of environmental management, any person who can satisfactorily establish that he or she formerly held one of these offices or were so authorized.
(g)
Any person who is serving in the Army, Navy, Air Force, Marine Corps, or Coast Guard on active duty shall not be required to obtain a basic pistol/revolver safety certificate or basic pistol/revolver permit under this section so long as he or she remains on active duty.
(h)
Any person who is serving in the active reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard, or any person in an active duty paid status in the Rhode Island National Guard, shall not be required to obtain a basic pistol/revolver safety certificate under this section so long as he or she remains in active status.
History of Section.
P.L. 1929, ch. 1421, § 1; G.L. 1938, ch. 405, § 1; G.L. 1956, § 11-47-29; G.L., § 11-47-35; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1979, ch. 206, § 1; P.L. 1980, ch. 376, § 1; P.L. 1985, ch. 439, § 1; P.L. 1987, ch. 530, § 1; P.L. 1989, ch. 139, § 1; P.L. 1990, ch. 37, § 2; P.L. 1990, ch. 300, § 1; P.L. 1996, ch. 146, § 1; P.L. 2000, ch. 109, § 11; P.L. 2000, ch. 128, § 1; P.L. 2001, ch. 180, § 9; P.L. 2005, ch. 20, § 11; P.L. 2005, ch. 27, § 11; P.L. 2007, ch. 497, § 1; P.L. 2007, ch. 519, § 1; P.L. 2020, ch. 61, § 2; P.L. 2020, ch. 68, § 2; P.L. 2021, ch. 339, § 1, effective July 12, 2021; P.L. 2021, ch. 340, § 1, effective July 12, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-36. - Purchase of concealable firearms from out of state dealers.

§ 11-47-36. Purchase of concealable firearms from out of state dealers.
No citizen of this state shall purchase any concealable firearm outside of the state of Rhode Island unless he or she has duly executed the application form prescribed in § 11-47-35, the application form to be obtained by the purchaser from the city or town clerk of the city or town in which he or she resides or has his place of business. The original and duplicate copies of the application shall be delivered in person, duly executed, by the purchaser to the superintendent of the Rhode Island state police or to the chief of police of the city or town in which the purchaser resides. The purchaser shall send the triplicate copy of the application by registered mail to the attorney general within twenty-four (24) hours of the time of filing with the appropriate police authority. It shall be the duty of the police authority to whom the original and duplicate copies of the application are delivered to check the applicant's record to ascertain whether he or she falls under the provisions of § 11-47-5, 11-47-6, 11-47-7, or 11-47-23. If, after the lapse of seventy-two (72) hours from twelve o'clock (12:00) noon of the day following the date of application, no disqualifying record has been found by the investigating police authority, the original and duplicate copies of the application marked or stamped "approved" and signed by the investigating police authority will be returned to the applicant by the most expeditious means. The approved duplicate copy of the application shall be sent by the purchaser to the out-of-state dealer as proof of lawful purchase, and the original shall be retained by the purchaser along with the bill of sale for the firearm purchased for a period of six (6) years as proof of lawful purchase. The triplicate copy of the application shall be retained by the attorney general for a period which shall in no case exceed ninety (90) days, provided that no evidence of the nature as would disqualify the applicant has been found.
History of Section.
P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-37.1. - Persons exempt from age restrictions.

§ 11-47-37.1. Persons exempt from age restrictions.
The provision of § 11-47-35.2 prohibiting the sale of rifles and shotguns to any person under twenty-one (21) years of age and the provisions of § 11-47-37 shall not apply to full-time members of the state police, full-time members of the state marshal's office, full-time members of city or town police departments, or state marshals or correctional officers or persons while serving on active duty as a member of the United States armed forces or organized reserved or National Guard.
History of Section.
P.L. 2022, ch. 135, § 2, effective June 21, 2022; P.L. 2022, ch. 136, § 2, effective June 21, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-37. - Sale to minors and others forbidden.

§ 11-47-37. Sale to minors and others forbidden.
No person shall sell a firearm to any person under the age of twenty-one (21) or to one who he or she has reasonable cause to believe falls under the provisions of § 11-47-5, § 11-47-6, § 11-47-7, or § 11-47-23.
History of Section.

P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 2022, ch. 135, § 1, effective June 21, 2022; P.L. 2022, ch. 136, § 1, effective June 21, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-38. - Dealers to be licensed.

§ 11-47-38. Dealers to be licensed.
No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell or otherwise transfer, any pistol, revolver, or other firearm without being licensed as provided in this chapter.
History of Section.
P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-39. - Issuance and conditions of dealer's license.

§ 11-47-39. Issuance and conditions of dealer's license.
The duly constituted licensing authorities of any city, town, or political subdivision of this state may grant licenses in form prescribed by the attorney general effective for not more than one year from date of issue permitting the licensee to sell pistols and revolvers at retail within this state, subject to the following conditions in addition to those specified in §§ 11-47-35 and 11-47-36, for breach of any of which the license shall be forfeited and the licensee subject to punishment as provided in this chapter:
(1)
The business shall be carried on only in the building designated in the license.
(2)
The license or a copy of it, certified by the issuing authority, shall be displayed on the premises where it can easily be read.
(3)
No pistol or revolver shall be sold in violation of any provision of this chapter, nor shall a pistol or revolver be sold under any circumstances unless the purchaser is personally known to the seller or shall present clear evidence of his or her identity.
(4)
The fee for issuing the license shall be five dollars ($5.00). The fee charged for the issuing of the license shall be applied for the use and benefit of the city or town.
History of Section.
P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-4. - Being armed prima facie evidence of intention.

§ 11-47-4. Being armed prima facie evidence of intention.
In the trial of a person for committing or attempting to commit a crime of violence, the fact that he or she was armed with or had available a pistol or revolver without license to carry it, or was armed with or had available a machine gun, shall be prima facie evidence of his or her intention to commit the crime of violence.
History of Section.
P.L. 1927, ch. 1052, § 2; G.L. 1938, ch. 404, § 2; G.L. 1956, § 11-47-3; G.L., § 11-47-4; P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-40. - Register of sales of firearms — Display of firearms.

§ 11-47-40. Register of sales of firearms — Display of firearms.
(a)
Every person, firm, or corporation selling a pistol, revolver, or other firearm whether the seller is a retail dealer, pawnbroker, or otherwise shall keep a register in which shall be entered at the time of sale the date of sale, name, age, and residence of every purchaser of the a pistol, revolver, or other firearm, together with the caliber, make, model, manufacturer's number, or other mark of identification on the pistol, revolver, or other firearm. Every person, firm, or corporation who shall fail to keep a register and to enter the acts required by this section shall, upon conviction, be punished as provided in this chapter. The register shall be open at all reasonable hours for the mandatory monthly inspection of licensed firearm dealers to be conducted by state and/or local police officials.
(b)
This section shall not apply to wholesale dealers' bona fide sales at wholesale to duly licensed retail dealers. It shall be unlawful for any person, firm, or corporation dealing in firearms to display any pistol, revolver, or imitation, or any firearm of a size which may be concealed upon the person, or placard advertising the sale of one, in any part of the premises of the person, firm, or corporation where it can be readily seen from the outside. "Firearm" as utilized in this section only does not apply to an air rifle, air pistol, "blank gun," or "BB gun."
History of Section.

P.L. 1929, ch. 1421, § 2; G.L. 1938, ch. 405, § 2; G.L. 1956, § 11-47-30; G.L. 1956, § 11-47-40; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-41. - Government firearm registration prohibited.

§ 11-47-41. Government firearm registration prohibited.
No government agency of this state or its political subdivisions shall keep or cause to be kept any list or register of privately owned firearms or any list or register of the owners of those firearms; provided, that the provisions of this section shall not apply to firearms which have been used in committing any crime of violence, nor to any person who has been convicted of a crime of violence.
History of Section.
P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-42. - Weapons other than firearms prohibited.

§ 11-47-42. Weapons other than firearms prohibited.
(a)(1)
No person shall carry or possess or attempt to use against another any instrument or weapon of the kind commonly known as a blackjack, slingshot, billy, sandclub, sandbag, metal knuckles, slap glove, bludgeon, stun-gun, or the so called "Kung-Fu" weapons.
(2)
No person shall with intent to use unlawfully against another, carry or possess a crossbow, dagger, dirk, stiletto, sword-in-cane, bowie knife, or other similar weapon designed to cut and stab another.
(3)
No person shall wear or carry concealed upon his person, any of the above-mentioned instruments or weapons, or any razor, or knife of any description having a blade of more than three (3) inches in length measuring from the end of the handle where the blade is attached to the end of the blade, or other weapon of like kind or description.
Any person violating the provisions of these subsections shall be punished by a fine of not more than one thousand dollars ($1,000) or by imprisonment for not more than one year, or both, and the weapon so found shall be confiscated.
Any person violating the provisions of these subsections while he or she is incarcerated within the confines of the adult correctional institutions shall be punished by a fine of not less than one thousand dollars ($1,000) nor more than three thousand dollars ($3,000), or by imprisonment for not less than one year nor more than five (5) years, or both, and the weapon so found shall be confiscated.
(b)
No person shall sell to a person under eighteen (18) years of age, without the written authorization of the minor's parent or legal guardian, any stink bomb, blackjack, slingshot, bill, sandclub, sandbag, metal knuckles, slap glove, bludgeon, stungun, paint ball gun, so called "kung-fu" weapons, dagger, dirk, stiletto, sword-in-cane, bowie knife, razor, or knife of any description having a blade of more than three inches (3″) in length as described in subsection (a) of this section, or any multi-pronged star with sharpened edges designed to be used as a weapon and commonly known as a Chinese throwing star, except that an individual who is actually engaged in the instruction of martial arts and licensed under § 5-43-1 may carry and possess any multi-pronged star with sharpened edges for the sole purpose of instructional use. Any person violating the provisions of this subsection shall be punished by a fine of not less than one thousand dollars ($1,000) nor more than three thousand dollars ($3,000), or by imprisonment for not less than one year nor more than five (5) years, or both, and the weapons so found shall be confiscated.
History of Section.
G.L. 1896, ch. 283, §§ 23, 24; P.L. 1907, ch. 1436, § 1; P.L. 1908, ch. 1572, § 1; G.L. 1909, ch. 349, §§ 32, 33; P.L. 1910, ch. 591, § 1; P.L. 1911, ch. 709, § 1; P.L. 1915, ch. 1258, § 15; G.L. 1923, ch. 401, § 32; G.L. 1938, ch. 612, § 31; G.L. 1956, § 11-47-32; G.L., § 11-47-42; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1985, ch. 310, § 1; P.L. 1987, ch. 79, § 1; P.L. 1991, ch. 281, § 1; P.L. 2012, ch. 292, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-43. - Collectors and police officers exempt from § 11-47-42.

§ 11-47-43. Collectors and police officers exempt from § 11-47-42.
The provisions of § 11-47-42, so far as they forbid the possession of certain instruments or weapons, shall not apply to any person who possesses or is making a collection of the weapons as curios or for educational, professional, scientific, or any other lawful purpose, without intent to use the instrument or weapon unlawfully. Nor shall the provisions of § 11-47-42, so far as they relate to the possession or carrying of any billy, apply to sheriffs, town constables, police constables, police, or other officers or guards whose duties require them to arrest or to keep and guard prisoners or property, nor to any person summoned by those officers to aid them in the discharge of their duties while actually engaged in their duties.
History of Section.
G.L. 1896, ch. 283, § 23; P.L. 1908, ch. 1572, § 1; G.L. 1909, ch. 349, § 32; P.L. 1910, ch. 591, § 1; G.L. 1909, ch. 349, § 33; P.L. 1915, ch. 1258, § 16; G.L. 1923, ch. 401, § 33; G.L. 1938, ch. 612, § 32; G.L. 1956, § 11-47-33; G.L. 1956, § 11-47-43; P.L. 1959,

ch. 75, § 1; P.L. 2015, ch. 260, § 18; P.L. 2015, ch. 275, § 18.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-44. - Standard of proof under §§ 11-47-42 and 11-47-43.

§ 11-47-44. Standard of proof under §§ 11-47-42 and 11-47-43.
No negative allegation of any kind need be averred or proved in any complaint under §§ 11-47-42 and 11-47-43, and the possession of any blackjack, slungshot, billy, sandclub, sandbag, metal knuckles, bludgeon, dirk, dagger, stiletto, or other similar weapon designed to cut and stab another, and the carrying or use of any the instrument or weapons or of any of the instruments or weapons forbidden by § 11-47-42 to be carried, worn, or used shall be evidence that the possession, use, wearing, or carrying, as the case may be, of any the instrument or weapon, is unlawful, but the respondent in any the case may show any fact that would render the possession or use, or wearing or carrying of the instrument or weapon lawful.
History of Section.
G.L. 1896, ch. 283, § 26; G.L. 1909, ch. 349, § 35; G.L. 1909, ch. 349, § 34; P.L. 1915, ch. 1258, § 17; G.L. 1923, ch. 401, § 34; G.L. 1938, ch. 612, § 33; G.L. 1956, § 11-47-34; G.L. 1956, § 11-47-44; P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-45. - Arrest and detention for possession of weapon prohibited by § 11-47-42.

§ 11-47-45. Arrest and detention for possession of weapon prohibited by § 11-47-42.
Every officer authorized to make an arrest for any criminal offense may arrest without complaint and warrant any person who has in his or her possession any instrument or weapon described in § 11-47-42 whenever the officer has reasonable ground to suspect that the person possesses, or is using, wearing or carrying the instrument or weapon contrary to law. Any person so arrested may be detained a reasonable time, not exceeding twenty-four (24) hours, for the purpose of making an investigation concerning the person, but no person so arrested shall be detained longer than twenty-four (24) hours without complaint being made against him or her before some proper court or justice. If the officer making the arrest shall at any time within the twenty-four (24) hours satisfy himself or herself that there is no ground for making a criminal complaint against the person, he or she shall be discharged from custody.
History of Section.
G.L. 1909, ch. 349, § 35; P.L. 1915, ch. 1258, § 17; G.L. 1923, ch. 401, § 35; G.L. 1938, ch. 612, § 34; G.L. 1956, § 11-47-35; G.L. 1956, § 11-47-45; P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-46. - Sections 11-47-42 — 11-47-45 inapplicable to firearms.

§ 11-47-46. Sections 11-47-42 — 11-47-45 inapplicable to firearms.
The provisions of §§ 11-47-42 — 11-47-45 shall not be construed to relate to the possession and carrying of air guns, pistols or firearms of any description.
History of Section.
P.L. 1927, ch. 1052, § 18; G.L. 1938, ch. 404, § 18; G.L. 1956, § 11-47-36; G.L. 1956, § 11-47-46; P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-47. - Display of weapons.

§ 11-47-47. Display of weapons.
No person, firm, or corporation shall display in a place of business by means of a window display any pistol, revolver, or other firearm, as defined in § 11-47-2, or any dagger, dirk, bowie knife, stiletto, metal knuckles, or blackjack; provided, that dealers in sporting goods may include in a window display pistols or revolvers upon a permit issued by the chief of police or town sergeant of any city or town. Any person, firm, or corporation violating the provisions of this section shall be punished by a fine not exceeding twenty-five dollars ($25.00) for the first offense and one hundred dollars ($100) for every subsequent offense.
History of Section.
P.L. 1929, ch. 1380, §§ 1, 2; G.L. 1938, ch. 607, §§ 11, 12; G.L. 1956, § 11-47-37; G.L. 1956, § 11-47-47; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-48.1. - Report of lost or stolen weapons.

§ 11-47-48.1. Report of lost or stolen weapons.
Every person who owns a firearm shall report the loss or theft of their firearm to the local law enforcement agency within twenty-four (24) hours of the discovery of the loss or theft. Whoever knowingly violates this section shall be punished by a fine of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100).
History of Section.
P.L. 1997, ch. 87, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-48. - Report of gunshot wounds.

§ 11-47-48. Report of gunshot wounds.
Every physician attending or treating a case of bullet wound, gunshot wound, powder burn, or any other injury arising from or caused by the discharge of a gun, pistol, or other firearm, or whenever any case is treated in a hospital, sanitarium, dispensary, or other institution the person in charge of it, shall report the case at once to the police authorities of the town or city where the physician, hospital, sanitarium, dispensary or institution is located. This section shall not apply to wounds, burns, or injuries received by any member of the armed forces of the United States or of this state while engaged in the actual performance of duty. Whoever violates any provision of this section shall be punished by a fine of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100).
History of Section.
P.L. 1929, ch. 1384, § 1; G.L. 1938, ch. 607, § 13; G.L. 1956, § 11-47-38; G.L. 1956, § 11-47-48; P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-49.1. - Firing in Blackstone Valley Flood Plain prohibited.

§ 11-47-49.1. Firing in Blackstone Valley Flood Plain prohibited.
Every person who shall hunt or discharge any firearm within the Blackstone Valley Flood Plains or Marshes, also known as the "Valley Marshes," shall be subject to:
(1)
A fine of not less than fifty dollars ($50.00) nor more than five hundred dollars ($500) for the first offense;
(2)
A fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500), or imprisonment for sixty (60) days, or both, for the second offense; and
(3)
For any subsequent offense a fine of not less than one hundred fifty dollars ($150) nor more than five hundred dollars ($500), or imprisonment for ninety (90) days, or both.
History of Section.
P.L. 1980, ch. 43, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-49. - Firing across highways prohibited.

§ 11-47-49. Firing across highways prohibited.
Every person who shall discharge any firearm or other contrivance arranged to discharge shot, bullets, arrows, darts, or other missiles in or across any public road, street, square, or lane shall, upon conviction, be guilty of a misdemeanor and shall be subject to a fine not exceeding five hundred dollars ($500), or one year in prison, or both.
History of Section.
G.L. 1896, ch. 110, § 1; G.L. 1909, ch. 134, § 1; G.L. 1923, ch. 177, § 1; G.L. 1938, ch. 406, § 1; G.L. 1956, § 11-47-39; G.L. 1956, § 11-47-49; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-5.1. - Larceny of a firearm.

§ 11-47-5.1. Larceny of a firearm.
(a)
Every person who shall steal any firearm shall be deemed guilty of larceny. "Firearm", as utilized in this section only, shall not apply to an air rifle, air pistol, "blank gun," or "BB gun." Every person violating the provisions of this section shall be sentenced, upon conviction, to not less than one year nor more than ten (10) years.
(b)
No person shall steal any firearm as defined in this section and then sell, lend, or transfer the firearm or firearms. Any person convicted of violating the provisions of this subsection shall be punished by imprisonment for not less than ten (10) years nor more than twenty (20) years, and the sentence shall be consecutive to any other sentence he or she may receive or is serving.
History of Section.
P.L. 1975, ch. 278, § 2; P.L. 1990, ch. 278, § 1; P.L. 2000, ch. 158, § 1; P.L. 2000, ch. 285, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-5.2. - Possession of a stolen firearm.

§ 11-47-5.2. Possession of a stolen firearm.
It shall be unlawful for any person to possess a stolen firearm, knowing it to be stolen. Any person in violation of this section shall be guilty of a felony and subject to imprisonment for not less than three (3) years nor more than fifteen (15) years.

History of Section.
P.L. 2013, ch. 455, § 2; P.L. 2013, ch. 464, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-5.3. - Surrender of firearms by persons convicted of domestic violence offenses.

§ 11-47-5.3. Surrender of firearms by persons convicted of domestic violence offenses.
(a)
Pleading nolo contendere to or conviction of an offense under § 12-29-2 which is punishable as a felony shall prohibit the defendant from purchasing, owning, carrying, transporting, or having in their possession or control any firearm. Upon such a plea or conviction, the court shall issue an order declaring that the defendant surrender all firearm(s) owned by the defendant, or in the defendant's possession, care, custody, or control as described in this section.
(1)
Surrender shall be made within twenty-four (24) hours of prohibition to a law enforcement agency or to a federally licensed firearms dealer. The arresting law enforcement agency shall be immediately notified of the order to surrender firearm(s). A law enforcement agency or federally licensed firearms dealer taking possession of a firearm(s) shall issue proof of surrender to the person surrendering the firearm(s). The proof of surrender shall include the name of the person; the name of the law enforcement agency or federally licensed firearms dealer; the date of surrender; the serial number; the manufacturer; and model of all surrendered firearm(s).
(2)
The defendant may transport their firearm(s) during the twenty-four hour (24) surrender period directly to the law enforcement agency or federally licensed firearms dealer, provided that the firearm(s) is broken down, unloaded, and carried as openly as circumstances will permit, or provided that the pistols or revolvers are unloaded and secured in a separate container suitable for the purpose.
(3)
The defendant shall, within forty-eight (48) hours after being served with the order, either:
(i)
File a copy of proof of surrender with the court and attest that all firearm(s) owned by the defendant, or in the defendant's possession, care, custody, or control at the time of the plea or conviction, have been surrendered in accordance with this section and that the defendant currently owns no firearm(s) or has any firearm(s) in their care, custody, or control; or
(ii)
Attest that, at the time of the plea or conviction, the defendant owned no firearm(s) and had no firearm(s) in their care, custody, or control, and that the defendant currently owns no firearm(s) and has no firearm(s) in their possession, care, custody, or control.
(4)
The list of firearm(s) surrendered shall be kept under seal and shall not be part of the public record.
(5)(i)
If the defendant chooses to surrender a firearm(s) to a law enforcement agency, the law enforcement agency shall follow the policies established by the police officer's commission on standards and training for the return or disposal of the firearm(s).
(ii)
The police officer's commission on standards and training shall establish policies for the return or disposal of firearms that are surrendered pursuant to any court order, provided that such policies require that the defendant be notified of the return or disposal, and that the owner receive any financial value received from the disposal, less the cost associated with taking possession of, storing, and disposing of the firearm(s) and provided that no disposal shall occur while any appeal of the conviction is pending.
(6)
If the defendant, or their designee, transfers a firearm(s) to a federally licensed firearms dealer pursuant to this section, the defendant may instruct the federally licensed firearms dealer to sell the firearm(s) or to transfer ownership pursuant to state and federal law to a qualified named individual who is not a member of the defendant's dwelling house. The owner of any firearm(s) sold shall receive any financial value received from their sale, less the cost associated with taking possession of, storing, and transferring of the firearm(s).
(7)
Every individual, to whom ownership of a firearm(s) is transferred pursuant to this section, shall be prohibited from transferring or returning any firearm(s) to the defendant and shall be informed of this prohibition.
(i)
Any knowing violation of subsection (a)(7) of this section is a felony which shall be punishable by a fine of not more than one thousand dollars ($1,000), or by imprisonment for a term of not less than one year and not more than five (5) years, or both.
History of Section.
P.L. 2016, ch. 212, § 1; P.L. 2016, ch. 214, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-5.4. - Surrender of firearms after domestic violence offenses.

§ 11-47-5.4. Surrender of firearms after domestic violence offenses.

(a)

A plea of nolo contendere, resulting in a filing or probation or conviction shall prohibit the defendant from purchasing, carrying, transporting, or having in his or her possession any firearm. Upon such a plea or conviction, the court shall order the defendant to surrender all firearms owned by the person or in the person's possession as described in this section.

(1)

Surrender shall be made within twenty-four (24) hours of prohibition to the Rhode Island state police or local law enforcement or to a licensed gun dealer. The arresting law enforcement agency shall be immediately notified by the court of the order to surrender firearms. A law enforcement agency or licensed gun dealer taking possession of a firearm shall issue a proof of surrender to the person surrendering the firearm. The proof of surrender must include the name of the person, the date of surrender, and the serial number, manufacturer, and model of all surrendered firearms.

(2)

A defendant transporting a firearm to surrender in accordance with this section shall not be liable to prosecution under §§ 11-47-5(d) or 11-47-8.

(3)

The defendant shall, within forty-eight (48) hours after being served with the order, either:

(i)

File a copy of proof of surrender with the court of jurisdiction, and attest that all firearms owned by the person or in the person's possession at the time of plea or conviction have been surrendered in accordance with this section and that the person currently owns no firearms and has no firearms in his or her possession; or

(ii)

Attest that, at the time of plea or conviction, the person owned no firearms and had no firearms in their possession, and that the person currently owns no firearms and has no firearms in his or her possession.

(4)

The court of jurisdiction's copy of proof of surrender shall be kept under seal and shall not be part of the public record.

(5)

The Rhode Island state police are authorized to develop rules, regulations and procedures pertaining to the storage of firearms that are surrendered pursuant to this section. The Rhode Island state police may consult with the Rhode Island Police Chiefs' Association in developing rules and procedures. Law enforcement agencies and departments shall observe due care in the receipt and storage of any firearm surrendered pursuant to this section. No law enforcement agency shall dispose of any firearm surrendered pursuant to this section unless that firearm is abandoned as provided in this section. The Rhode Island state police may consult with the Rhode Island Police Chiefs' Association in developing rules and procedures.

(6)

A firearm surrendered to the Rhode Island state police or a local police department under this section shall be deemed abandoned if:

(i)

Six (6) years have passed from the date of the completion of the defendant's sentence for an offense enumerated in § 11-47-5(a)(4); and

(ii)

During the two (2) years following the six-year (6) period described in subsection (a)(6)(i) of this section, the Rhode Island state police or local police department has provided notice to the defendant, on at least two (2) separate occasions, that if the firearm is not reclaimed it shall be disposed of; and

(iii)

After the two-year (2) period described in subsection (a)(6)(ii) of this section and after notice to the defendant, the defendant fails to reclaim the firearm.

(7)

The Rhode Island state police may dispose of an abandoned firearm at any time, provided that no disposal shall occur while any appeal of the conviction for a crime enumerated in § 11-47-5(a)(4) is pending and provided that the owner of the firearm receives any financial value generated from its disposal less the cost associated with disposing of the firearm.

History of Section.

P.L. 2017, ch. 374, § 3; P.L. 2017, ch. 385, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-5.5. - Motion to lift firearms prohibition for persons convicted of specified misdemeanor domestic violence offenses — Consecutive prohibitions — Return of surrendered firearms.

§ 11-47-5.5. Motion to lift firearms prohibition for persons convicted of specified misdemeanor domestic violence offenses — Consecutive prohibitions — Return of surrendered firearms.

(a)

A person prohibited from purchasing, owning, carrying, transporting, or having in their possession any firearm solely because of a plea of nolo contendere to or a conviction of an offense enumerated in § 11-47-5(a)(4) may file a motion in the district court to have

that firearm prohibition lifted in accordance with this section. A person who is otherwise prohibited under state law from purchasing, owning, carrying, transporting, or having in their possession any firearm shall not be eligible for relief under this section.
(b)
Except for those cases where the defendant is eligible to reclaim firearms after the one year completion of a filing or probation under § 12-18-3, a person shall become eligible to file a motion seeking relief under this section after five (5) years from the date of the completion of his or her sentence, unless, during that five (5)-year period, the person enters a plea of nolo contendere to or is convicted of any new offense enumerated in § 11-47-5(a)(4).
(1)
A person already prohibited from purchasing, owning, carrying, transporting, or having in their possession any firearm under § 11-47-5(a)(4) who pleads nolo contendere to or is convicted of any new offense enumerated in § 11-47-5(a)(4) shall be subject to an additional six (6)-year firearm prohibition under § 11-47-5(a)(4). That additional prohibition shall run consecutively to the prohibition already in effect at the time the person pleaded nolo contendere to or was convicted of the new offense.
(2)
A person made subject to consecutive firearms prohibitions in accordance with this subsection shall not become eligible to file a motion seeking relief under this section until their consecutive prohibition periods have fully elapsed.
(c)
No filing fee shall be charged for the filing of a motion seeking relief under this section.
(d)
The district court shall schedule a hearing on a motion seeking relief under this section no later than thirty (30) days from the date the motion is filed.
(e)
The district court shall only consider whether the required amount of time to retrieve the firearms has expired, and that no other legal prohibition exists to prevent the respondent from recovering his or her firearms. If the court lifts a person's firearm prohibition pursuant to this section, the court shall issue the person written notice that the person is no longer prohibited from purchasing, owning, carrying, transporting, or having in his or her possession any firearm under § 11-47-5(a)(4).
(f)
A firearm surrendered to the Rhode Island state police or a local police department by a person formerly prohibited under § 11-47-5(a)(4) who is granted relief under this section shall be returned to the person upon his or her request when:
(1)
The person formerly prohibited under § 11-47-5(a)(4) provides written proof issued by the court indicating that the firearm prohibition has been lifted pursuant to this section; and
(2)
The Rhode Island state police or a local police department determines that the person formerly prohibited under § 11-47-5(a)(4) is not otherwise prohibited from possessing a firearm under state or federal law.
(g)
A court's grant of relief pursuant to this section shall not constitute an expungement, nor shall it in any way impact, negate, or otherwise modify the person's prior conviction of an offense enumerated in § 11-47-5(a)(4).
History of Section.
P.L. 2017, ch. 374, § 6; P.L. 2017, ch. 385, § 6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-5. - Possession of firearms by certain persons prohibited.

§ 11-47-5. Possession of firearms by certain persons prohibited.
(a)
No person shall purchase, own, carry, transport, or have in his or her possession any firearm if that person:
(1)
Has been convicted in this state or elsewhere of a crime of violence;
(2)
Is a fugitive from justice;
(3)
Has, in this state or elsewhere, entered a plea of nolo contendere to or been convicted of an offense punishable as a felony under § 12-29-5; or
(4)
Has, in this state or elsewhere, entered a plea of nolo contendere to or been convicted of any of the following offenses punishable as a misdemeanor under § 12-29-5:
(i)
Simple assault (§ 11-5-3);
(ii)

Cyberstalking and cyberharassment (§ 11-52-4.2);
(iii)
Violation of a protective order (as set forth in § 12-29-2(a)(10); or
(iv)
Disorderly conduct (§ 11-45-1).
(A)
A disorderly conduct conviction shall result in prohibition under this section if and only if the offense involves the use or attempted use of force or the threatened use of a dangerous weapon.
(5)
The provisions of this subsection shall apply to all persons who enter a plea of nolo contendere to or have been convicted of any of the offenses specified in subsections (a)(3) and (a)(4) of this section, unless and until that person's matter has been expunged, or upon the completion of the sentence of a one-year filing, or the end of a one-year probationary period that no longer constitutes a conviction pursuant to § 12-18-3.
(b)
No person shall purchase, carry, transport, or have in his or her possession any firearm if that person is subject to an order issued pursuant to chapter 15 of title 15, chapter 8.1 of title 8, or an equivalent order in this state or elsewhere, which order was issued after the person restrained has received notice of the proceedings and had an opportunity to be heard.
(c)
No person who is in community confinement pursuant to the provisions of § 42-56-20.2, or who is otherwise subject to electronic surveillance or monitoring devices as a condition of parole, shall purchase, carry, transport, or have in his or her possession any firearm. This subsection shall not apply to any person who has not been convicted of (or pleaded guilty or nolo contendere to) a crime of violence in a court of competent jurisdiction.
(d)
Every person violating the provisions of this section shall, upon conviction, be punished by imprisonment for not less than two (2) nor more than ten (10) years; and for penalties provided in this section he or she shall not be afforded the benefit of suspension or deferment of sentence nor of probation.
History of Section.
P.L. 1927, ch. 1052, § 3; G.L. 1938, ch. 404, § 3; G.L. 1956, § 11-47-4; G.L., § 11-47-5, as enacted by P.L. 1959, ch. 75, § 1; P.L. 1968, ch. 183, § 2; P.L. 1995, ch. 50, § 1; P.L. 1996, ch. 275, § 1; P.L. 2017, ch. 374, § 2; P.L. 2017, ch. 385, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-50. - Firing without landowner's permission — Firing in compact area.

§ 11-47-50. Firing without landowner's permission — Firing in compact area.
(a)
Every person, not being at the time under military duty, who shall discharge any firearm, "BB gun", or other contrivance arranged to discharge shot, bullets, arrows, darts, or other missiles within the compact part of any city or town, or who shall discharge a firearm or other contrivance elsewhere, except upon land owned or occupied by him or her or by permission of the owner or occupant of the land on or into which he or she may shoot, shall be guilty of a misdemeanor, and shall be subject to a fine not exceeding five hundred dollars ($500), or one year in prison, or both; provided, that any city or town may by ordinance permit the discharge on non-posted land.
(b)
The provisions of this section shall not apply to the owner of land who uses, or who gives permission to another to use without charge, a recurve, compound or longbow, provided that they are not used within two hundred fifty feet (250′) of a dwelling house.
History of Section.
G.L. 1896, ch. 110, § 3; G.L. 1909, ch. 134, § 3; G.L. 1923, ch. 177, § 3; G.L. 1938, ch. 406, § 3; P.L. 1954, ch. 3280, § 1; G.L. 1956, § 11-47-40; G.L. 1956, § 11-47-50; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1991, ch. 333, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-51.1. - Discharge of firearm or incendiary or explosive substance or device from motor vehicle.

§ 11-47-51.1. Discharge of firearm or incendiary or explosive substance or device from motor vehicle.
(a)(1)
No person shall unlawfully discharge a firearm or incendiary or explosive substance or device from a motor vehicle in a manner which creates a substantial risk of death or serious personal injury to another person. Every person violating the provisions of this section shall be punished by imprisonment for not less than ten (10) years nor more than twenty (20) years and shall be fined not less than five thousand dollars ($5,000.00) nor more than fifty thousand dollars ($50,000.00), or both.
(2)
In all cases under this subsection, the justice imposing sentence shall impose not less than the minimum sentence of ten (10) years imprisonment and may only impose a sentence less than that minimum if he or she finds that substantial and compelling circumstances exist which justify imposition of the alternative sentence. The finding may be based upon the character and

background of the defendant, the cooperation of the defendant with law enforcement authorities, the nature and circumstances of the offense and/or the nature and quality of the evidence presented at trial. If a sentence which is less than imprisonment for a term of ten (10) years is imposed, the trial justice shall set forth on the record the circumstances which he or she found as justification for imposition of the lesser sentence.
(b)
Any person injured as a result of a violation of this section shall be entitled to the civil remedies provided by § 7-15-4.
History of Section.
P.L. 1990, ch. 312, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-51. - Loaded rifles and shotguns in vehicles and roadways.

§ 11-47-51. Loaded rifles and shotguns in vehicles and roadways.
(a)
It is unlawful for any person to have in his or her possession a loaded rifle or loaded shotgun or a rifle or shotgun from the magazine of which all shells and cartridges have not been removed while upon or along any public highway, road, lane, or trail within this state; provided, that the provisions of this section shall not apply to deputy sheriffs, the superintendent and members of the state police, prison or jail wardens or their deputies, members of the city or town police force, investigators of the department of attorney general appointed pursuant to § 42-9-8.1, the director, assistant director and other inspectors and agents at the Rhode Island state fugitive task force appointed pursuant to § 12-6-7.2 [repealed], nor to other duly appointed law enforcement officers, including conservation officers, nor to members of the Army, Navy, Air Force, or Marine Corps of the United States, or the National Guard or organized reserves, when on duty, nor to officers or employees of the United States authorized by law to carry a concealed firearm, nor to any civilian guard or criminal investigator carrying sidearms or a concealed firearm in the performance of his or her official duties under the authority of the commanding officer of the military establishment in the state of Rhode Island where he or she is employed by the United States; nor to persons legally engaged in hunting activity pursuant to the provisions of chapter 13 or 18 of title 20.
(b)
Any person convicted of violating the provisions of this section shall be punished by imprisonment of not more than five (5) years, or by a fine of up to five thousand dollars ($5,000), or both.
History of Section.
P.L. 1959, ch. 75, § 1; P.L. 1992, ch. 286, § 2; P.L. 1993, ch. 423, § 2; P.L. 2012, ch. 324, § 41; P.L. 2022, ch. 133, § 1, effective June 21, 2022; P.L. 2022, ch. 134, § 1, effective June 21, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-52. - Carrying of weapon while under the influence of liquor or drugs.

§ 11-47-52. Carrying of weapon while under the influence of liquor or drugs.
It is unlawful to carry or transport any firearm in this state when intoxicated or under the influence of intoxicating liquor or narcotic drugs.
History of Section.
P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-53. - Limitation of prosecutions under §§ 11-47-49 — 11-47-52 — Fines.

§ 11-47-53. Limitation of prosecutions under §§ 11-47-49 — 11-47-52 — Fines.
No complaint for a violation of any of the provisions of §§ 11-47-49 — 11-47-52 shall be sustained unless brought within thirty (30) days after the commission of the offense, and all fines for the violation shall inure to the state.
History of Section.
G.L. 1896, ch. 110, § 6; G.L. 1909, ch. 134, § 6; G.L. 1923, ch. 177, § 6; G.L. 1938, ch. 406, § 7; G.L. 1956, § 11-47-42; G.L. 1956, § 11-47-53; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-54. - Licensing of shooting galleries.

§ 11-47-54. Licensing of shooting galleries.
Every person who shall keep any pistol gallery, rifle gallery, or other building or other enclosure in any city or town of this state where firearms are used without a license from the duly constituted licensing authority of the city or town shall, upon conviction, be fined two hundred dollars ($200) for the first offense, and five hundred dollars ($500) for each subsequent offense; provided, that the provisions of this section shall not apply to organizations that receive arms and ammunition from the United States or this state.
History of Section.
P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-55. - Enforcement of chapter.

§ 11-47-55. Enforcement of chapter.
Deputy sheriffs, the superintendent and members of the state police, members of the city or town police force, or other duly appointed law enforcement officers, including conservation officers, shall have the power to enforce the provisions of this chapter.
History of Section.
P.L. 1959, ch. 75, § 1; P.L. 2012, ch. 324, § 41.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-56. - Constitutionality.

§ 11-47-56. Constitutionality.
If any part of this chapter is for any reason declared void, its invalidity shall not affect the validity of the remaining portions of this chapter.
History of Section.
P.L. 1959, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-57. - "Mace" or similar substances.

§ 11-47-57. "Mace" or similar substances.
Any person eighteen (18) years of age or over may carry on his or her person and use, unless otherwise prohibited by law, any non-lethal noxious substance or liquid for his or her protection or the protection of others; however, the use of any non-lethal noxious substance or liquid for any other purpose shall be punishable by a fine of not more than twenty-five dollars ($25.00).
History of Section.
P.L. 1981, ch. 406, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-58. - Firearms — State preemption.

§ 11-47-58. Firearms — State preemption.
The control of firearms, ammunition, or their component parts regarding their ownership, possession, transportation, carrying, transfer, sale, purchase, purchase delay, licensing, registration, and taxation shall rest solely with the state, except as otherwise provided in this chapter.
History of Section.
P.L. 1986, ch. 443, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-59. - Possession of knife during commission of crime.

§ 11-47-59. Possession of knife during commission of crime.
No person shall commit or attempt to commit any crime of violence while having in his or her possession a knife with a blade more than three (3) inches long. Every person violating the provisions of this section shall, upon conviction, be sentenced for a term not less than one year nor more than five (5) years and/or fined not exceeding three thousand dollars ($3,000).
History of Section.
P.L. 1988, ch. 248, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-6. - Mental incompetents and drug addicts prohibited from possession of firearms.

§ 11-47-6. Mental incompetents and drug addicts prohibited from possession of firearms.
No person who is under guardianship or treatment or confinement by virtue of being a mental incompetent, or who has been adjudicated or is under treatment or confinement as a drug addict, shall purchase, own, carry, transport, or have in his or her possession or under his or her control any firearm. Any person affected by the provisions of this section, other than a person who has been pronounced criminally insane by competent medical authority, after the lapse of a period of five (5) years from the date of being pronounced cured by competent medical authority, may, upon presentation of an affidavit issued by competent medical authority to the effect that he or she is a mentally stable person and a proper person to possess firearms, make application for the purchase of the firearm(s). Any person affected by the provisions of this section, in making application for the purchase of firearms and in executing the application, voluntarily waives his or her right to refuse or refrain from disclosing any confidential information, including, but not limited to, any information arising from the physician-patient relationship, pertinent to a determination by the proper authorities regarding the approval or disapproval of this application. Any person affected by the provisions of this section, in making application for the purchase of firearms and in executing the application, further agrees to allow the proper authorities to investigate any and all medical records of the applicant pertinent to a determination by the authorities regarding the approval or disapproval of this application. In the event that the application is approved, and if the person has no other disqualifying record, he

or she will be allowed to purchase and possess firearms.
History of Section.
P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 2014, ch. 346, § 1; P.L. 2014, ch. 391, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-60.1. - Safe storage — Unsafe storage of a firearm.

§ 11-47-60.1. Safe storage — Unsafe storage of a firearm.
(a)
Nothing in this section shall be construed to reduce or limit any existing right to purchase and own firearms and/or ammunition or to provide authority to any state or local agency to infringe upon the privacy of any family, home or business except by lawful warrant.
(b)
A person who stores or leaves a firearm in any place is guilty of the violation of unsafe storage of a firearm unless the firearm is secured in a locked container or equipped with a tamper-resistant mechanical lock or other safety device, properly engaged in order to render such firearm inoperable by any person other than the owner or other lawfully authorized user. This section does not apply to a firearm that is being carried by or can be readily carried by a lawfully authorized user who is in proximity to the firearm. Any violation of this subsection shall result in, for a first offense, a civil infraction punishable by a fine of not more than two hundred fifty dollars ($250), and for a second offense, a civil infraction punishable by a fine of not more than one thousand dollars ($1,000). A third or subsequent violation of this subsection shall, upon conviction, be punished by imprisonment for no more than six (6) months, or a fine of not more than five hundred dollars ($500), or both.
(c)
A person who stores or leaves on premises under their control a firearm and who knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or guardian, or who knows or reasonably should know that a person who is prohibited, under state or federal law, from purchasing or possessing firearms is likely to gain access to the firearm, is guilty of criminal storage of a firearm in the second degree if a child or person who is prohibited, under state or federal law, from purchasing or possessing firearms obtains access to the firearm. Any person who violates this section shall, upon conviction, be punished by imprisonment for no more than one year, or be fined not more than one thousand dollars ($1,000) or both. For purposes of this section, a "child" is defined as any person who has not attained the age of eighteen (18) years.
(d)
A person is guilty of criminal storage of a firearm in the first degree if they commit the crime of criminal storage in the second degree and the firearm obtained by a child or a person who is prohibited, under state or federal law, from purchasing or possessing firearms is used by said person in the commission of a crime or to cause injury to himself or herself or any other person. Any violation of this subsection shall, upon conviction, be punishable by imprisonment for not more than five (5) years, or a fine of not more than five thousand dollars ($5,000), or both.
(e)
The provisions of subsections (c) and (d) of this section shall not apply whenever any of the following occurs:
(1)
The child or person who is prohibited, under state or federal law, from purchasing or possessing firearms obtains the firearm as a result of an illegal entry of any premises by any person or an illegal taking of the firearm from the premises of the owner without permission of the owner;
(2)
The firearm is secured in a locked container or equipped with a tamper-resistant mechanical lock or other safety device, properly engaged in order to render such firearm inoperable by any person other than the owner or other lawfully authorized user;
(3)
The firearm is being carried by or can be readily carried by a lawfully authorized user who is in proximity to the firearm; or
(4)
[Deleted by P.L. 2024, ch. 107, § 1 and P.L. 2024, ch. 108, § 1.]
(5)
The child or person who is prohibited, under state or federal law, from purchasing or possessing firearms obtains or obtains and discharges the firearm in a lawful act of self-defense or defense of another person.
(6)
[Deleted by P.L. 2024, ch. 107, § 1 and P.L. 2024, ch. 108, § 1.]
(f)(1)
If the person who allegedly violated this section is the parent or guardian of a child who is injured or who dies as the result of an accidental shooting, the attorney general shall consider among other factors, the impact of the injury or death on the person who has allegedly violated this section when deciding whether to prosecute an alleged violation.
(2)
It is the intent of the general assembly that a parent or guardian of a child who is injured or who dies of an accidental shooting shall be prosecuted only in those instances in which the parent or guardian behaved in a grossly negligent manner.
History of Section.

P.L. 1995, ch. 62, § 1; P.L. 2024, ch. 107, § 1, effective June 13, 2024; P.L. 2024, ch. 108, § 1, effective June 13, 2024.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-60.2. - Possession of weapons on school grounds — Notification.

§ 11-47-60.2. Possession of weapons on school grounds — Notification.

(a)

If a student is found to be carrying a weapon, as defined in § 11-47-42, a firearm or replica of a firearm, or commits an aggravated assault on school grounds as defined in § 11-47-60, the principal or designee shall immediately notify the student's parents and the local police and turn the weapon over, if any, to the local enforcement agency.

(b)

Any person who has reasonable cause to know that any person is in violation of this statute shall notify the principal or designee. The principal or designee shall immediately notify the student's parents and the local police. Any person acting in good faith who makes a report under this section shall have immunity from any civil liability that might otherwise be incurred or imposed as a result of making the report.

(c)

School superintendents shall receive notice from the clerk of the family court regarding the disposition of all cases involving juveniles from their school districts adjudged pursuant to this statute. This information shall remain confidential and be shared with school officials who deal directly with the student.

(d)

The provisions of this section should not apply to the following activities when the activities are officially recognized and sanctioned by the educational institution:

(1)

Firearm instructed and/or safety course;

(2)

Government-sponsored military-related programs such as ROTC;

(3)

Interscholastic shooting and/or marksmanship events;

(4)

Military history and firearms collection courses and/or programs; and

(5)

The use of blank guns in theatrical and/or athletic events.

(e)

The provisions of this section shall not apply to colleges, universities or junior colleges.

History of Section.

P.L. 1995, ch. 313, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-60.3. - Trigger lock required.

§ 11-47-60.3. Trigger lock required.

No licensed retail dealer shall deliver any pistol, rifle, or shotgun to any purchaser without providing a trigger lock or other safety device designed to prevent an unauthorized user from operating the firearm.

History of Section.

P.L. 2000, ch. 208, § 1; P.L. 2000, ch. 221, § 1; P.L. 2024, ch. 107, § 1, effective June 13, 2024; P.L. 2024, ch. 108, § 1, effective June 13, 2024.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-60.4. - Secure storage information and awareness.

§ 11-47-60.4. Secure storage information and awareness.

(a)

At any site where firearms sales or transfers are conducted by licensed dealers in Rhode Island, the licensed dealers shall conspicuously display a sign containing the information set forth in subsection (b) of this section, in any area where the sales or transfers occur. Such signs shall be posted in a manner so that they can be easily viewed by persons to whom firearms are sold or transferred, and shall not be removed, obscured, or rendered illegible. If the site where the sales or transfers occur are the premises listed on the dealer's federal firearms license(s), an additional such sign shall be placed at or near the entrance.

(b)

Each informational sign shall be at least eight and one-half inches (8½″) high by eleven inches (11″) wide, and feature black text against a white background and letters that are at least one-half inch (½″) high. The signs shall not contain other statements or markings other than the following text, in English and Spanish:

WARNING: Access to a firearm in the home significantly increases the risk of suicide, death during domestic violence disputes, and

the unintentional death of children, household members, or others. If you or a loved one is experiencing distress and/or depression, call the 988 Suicide and Crisis hotline or text “HOME” to 741741.
Secure firearm storage is the law in Rhode Island. Rhode Island state law requires gun owners to securely store their firearms any time the firearms are not in their possession or control and to securely store firearms in premises under their control where a child or person prohibited from purchasing or possessing firearms is likely to gain access to them. Failure to securely store firearms as required by law may result in fines and/or criminal prosecution.
(c)
The department of health, in consultation with the state police, shall develop detailed printed information to be made available to licensed dealers at no cost to the dealers, in English and Spanish, regarding the risks of access to firearms; state laws requiring secure firearm storage; a summary of the major provisions of chapter 47 of title 11 relating to firearms, including, but not limited to, the duties of the sellers and purchasers and possessors of firearms; and suicide prevention resources. Licensed dealers shall distribute this printed information to all purchasers of firearms.
(d)
The department of health and department of education shall annually develop detailed information for students and their families, parents, and guardians regarding the importance of secure gun storage to protect minors from accessing firearms; the risks of access to firearms; secure firearm storage requirements under state law; and suicide prevention and other behavioral health resources. School districts shall annually distribute a pamphlet containing this information, in English and in Spanish, to all enrolled students and their parents or guardians and make this information electronically accessible on the district’s webpage.
History of Section.
P.L. 2024, ch. 107, § 2, effective June 13, 2024; P.L. 2024, ch. 108, § 2, effective June 13, 2024.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-60. - Possession of firearms on school grounds.

§ 11-47-60. Possession of firearms on school grounds.
(a)(1)
No person shall have in his or her possession any firearm or other weapons on school grounds.
(2)
For the purposes of this section, “school grounds” means the property of a public or private elementary or secondary school or in those portions of any building, stadium, or other structure on school grounds that were, at the time of the violation, being used for an activity sponsored by or through a school in this state or while riding school-provided transportation.
(3)
Every person violating the provisions of this section shall, upon conviction, be sentenced to imprisonment for not less than one year nor more than five (5) years, or shall be fined not less than five hundred dollars ($500) nor more than five thousand dollars ($5,000).
(4)
Any juvenile adjudicated delinquent pursuant to this statute shall, in addition to whatever other penalties are imposed by the family court, lose his or her license to operate a motor vehicle for up to six (6) months. If the juvenile has not yet obtained the necessary age to obtain a license, the court may impose as part of its sentence a delay in his or her right to obtain the license when eligible to do so, for a period of up to six (6) months.
(b)
The provisions of this section shall not apply to any person who shall be exempt pursuant to the provisions of § 11-47-9, who is a “peace officer” as defined in § 12-7-21; a retired law enforcement officer permitted under § 11-47-18(b) or pursuant to 18 U.S.C. §§ 926B and 926C; or an individual in accordance with a contract entered into between a school and the individual or an employer of the individual to provide security services to the school; or to the following activities when the activities are officially recognized and sanctioned by the educational institution:
(1)
Firearm instruction and/or safety courses;
(2)
Government-sponsored military-related programs such as ROTC;
(3)
Interscholastic shooting and/or marksmanship events;
(4)
Military history and firearms collection courses and/or programs; and
(5)
The use of blank guns in theatrical and/or athletic events.
(c)
The provisions of this section shall not apply to colleges, universities, or junior colleges.
(d)
The provisions of this section shall not apply to the possession of a firearm that is not loaded and is in a locked container or a locked rack that is in a motor vehicle.

History of Section.
P.L. 1990, ch. 209, § 1; P.L. 1990, ch. 258, § 1; P.L. 1995, ch. 67, § 1; P.L. 2021, ch. 338, § 2, effective July 12, 2021; P.L. 2021, ch. 343, § 2, effective July 12, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-61. - Drive-by shootings.

§ 11-47-61. Drive-by shootings.
Every person who shall discharge a firearm from a motor vehicle in a manner which creates a substantial risk of death or serious injury shall, upon conviction, be fined not less than five thousand dollars ($5,000) nor more than fifty thousand dollars ($50,000) or imprisoned for not less than ten (10) years nor more than twenty (20) years, or both.
History of Section.
P.L. 1990, ch. 284, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-62. - Rifle ranges — Immunity from prosecution — Criminal or civil.

§ 11-47-62. Rifle ranges — Immunity from prosecution — Criminal or civil.
(a)
Notwithstanding the provisions of any general or special law, rule or regulation to the contrary, it shall be lawful for an owner of a rifle, pistol, silhouette, archery, skeet, trap, black powder, or other similar range to operate the range in excess of the applicable noise or noise pollution, law, ordinance or bylaw, provided the owner of the range continues to be in compliance with any applicable noise control law, ordinance or bylaws in existence at the time of the construction of the range. No owner shall be liable in any action for nuisance, and no court shall enjoin the use or operation of the range on the basis of noise or noise pollution, provided the owner continues to be in compliance with any noise control law, ordinance or bylaws in effect at the time of the construction of the range.
(b)
No standards in rules adopted by any state, city or town agency for limiting levels of noise in terms of decibel level which may occur in the outdoor atmosphere shall apply to the ranges exempted from liability under the provisions of this section.
(c)
Nothing in this section shall be construed to authorize or permit an owner of a rifle, pistol, silhouette, archery, skeet, trap, black powder, or other similar range to change the use and/or type of the range, or to expand the use and/or type of the range.
History of Section.
P.L. 1997, ch. 225, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-63. - Relief from disqualifiers program.

§ 11-47-63. Relief from disqualifiers program.
(a) Establishment of board.
There is hereby established a board known as the relief from disqualifiers board to consider petitions for relief from a firearms prohibition due to an adjudication of commitment in Rhode Island.
(1)
The board shall be comprised of five (5) members to be appointed by the governor subject to the following qualifications:
(i)
One of whom shall be a licensed psychiatrist;
(ii)
One of whom shall be a licensed psychologist;
(iii)
One of whom shall be an active member of law enforcement in the state of Rhode Island;
(iv)
One of whom shall be the director of the department of behavioral health, developmental disabilities and hospitals, or his/her designee; and
(v)
One of whom shall be the attorney general or his/her designee.
(2)
Each member shall serve for a term of three (3) years; provided, however, that of the initial members appointed to the board by the governor, two (2) shall be appointed for a term of two (2) years and three (3) shall be appointed to a term of three (3) years. As the term of office of a member of the board expires, his or her successor shall be appointed in a like manner for a term of three (3) years provided that a member shall continue to serve until an appointment is made by the governor. Any vacancy shall be filled by the governor for the unexpired term.
(b) Relief from disqualifiers program.

A person who is subject to the disqualifiers of 18 U.S.C. § 922(d)(4) and 18 U.S.C. § 922(g)(4) and/or § 40.1-5-8 because of an adjudication commitment under the laws of this state may petition for relief from a firearms prohibition from the relief from disqualifiers board. The board shall consider the petition for relief in accordance with the following:
(1)
The board shall give the petitioner the opportunity to present evidence to the board in a closed and confidential hearing on the record;
(2)
A record of the hearing shall be maintained by the board for purposes of appellate review; and
(3)
The board shall conduct said hearing within thirty (30) days of the filing of a petition for relief.
(c)
In determining whether to grant relief, the board shall consider evidence regarding the following:
(1)
The circumstances regarding the firearms disqualifiers pursuant to 18 U.S.C. § 922(d)(4) and 18 U.S.C. § 922(g)(4);
(2)
The petitioner's record, that must include at a minimum, the petitioner's mental health record, including a certificate of a medical doctor or psychiatrist licensed in this state certifying that the person is no longer suffering from a mental disorder that interferes or handicaps the person from handling deadly weapons;
(3)
All records pertaining to the petitioner's criminal history; and
(4)
Evidence of the petitioner's reputation through character witness statements, testimony, or other character evidence.
(d)
The board shall have the authority to require that the petitioner undergo a clinical evaluation and risk assessment, the results of which may also be considered as evidence in determining whether to approve or deny the petition for relief.
(e)
After a hearing on the record, the board shall grant relief provided that it finds, by a preponderance of the evidence, that:
(1)
The petitioner is not likely to act in a manner dangerous to public safety; and
(2)
Granting the relief will not be contrary to the public interest.
(f)
The board shall issue a decision in writing justifying the reasons for a denial or grant of relief.
(g)
Any person whose petition for relief has been denied by the board shall have a right to a de novo judicial review in the superior court. The superior court shall consider the record of the board hearing on the petition for relief, the decision of the board, and, at the court's discretion, any additional evidence it deems necessary to conduct its review.
(h)
Upon notice that a petition for relief has been granted, the district court shall, as soon as practicable:
(1)
Cause the petitioner's record to be updated, corrected, modified, or removed from any database maintained, and made available to, the National Instant Criminal Background Check System (NICS) and reflect that the petitioner is no longer subject to a firearms prohibition as it relates to 18 U.S.C. § 922(d)(4) and 18 U.S.C. § 922(g)(4); and
(2)
Notify the attorney general of the United States that the petitioner is no longer subject to a firearms prohibition pursuant to 18 U.S.C. § 922(d)(4) and 18 U.S.C. § 922(g)(4).
(i)
The district court shall adopt rules relating to the transmission of information relating to civil commitments pursuant to § 40.1-5-8(
l
) and to the National Instant Criminal Background Check System (NICS), and the relief from disqualifiers process as set forth herein. In preparing such rules, the district court shall consult with the department of behavioral health, developmental disabilities and hospitals, the attorney general, and such other entities as may be necessary or advisable. Such regulations shall include provisions to protect the identity, confidentiality, and security of all records and data provided pursuant to this section and § 40.1-5-26.
(j)
Any member of the relief from firearms disqualifications board, its agents, servants, and employees shall be immune from suit in any action, civil or criminal, based upon any official act or decision, related to this section, performed or made in good faith.
History of Section.
P.L. 2014, ch. 423, § 1; P.L. 2014, ch. 455, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-64. - Sale of ammunition.

§ 11-47-64. Sale of ammunition.

(a)

For the purposes of this section "ammunition" means a loaded cartridge, consisting of a primed case, propellant or projectile, designed for use in any firearm as defined in § 11-47-2.

(b)

No person, firm or corporation shall sell ammunition to any person unless such person is twenty-one (21) years of age or older and, after December 31, 2022, holds a valid pistol/revolver safety certificate or Rhode Island hunter education course card issued by the department of environmental management.

(c)

The provisions of subsection (b) of this section shall not apply to full-time members of the state police, full-time members of the state marshal's office, full-time members of city or town police departments, or state marshals or correctional officers, persons serving on active duty as a member of the United States armed forces or organized reserves or National Guard, or persons licensed to carry a firearm pursuant to § 11-47-11 or § 11-47-18.

(d)

Any person who violates any provision of this section shall be guilty of a felony and may be punished by up to five (5) years imprisonment and/or a five thousand dollar ($5,000) fine.

History of Section.

P.L. 2022, ch. 135, § 2, effective June 21, 2022; P.L. 2022, ch. 136, § 2, effective June 21, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-7. - Possession of firearm by alien.

§ 11-47-7. Possession of firearm by alien.

(a)

No unnaturalized foreign born person who entered the United States in violation of the laws of the United States or, having legally entered the United States in a lawful manner, but now remains in the United States in violation of the laws of the United States, shall purchase, own, carry, transport, or have in his or her possession or under his or her control any firearm.

(b)

When any person is charged under this section, the law enforcement agency bringing the charge shall, prior to arraignment, notify the United States Office of Immigration and Naturalization of the charge and further notify the court, at arraignment, of the alleged status of the person so charged.

History of Section.

P.L. 1959, ch. 75, § 1; P.L. 1983, ch. 300, § 1; P.L. 1996, ch. 146, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-8.1. - Modification of semi-automatic weapon.

§ 11-47-8.1. Modification of semi-automatic weapon.

(a)

It shall be unlawful for any person within this state to modify any semi-automatic weapon such that it can shoot, is designed to shoot, or can be readily restored to shoot full-automatic fire with a single pull or hold of the trigger. The possession of such a modified semi-automatic weapon shall be evidence of guilty knowledge by the person having possession that the semi-automatic weapon was modified. Every person violating the provisions of this subsection shall, upon conviction, be punished by imprisonment for not less than one year nor more than ten (10) years, or by a fine up to ten thousand dollars ($10,000), or both, and, except for a first conviction under this section, shall not be afforded the provisions of suspension or deferment of sentence, nor a probation.

(b)

This section shall not apply to the purchase of any such device by the Rhode Island state police, by any city or town police department of the state of Rhode Island, or by the department of environmental management for display as a part of a firearms training course under its auspices.

(c)

Weapons otherwise considered legal that are found modified by devices pursuant to this section shall be subject to forfeiture pursuant to § 11-47-22.

(d)

This section shall not be construed to prohibit use of a replacement trigger or trigger components designed and intended to decrease the weight of the trigger pull or to improve the quality and release of the trigger pull in a semi-automatic weapon.

History of Section.

P.L. 2018, ch. 5, § 2; P.L. 2018, ch. 8, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-8. - License or permit

required for carrying pistol — Other weapons prohibited.

§ 11-47-8. License or permit required for carrying pistol — Other weapons prohibited.

(a)

No person shall, without a license or permit issued as provided in §§ 11-47-11, 11-47-12, and 11-47-18, carry a pistol or revolver in any vehicle or conveyance or on or about his or her person whether visible or concealed, except in his or her dwelling house or place of business or on land possessed by him or her or as provided in §§ 11-47-9 and 11-47-10. The provisions of these sections shall not apply to any person who is the holder of a valid license or permit issued by the licensing authority of another state, or territory of the United States, or political subdivision of the state or territory, allowing him or her to carry a pistol or revolver in any vehicle or conveyance or on or about his or her person whether visible or concealed, provided the person is merely transporting the firearm through the state in a vehicle or other conveyance without any intent on the part of the person to detain him or herself or remain within the state of Rhode Island. No person shall manufacture, sell, purchase, or possess a machine gun except as otherwise provided in this chapter. Every person violating the provision of this section shall, upon conviction, be punished by imprisonment for not less than one nor more than ten (10) years, or by a fine up to ten thousand dollars ($10,000), or both, and except for a first conviction under this section, shall not be afforded the provisions of suspension or deferment of sentence, nor a probation.

(b)

No person shall have in his or her possession or under his or her control any sawed-off shotgun or sawed-off rifle as defined in § 11-47-2. Any person convicted of violating this subsection shall be punished by imprisonment for up to ten (10) years, or by a fine of up to five thousand dollars ($5,000), or both.

(c)

No person shall have in his or her possession or under his or her control any firearm while the person delivers, possesses with intent to deliver, or manufactures a controlled substance. Any person convicted of violating this subsection shall be punished by imprisonment for not less than two (2) years nor more than twenty (20) years, and the sentence shall be consecutive to any sentence the person may receive for the delivery, possession with intent to deliver, or the manufacture of the controlled substance. It shall not be a defense to a violation of this subsection that a person has a license or permit to carry or possess a firearm.

(d)

It shall be unlawful for any person to possess a bump-fire device, binary trigger, trigger crank, or any other device that when attached to a semi-automatic weapon allows full-automatic fire. Individuals who possess these items shall have ninety (90) days from the enactment of this section to either sell, destroy, or otherwise remove these items from the state of Rhode Island. Every person violating the provisions of this section shall, upon conviction, be punished by imprisonment for not less than one nor more than ten (10) years, or by a fine up to ten thousand dollars ($10,000), or both, and, except for a first conviction under this section, shall not be afforded the provisions of suspension or deferment of sentence, nor a probation.

(e)

No person shall manufacture, sell, offer to sell, transfer, purchase, possess, or have under his or her control a ghost gun or an undetectable firearm or any firearm produced by a 3D printing process. Any person convicted of violating this subsection shall be punished by imprisonment of not more than ten (10) years, or by a fine up to ten thousand dollars ($10,000), or both and except for a first conviction under this section shall not be afforded the provisions of suspension or deferment of sentence, probation, nor fine. These provisions shall not apply to federally licensed manufacturers (Federal Firearm License Type 07) pursuant to Alcohol, Tobacco, Firearms, and Explosives (ATF) regulations.

History of Section.

P.L. 1927, ch. 1052, § 4; G.L. 1938, ch. 404, § 4; G.L. 1956, § 11-47-5; G.L., § 11-47-8; P.L. 1959, ch. 75, § 1; P.L. 1968, ch. 183, § 3; P.L. 1974, ch. 184, § 1; P.L. 1975, ch. 278, § 1; P.L. 1988, ch. 389, § 1; P.L. 1991, ch. 227, § 1; P.L. 1992, ch. 422, § 1; P.L. 1992, ch. 460, § 1; P.L. 2000, ch. 109, § 11; P.L. 2018, ch. 5, § 3; P.L. 2018, ch. 8, § 3; P.L. 2020, ch. 9, § 2; P.L. 2020, ch. 10, § 2; P.L. 2023, ch. 395, art. 2, § 3, effective June 27, 2023.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-9.1. - Additional exemptions.

§ 11-47-9.1. Additional exemptions.

The provisions of §§ 11-47-8 and 11-47-11 shall not apply to members of the state police, members of city or town police forces, and members of the Rhode Island airport police department. Persons exempted by the provisions of this section from the provisions of § 11-47-8 shall have the right to carry concealed firearms everywhere within this state; provided, that this shall not be construed as giving the right to carry concealed firearms to a person transporting firearms as merchandise or as household or business goods.

History of Section.

P.L. 1981, ch. 379, § 1; P.L. 1999, ch. 412, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-47 - WeaponsSection 11-47-9. - Persons exempt from restrictions.

§ 11-47-9. Persons exempt from restrictions.

(a)

The provisions of § 11-47-8 shall not apply to sheriffs; deputy sheriffs; the superintendent and members of the state police; members of the Rhode Island airport police department; members of the Rhode Island state marshals; Rhode Island state fire marshal; chief deputy state fire marshals; deputy state fire marshals assigned to the bomb squad, and those assigned to the investigation unit; Providence fire department arson investigators, provided that the investigator receiving the permit is a graduate of a police-training academy; correctional officers, chief inspector and inspectors within the office of inspections, within the department of corrections; members of the city or town police force; capitol police investigators of the department of attorney general appointed pursuant to § 42-9-8.1; the witness protection coordinator for the witness protection review board as set forth in chapter 30 of title 12 and subject to the minimum qualifications of § 42-9-8.1; automobile theft investigators of the Rhode Island state police pursuant to § 31-50-1; railroad police while traveling to and from official assignments or while on assignments; conservation officers; or other duly appointed law enforcement officers; nor to members of the Army, Navy, Air Force, and Marine Corps of the United States, the National Guard, or organized reserves, when on duty; nor to members of organizations by law authorized to purchase or receive firearms from the United States or this state, provided these members are at, or going to or from, their places of assembly or target practice; nor to officers or employees of the United States authorized by law to carry a concealed firearm; nor to any civilian guard or criminal investigator carrying sidearms or a concealed firearm in the performance of his or her official duties under the authority of the commanding officer of the military establishment in the state of Rhode Island where he or she is employed by the United States; nor to any civilian guard carrying sidearms or a concealed firearm in the performance of his or her official duties under the authority of the adjutant general where he or she is employed guarding a national guard facility, provided, that the commanding officer of the military establishment shall have on file with the attorney general of this state a list of the names and addresses of all civilian guards and criminal investigators so authorized; nor to duly authorized military organizations when on duty; nor to members when at, or going to or from, their customary places of assembly; nor to any individual employed in the capacity of warden, associate warden, major, captain, lieutenant, sergeant, correctional officer or investigator at any project owned or operated by a municipal detention facility corporation, including the Donald W. Wyatt Detention Facility; nor to the regular and/or ordinary transportation of pistols or revolvers as merchandise; nor to any person while transporting a pistol, or revolvers, unloaded from the place of purchase to their residence, or place of business, from their residence to their place of business or from their place of business to their residence, or to a federal firearms licensee for the purpose of sale, to or from a bona fide gunsmith, or firearms repair facility, to any police station or other location designated as a site of a bona fide “gun buy-back” program, but only if said pistol or revolver is unloaded and any ammunition for said pistol or revolver is not readily or directly accessible from the passenger compartment of such vehicle while transporting same and further provided, that in the case of a vehicle without a compartment separate from the passenger compartment, the firearm or the ammunition shall be stored in a locked container.

(b)

Persons exempted by the provisions of this section from the provisions of § 11-47-8 shall have the right to carry concealed firearms everywhere within this state; provided, that this shall not be construed as giving the right to carry concealed firearms to a person transporting firearms as merchandise or as household or business goods.

History of Section.

P.L. 1927, ch. 1052, § 5; G.L. 1938, ch. 404, § 5; P.L. 1953, ch. 3135, § 1; G.L. 1956, § 11-47-6; G.L., § 11-47-9; P.L. 1959, ch. 75, § 1; P.L. 1972, ch. 134, § 2; P.L. 1974, ch. 252, § 2; P.L. 1975, ch. 278, § 1; P.L. 1977, ch. 100, § 1; P.L. 1979, ch. 371, § 1; P.L. 1990, ch. 208, § 5; P.L. 1992, ch. 286, § 2; P.L. 1993, ch. 423, § 2; P.L. 1999, ch. 412, § 1; P.L. 2005, ch. 329, § 1; P.L. 2005, ch. 390, § 1; P.L. 2007, ch. 263, § 2; P.L. 2007, ch. 392, § 2; P.L. 2007, ch. 503, § 1; P.L. 2007, ch. 520, § 1; P.L. 2008, ch. 94, § 1; P.L. 2008, ch. 156, § 1; P.L. 2008, ch. 475, § 2; P.L. 2010, ch. 23, art. 7, § 4; P.L. 2013, ch. 164, § 4; P.L. 2013, ch. 234, § 4; P.L. 2013, ch. 501, § 3; P.L. 2014, ch. 492, § 1; P.L. 2014, ch. 525, § 1; P.L. 2022, ch. 378, § 1, effective June 29, 2022; P.L. 2022, ch. 379, § 1, effective June 29, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-48 - Substances Releasing Toxic VaporsSection 11-48-1. - “Person” defined.

§ 11-48-1. “Person” defined.

“Person”, as used in this chapter, includes any individual, firm, or corporation.

History of Section.

P.L. 1968, ch. 25, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-48 - Substances Releasing Toxic VaporsSection 11-48-2. - Sale, possession, and use.

§ 11-48-2. Sale, possession, and use.

No person shall intentionally smell or inhale the fumes of any substance having the property of releasing toxic vapors for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses or nervous system, nor possess, buy, or sell any substance for the purpose of violating or aiding another to violate this chapter; provided, that this chapter shall not apply to the inhalation of anesthesia for medical or dental purposes.

History of Section.

P.L. 1968, ch. 25, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-48 - Substances Releasing Toxic VaporsSection 11-48-3. - Penalty for violation.

§ 11-48-3. Penalty for violation.
Any person who violates the provisions of this chapter shall be punished by a fine of not more than five hundred dollars ($500), or by imprisonment for not more than six (6) months, or both.
History of Section.
P.L. 1968, ch. 25, § 1; P.L. 1995, ch. 191, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49.1 - Impersonation and Identity FraudSection 11-49.1-1. - Short title.

§ 11-49.1-1. Short title.
This chapter shall be known and may be cited as the “Impersonation and Identity Fraud Act.”
History of Section.
P.L. 2000, ch. 105, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49.1 - Impersonation and Identity FraudSection 11-49.1-2. - Definitions.

§ 11-49.1-2. Definitions.
As used in this chapter:
(1)
“Document-making implement” means any implement, impression, electronic device, or computer hardware or software, that is specifically configured or primarily used for making an identification document, a false identification document, or another document-making implement;
(2)
“Identification document” means a document made or card issued by or under the authority of the United States Government, a state, political subdivision of a state, a foreign government, political subdivision of a foreign government, an international governmental or an international quasi-governmental organization which, when completed with information concerning a particular individual, is of a type intended or commonly accepted for the purpose of identification of individuals;
(3)
“Means of identification” means any name or number that may be used, alone or in conjunction with any other information, to identify a specific individual, including any:
(i)
Name, social security number, date of birth, official state or government issued driver’s license or identification number, alien registration number, government passport number, employer or taxpayer identification number;
(ii)
Unique biometric data, such as fingerprint, voice print, retina or iris image, or other unique physical representation;
(iii)
Unique electronic identification number, address, or routing code; or
(iv)
Telecommunication identifying information or access device as defined in 18 U.S.C. § 1029(e).
(4)
“Produce” means to manufacture, alter, authenticate, or assemble an identification document;
(5)
“State” includes any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other commonwealth, possession, or territory of the United States; and
(6)
“Financial information” means any of the following information identifiable to an individual that concerns the amount and/or condition of an individual’s assets, liabilities or credit:
(i)
Account numbers and balances;
(ii)
Transactional information concerning any account; or
(iii)
Codes, passwords, social security numbers, tax identification numbers, driver’s license numbers or any other information held for the purpose of account access or transaction initiation.
History of Section.
P.L. 2000, ch. 105, § 1; P.L. 2003, ch. 64, § 1; P.L. 2003, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49.1 - Impersonation and Identity FraudSection

11-49.1-3. - Identity fraud.

§ 11-49.1-3. Identity fraud.

(a)

Any person who shall: (1) knowingly and without lawful authority produce an identification document or a false identification document; (2) knowingly transfer an identification document or a false identification document knowing that the document was stolen or produced without lawful authority; (3) knowingly possess with intent to use unlawfully or transfer unlawfully five (5) or more identification documents (other than those issued lawfully for the use of the possessor) or false identification documents; (4) knowingly possess an identification document (other than one issued lawfully for the use of the possessor) or a false identification document, or financial information with the intent that the document or financial information be used to defraud the United States, the State of Rhode Island, any political subdivision of it or any public or private entity; (5) knowingly transfer, or possess a document-making implement with the intent that the document-making implement will be used in the production of a false identification document or another document-making implement which will be so used; (6) knowingly possess a false identification document that is or appears to be a genuine identification document of the United States, the State of Rhode Island or any political subdivision of it or any public or private entity which is stolen or produced without lawful authority knowing that the document was stolen or produced without such authority; or (7) knowingly transfer or use with intent to defraud, without lawful authority, a means of identification or financial information of another person living or dead, with the intent to commit, or to aid or abet, any unlawful activity that constitutes a violation of federal, state or local law; shall be guilty of a felony and shall be subject to the penalties set forth in § 11-49.1-4.

(b)

The provisions of this section shall not apply to any person who has not reached his or her twenty-first (21st) birthday who misrepresents or misstates his or her age through the presentation of any document in order to enter any premises licensed for the retail sale of alcoholic beverages for the purpose of purchasing or having served or delivered to him or her alcoholic beverages or attempting to purchase or have another person purchase for him or her any alcoholic beverage pursuant to § 3-8-6.

History of Section.

P.L. 2000, ch. 105, § 1; P.L. 2003, ch. 64, § 1; P.L. 2003, ch. 75, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49.1 - Impersonation and Identity FraudSection 11-49.1-4. - Penalties.

§ 11-49.1-4. Penalties.

(a)

Every person who violates the provisions of § 11-49.1-3 shall be imprisoned for not more than three (3) years and may be fined not more than five thousand dollars ($5,000), or both, for a first conviction.

(b)

Every person who violates the provisions of § 11-49.1-3 may be imprisoned for not less than three (3) years nor more than five (5) years and shall be fined not more than ten thousand dollars ($10,000), or both, for a second conviction.

(c)

Every person who violates the provisions of § 11-49.1-3 shall be imprisoned for not less than five (5) years nor more than ten (10) years and shall be fined not less than fifteen thousand dollars ($15,000), or both, for a third or subsequent conviction.

History of Section.

P.L. 2000, ch. 105, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49.1 - Impersonation and Identity FraudSection 11-49.1-5. - Search warrants and forfeitures apparatus.

§ 11-49.1-5. Search warrants and forfeitures apparatus.

(a)(1)

Search warrants to search for and seize implements, apparatus, paraphernalia and other property and devices kept, possessed or used in violation of any of the provisions of this chapter, or as a means of committing a violation of this chapter, may be issued as provided by law in chapter 5 of title 12; and all implements, apparatus, paraphernalia or other apparatus or devices found by any officer in executing a search warrant or which shall be produced and brought into court shall be forfeited to the state, and further proceedings shall be had for their forfeiture as is prescribed by law in chapter 21 of title 12 and upon entry of final judgment or forfeiture shall be destroyed by order of the court.

(2)

In addition, those items which were kept, possessed, or used in violation of any of the provisions of this chapter and which have a monetary value may be seized and forfeited, and further proceedings shall be had for their forfeiture as is prescribed by laws in chapter 21 of title 12 and the further provisions of this section; provided, that no property or money used by any person shall be forfeited under the provisions of this chapter unless it shall appear that the owner of the property or money had knowledge, actual or constructive, and was a consenting party to the alleged illegal act.

(b)

Property taken or detained under this section shall not be repleviable, but shall be deemed to be in the custody of the law enforcement agency making the seizure and whenever property or money is forfeited under this chapter it shall be utilized as follows:
(1)
The law enforcement agency may sell any forfeited property which is not required by this chapter to be destroyed and which is not harmful to the public. The proceeds from the sale are to be distributed in accordance with subdivision (2) of this subsection.
(2)
As to the proceeds from the sale of seized property as referred to in subdivision (1) of this subsection and as to personal property referred to in subsection (a) of this section, the distribution shall be as follows:
(i)
All proceeds of the forfeiture of real or personal property shall be distributed as follows:
(A)
Twenty percent (20%) of the proceeds shall be provided to the attorney general's department to be used to further law enforcement activities pursuant to this chapter including, but not limited to, investigations, prosecutions, and the administration of this chapter;
(B)
Eighty percent (80%) of the proceeds shall be divided among the state and local law enforcement agencies proportionately based upon their contribution to the investigation of the criminal activity related to the asset being forfeited.
(ii)
The law enforcement agencies involved in the investigation with the assistance of the attorney general shall by agreement determine the respective proportionate share to be received by each agency. If the agencies are unable to reach agreement, application shall be made by one or more of the agencies involved to the presiding justice of the superior court, who shall determine the respective proportionate share attributable to each law enforcement agency. The proceeds from all forfeitures shall be held by the general treasurer in a separate account until such time as an allocation is determined by agreement of the agencies or by the presiding justice. It shall be the duty and responsibility of the general treasurer to disburse the allocated funds from the separate account to the respective law enforcement agencies.
History of Section.
P.L. 2000, ch. 105, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49.3 - Identity Theft Protection Act of 2015Section 11-49.3-1. - Short title.

§ 11-49.3-1. Short title.
This chapter shall be known and may be cited as the "Rhode Island Identity Theft Protection Act of 2015."
History of Section.
P.L. 2015, ch. 138, § 2; P.L. 2015, ch. 148, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49.3 - Identity Theft Protection Act of 2015Section 11-49.3-2. - Risk-based information security program.

§ 11-49.3-2. Risk-based information security program.
(a)
A municipal agency, state agency, or person who or that stores, collects, processes, maintains, acquires, uses, owns, or licenses personal information about a Rhode Island resident shall implement and maintain a risk-based information security program that contains reasonable security procedures and practices appropriate to the size and scope of the organization; the nature of the information; and the purpose for which the information was collected in order to protect the personal information from unauthorized access, use, modification, destruction, or disclosure and to preserve the confidentiality, integrity, and availability of such information. A municipal agency, state agency, or person shall not retain personal information for a period longer than is reasonably required to provide the services requested; to meet the purpose for which it was collected; or in accordance with a written retention policy or as may be required by law. A municipal agency, state agency, or person shall destroy all personal information, regardless of the medium that such information is in, in a secure manner, including, but not limited to, shredding, pulverization, incineration, or erasure.
(b)
A municipal agency, state agency, or person who or that discloses personal information about a Rhode Island resident to a nonaffiliated third party shall require by written contract that the third party implement and maintain reasonable security procedures and practices appropriate to the size and scope of the organization; the nature of the information; and the purpose for which the information was collected in order to protect the personal information from unauthorized access, use, modification, destruction, or disclosure. The provisions of this section shall apply to contracts entered into after the effective date of this act.
History of Section.
P.L. 2015, ch. 138, § 2; P.L. 2015, ch. 148, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49.3 - Identity Theft Protection Act of 2015Section

11-49.3-3. - Definitions.

§ 11-49.3-3. Definitions.

(a)

The following definitions apply to this chapter:

(1)

“Breach of the security of the system” means unauthorized access or acquisition of unencrypted, computerized data information that compromises the security, confidentiality, or integrity of personal information maintained by the municipal agency, state agency, or person. Good-faith acquisition of personal information by an employee or agent of the agency for the purposes of the agency is not a breach of the security of the system; provided, that the personal information is not used or subject to further unauthorized disclosure.

(2)

“Classified data” means any data that is not public (private, sensitive, confidential). Classified data requires additional security controls, such as access restrictions and encryption. Classified data includes personally identifiable information (PII), personally identifiable health information (PHI), or federal tax information (FTI).

(3)

“Cybersecurity incident” means unauthorized access that could jeopardize the confidentiality, integrity, or availability of critical information systems and critical infrastructure systems (i.e., first responder networks, water, energy).

(4)

“Encrypted” means the transformation of data through the use of a one hundred twenty-eight (128) bit or higher algorithmic process into a form in which there is a low probability of assigning meaning without use of a confidential process or key. Data shall not be considered to be encrypted if it is acquired in combination with any key, security code, or password that would permit access to the encrypted data.

(5)

“Health insurance information” means an individual’s health insurance policy number, subscriber identification number, or any unique identifier used by a health insurer to identify the individual.

(6)

“Medical information” means any information regarding an individual’s medical history, mental or physical condition, or medical treatment or diagnosis by a healthcare professional or provider.

(7)

“Municipal agency” means any department, division, agency, commission, board, office, bureau, authority, quasi-public authority, or school, fire, or water district within Rhode Island, other than a state agency, and any other agency that is in any branch of municipal government and exercises governmental functions other than in an advisory nature.

(8)

“Owner” means the original collector of the information.

(9)

“Person” shall include any individual, sole proprietorship, partnership, association, corporation, joint venture, business, legal entity, trust, estate, cooperative, or other commercial entity.

(10)

“Personal information” means an individual’s first name or first initial and last name in combination with any one or more of the following data elements, when the name and the data elements are not encrypted or are in hard copy, paper format:

(i)

Social security number;

(ii)

Driver’s license number, Rhode Island identification card number, or tribal identification number;

(iii)

Account number, credit or debit card number, in combination with any required security code, access code, password, or personal identification number, that would permit access to an individual’s financial account;

(iv)

Medical or health insurance information; or

(v)

E-mail address with any required security code, access code, or password that would permit access to an individual’s personal, medical, insurance, or financial account.

(11)

“Remediation service provider” means any person who or that, in the usual course of business, provides services pertaining to a consumer credit report including, but not limited to, credit report monitoring and alerts, that are intended to mitigate the potential for identity theft.

(12)

“State agency” means any department, division, agency, commission, board, office, bureau, authority, or quasi-public authority within Rhode Island; either branch of the Rhode Island general assembly or an agency or committee thereof; the judiciary; or any other agency that is in any branch of Rhode Island state government and that exercises governmental functions other than in an

advisory nature.
(b)
For purposes of this chapter, personal information does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.
(c)
For purposes of this chapter, “notice” may be provided by one of the following methods:
(1)
Written notice;
(2)
Electronic notice, if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 U.S.C. § 7001; or
(3)
Substitute notice, if the municipal agency, state agency, or person demonstrates that the cost of providing notice would exceed twenty-five thousand dollars ($25,000), or that the affected class of subject persons to be notified exceeds fifty thousand (50,000), or the municipal agency, state agency, or person does not have sufficient contact information. Substitute notice shall consist of all of the following:
(i)
E-mail notice when the municipal agency, state agency, or person has an e-mail address for the subject persons;
(ii)
Conspicuous posting of the notice on the municipal agency’s, state agency’s, or person’s website page, if the municipal agency, state agency, or person maintains one; and
(iii)
Notification to major statewide media.
History of Section.
P.L. 2015, ch. 138, § 2; P.L. 2015, ch. 148, § 2; P.L. 2023, ch. 375, § 1, effective June 27, 2023.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49.3 - Identity Theft Protection Act of 2015Section 11-49.3-4. - Notification of breach.

§ 11-49.3-4. Notification of breach.
(a)(1)
Any municipal agency, state agency, or person who or that stores, owns, collects, processes, maintains, acquires, uses, or licenses data that includes personal information shall provide notification as set forth in this section of any disclosure of personal information, or any breach of the security of the system, that poses a significant risk of identity theft to any resident of Rhode Island whose personal information was, or is reasonably believed to have been, acquired by an unauthorized person or entity.
(2)
The notification shall be made in the most expedient time possible, subject to the following:
(i)
For state and municipal agencies, no later than thirty (30) calendar days after confirmation of the breach and the ability to ascertain the information required to fulfill the notice requirements contained in subsection (d), and shall be consistent with the legitimate needs of law enforcement as provided in subsection (b). In the event that more than five hundred (500) Rhode Island residents are to be notified, the municipal agency or state agency shall notify the attorney general and the major credit reporting agencies as to the timing, content, and distribution of the notices and the approximate number of affected individuals. Notification to the attorney general and the major credit reporting agencies shall be made without delaying notice to affected Rhode Island residents. Where affected employees are represented by a labor union through a collective bargaining agreement, the employer shall also notify the collective bargaining agent, or designee, of such breaches.
(ii)
For persons subject to subsection (a)(1), which is not a state or municipal agency, no later than forty-five (45) calendar days after confirmation of the breach and the ability to ascertain the information required to fulfill the notice requirements contained in subsection (d), and shall be consistent with the legitimate needs of law enforcement as provided in subsection (b). In the event that more than five hundred (500) Rhode Island residents are to be notified, the person shall notify the attorney general and the major credit reporting agencies as to the timing, content, and distribution of the notices and the approximate number of affected individuals. Notification to the attorney general and the major credit reporting agencies shall be made without delaying notice to affected Rhode Island residents.
(b)
The notification required by this section may be delayed if a federal, state, or local law enforcement agency determines that the notification will impede a criminal investigation. The federal, state, or local law enforcement agency must notify the municipal agency, state agency, or person of the request to delay notification without unreasonable delay. If notice is delayed due to such determination, then, as soon as the federal, state, or municipal law enforcement agency determines and informs the municipal agency, state agency, or person that notification no longer poses a risk of impeding an investigation, notice shall be provided as soon

as practicable pursuant to subsection (a)(2). The municipal agency, state agency, or person shall cooperate with federal, state, or municipal law enforcement in its investigation of any breach of security or unauthorized acquisition or use, which shall include the sharing of information relevant to the incident; provided however, that such disclosure shall not require the disclosure of confidential business information or trade secrets.
(c)
Any municipal agency, state agency, or person required to make notification under this section and fails to do so is liable for a violation as set forth in § 11-49.3-5.
(d)
The notification to individuals must include the following information to the extent known:
(1)
A general and brief description of the incident, including how the security breach occurred and the number of affected individuals;
(2)
The type of information that was subject to the breach;
(3)
Date of breach, estimated date of breach, or the date range within which the breach occurred;
(4)
Date that the breach was discovered;
(5)
A clear and concise description of any remediation services offered to affected individuals including toll free numbers and websites to contact:
(i)
The credit reporting agencies;
(ii)
Remediation service providers;
(iii)
The attorney general; and
(6)
A clear and concise description of the consumer's ability to file or obtain a police report; how a consumer requests a security freeze and the necessary information to be provided when requesting the security freeze; and that fees may be required to be paid to the consumer reporting agencies.
(e)
For state and municipal agencies remediation services to be provided and to be described pursuant to the provisions of subsection (d)(5) of this section shall include, but not be limited to:
(1)
Individuals eighteen (18) years of age and older, a minimum of five (5) years of coverage; and
(2)
Individuals under eighteen (18) years of age, coverage until age eighteen (18), and no less than two (2) years of coverage beyond age eighteen (18).
History of Section.
P.L. 2015, ch. 138, § 2; P.L. 2015, ch. 148, § 2; P.L. 2023, ch. 375, § 1, effective June 27, 2023.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49.3 - Identity Theft Protection Act of 2015Section 11-49.3-5. - Penalties for violation.

§ 11-49.3-5. Penalties for violation.
(a)
Each reckless violation of this chapter is a civil violation for which a penalty of not more than one hundred dollars ($100) per record may be adjudged against a defendant.
(b)
Each knowing and willful violation of this chapter is a civil violation for which a penalty of not more than two hundred dollars ($200) per record may be adjudged against a defendant.
(c)
Whenever the attorney general has reason to believe that a violation of this chapter has occurred and that proceedings would be in the public interest, the attorney general may bring an action in the name of the state against the business or person in violation.
History of Section.
P.L. 2015, ch. 138, § 2; P.L. 2015, ch. 148, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49.3 - Identity Theft Protection Act of 2015Section 11-49.3-6. - Agencies or persons with security breach procedures.

§ 11-49.3-6. Agencies or persons with security breach procedures.

(a)
Any municipal agency, state agency, or person shall be deemed to be in compliance with the security breach notification requirements of § 11-49.3-4 if:
(1)
The municipal agency, state agency, or person maintains its own security breach procedures as part of an information security policy for the treatment of personal information and otherwise complies with the timing requirements of § 11-49.3-4, and notifies subject persons in accordance with such municipal agency's, state agency's, or person's notification policies in the event of a breach of security; or
(2)
The person maintains a security breach procedure pursuant to the rules, regulations, procedures, or guidelines established by the primary or functional regulator, as defined in 15 U.S.C. § 6809(2), and notifies subject persons in accordance with the policies or the rules, regulations, procedures, or guidelines established by the primary or functional regulator in the event of a breach of security of the system.
(b)
A financial institution, trust company, credit union, or its affiliates that is subject to and examined for, and found in compliance with, the Federal Interagency Guidelines on Response Programs for Unauthorized Access to Customer Information and Customer Notice shall be deemed in compliance with this chapter.
(c)
A provider of health care, healthcare service plan, health insurer, or a covered entity governed by the medical privacy and security rules issued by the federal Department of Health and Human Services, Parts 160 and 164 of Title 45 of the Code of Federal Regulations, established pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) shall be deemed in compliance with this chapter.
History of Section.
P.L. 2015, ch. 138, § 2; P.L. 2015, ch. 148, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49.3 - Identity Theft Protection Act of 2015Section 11-49.3-7. - Notification of cybersecurity incident.

§ 11-49.3-7. Notification of cybersecurity incident.
(a)
Any municipal agency or state agency that detects a cybersecurity incident shall provide notification to the Rhode Island state police upon detection of the cybersecurity incident within twenty-four (24) hours.
(b)
Any municipal agency or state agency required to make notification under this section and fails to do so may be liable for a violation as set forth in § 11-49.3-5.
(c)
The notification shall include, at a minimum, the following information to the extent known:
(1)
A general and brief description of the incident, including how the cybersecurity incident occurred; and
(2)
The date of the cybersecurity incident, estimated date of the cybersecurity incident, or the date range within which the cybersecurity incident occurred.
History of Section.
P.L. 2023, ch. 375, § 2, effective June 27, 2023.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49 - Credit Card Crime ActSection 11-49-1. - Definitions.

§ 11-49-1. Definitions.
As used in this chapter:
(1)
"Cardholder" means the person or organization named on the face of a credit card to whom or for whose benefit the credit card is issued by an issuer.
(2)
"Credit card" means any instrument or device, whether known as a credit card, credit plate, or by any other name, issued with or without fee by an issuer for the use of the card holder in obtaining money, goods, services, or anything else of value on credit.
(3)
"Expired credit card" means a credit card which is no longer valid because the term shown on it has elapsed.
(4)
"Issuer" means the business organization or financial institution, or its duly authorized agent, which issues a credit card.
(5)

“Receives” or “receiving” means acquiring possession or control or accepting as security for a loan a credit card.
(6)
“Revoked credit card” means a credit card which is no longer valid because permission to use it has been suspended or terminated by the issuer.
History of Section.
P.L. 1969, ch. 129, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49 - Credit Card Crime ActSection 11-49-10. - Penalties.

§ 11-49-10. Penalties.
(a)
A person who is subject to the penalties of this subsection shall be fined not more than one thousand dollars ($1,000), or imprisoned not more than one year, or both.
(b)
A person who is subject to the penalties of this subsection shall be fined not more than three thousand dollars ($3,000), or imprisoned not more than three (3) years, or both.
History of Section.
P.L. 1969, ch. 129, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49 - Credit Card Crime ActSection 11-49-11. - Chapter not exclusive.

§ 11-49-11. Chapter not exclusive.
This chapter shall not be construed to preclude the applicability of any other provision of the criminal law of this state which presently applies or may in the future apply to any transaction which violates this chapter, unless that provision is inconsistent with the terms of this chapter.
History of Section.
P.L. 1969, ch. 129, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49 - Credit Card Crime ActSection 11-49-12. - Severability.

§ 11-49-12. Severability.
If any provision of this chapter or its application to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.
History of Section.
P.L. 1969, ch. 129, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49 - Credit Card Crime ActSection 11-49-13. - Short title.

§ 11-49-13. Short title.
This chapter shall be known and may be cited as the “Credit Card Crime Act.”
History of Section.
P.L. 1969, ch. 129, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49 - Credit Card Crime ActSection 11-49-2. - False statement as to financial condition or identity.

§ 11-49-2. False statement as to financial condition or identity.
A person who makes or causes to be made, either directly or indirectly, any false statement as to a material fact in writing, knowing it to be false and with intent that it be relied on respecting his or her identity or that of any other person, firm, or corporation or his or her financial condition or that of any other person, firm, or corporation, for the purpose of procuring the issuance of a credit card, violates this section and is subject to the penalties set forth in § 11-49-10(a).
History of Section.
P.L. 1969, ch. 129, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49 - Credit Card Crime ActSection 11-49-3. - Theft — Obtaining credit card through fraudulent means.

§ 11-49-3. Theft — Obtaining credit card through fraudulent means.
(a) Theft by taking or retaining possession of card taken.

A person who takes a credit card from the person, possession, custody, or control of another without the cardholder's consent, or who, with knowledge that it has been so taken, receives the credit card with intent to use it, to sell it, or to transfer it to a person other than the issuer or the cardholder, is guilty of credit card theft and is subject to the penalties set forth in § 11-49-10(a). Taking a credit card without consent includes obtaining it by conduct defined or known as statutory larceny, common law larceny by trespassory taking, common law larceny by trick or embezzlement, or obtaining property by false pretense, false promise, or extortion.

(b) Theft of credit card lost, mislaid or delivered by mistake.

A person who receives a credit card that he or she knows to have been lost, mislaid, or delivered under a mistake as to the identity or address of the cardholder and who retains possession with intent to use it, to sell it, or to transfer it to a person other than the issuer or the cardholder, is guilty of credit card theft and is subject to the penalties set forth in § 11-49-10(a).

(c) Purchase or sale of credit card of another.

A person other than the issuer who sells a credit card, or a person who buys a credit card from a person other than the issuer, violates this subsection and is subject to the penalties set forth in § 11-49-10(a).

(d) Obtaining control of credit card as security for debt.

A person who, with intent to defraud the issuer, a person or organization providing money, goods, services, or anything else of value, or any other person, obtains control over a credit card as security for debt violates this subsection and is subject to the penalties set forth in § 11-49-10(a).

(e) Dealing in credit cards of another.

A person other than the issuer who during any twelve (12) month period receives two (2) or more credit cards issued in the name or names of different cardholders, which he or she has reason to know were taken or retained under circumstances which constitute credit card theft or a violation of this law, violates this subsection and is subject to the penalties set forth in § 11-49-10(b).

(f) Forgery of credit card.

A person who, with intent to defraud a purported issuer or a person or organization providing money, goods, services, or anything else of value or any other person, falsely makes or embosses a purported credit card or utters a credit card is guilty of credit card forgery and is subject to the penalties set forth in § 11-49-10(b). A person other than the purported issuer who possesses two (2) or more credit cards which are falsely made or falsely embossed is presumed to have violated this subsection. A person falsely makes a credit card when he or she makes or draws in whole or in part a device or instrument which purports to be the credit card of a named issuer but which is not a credit card of the named issuer because the issuer did not authorize the making or drawing, or alters a credit card which was validly issued. A person falsely embosses a credit card when, without the authorization of the named issuer, he or she completes a credit card by adding any of the matter, other than the signature of the cardholder, which an issuer requires to appear on the credit card before it can be used by a cardholder.

(g) Signing credit card of another.

A person other than the cardholder or a person authorized by the cardholder who, with intent to defraud the issuer or a person or organization providing money, goods, services, or anything else of value or any other person, signs a credit card violates this subsection and is subject to the penalties set forth in § 11-49-10(a).

History of Section.

P.L. 1969, ch. 129, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49 - Credit Card Crime ActSection 11-49-4. - Fraudulent use of credit cards.

§ 11-49-4. Fraudulent use of credit cards.

A person who, with intent to defraud the issuer or a person or organization providing money, goods, services, or anything else of value or any other person, uses, for the purpose of obtaining money, goods, services, or anything else of value, a credit card obtained or retained in violation of this law or a credit card which he or she knows is forged, expired, or revoked, or who obtains money, goods, services, or anything else of value by representing, without the consent of the cardholder, that he or she is the holder of a specified card or by representing that he or she is the holder of a card and the card has not in fact been issued, violates this section and is subject to the penalties set forth in § 11-49-10(a), if the value of all moneys, goods, services, and other things of value obtained in violation of this subsection does not exceed one hundred dollars ($100) in any six (6) month period. The violator is subject to the penalties set forth in § 11-49-10(b) if the value does exceed one hundred dollars ($100) in any six (6) month period. Knowledge of revocation shall be presumed to have been received by a cardholder four (4) days after it has been mailed to him or her at the address set forth on the credit card or at his or her last known address by registered or certified mail, return receipt requested, and, if the address is more than five hundred (500) miles from the place of mailing, by air mail. If the address is located outside the United States, Puerto Rico, the Virgin Islands, the Canal Zone or Canada, notice shall be presumed to have been received ten (10) days after mailing by registered or certified mail.

History of Section.

P.L. 1969, ch. 129, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49 - Credit Card Crime ActSection 11-49-5. - Fraud by person authorized to provide goods or services.

§ 11-49-5. Fraud by person authorized to provide goods or services.
(a) Illegally obtained or illegally possessed credit card; forge.
A person who is authorized by an issuer to furnish money, goods, services, or anything else of value upon presentation of a credit card by the cardholder or any agent or employees of the person who, with intent to defraud the issuer or the cardholder, furnishes money, goods, services, or anything else of value upon presentation of a credit card obtained or retained in violation of this law or a credit card which he or she knows is forged, expired, or revoked, violates this subsection and is subject to the penalties set forth in § 11-49-10(a), if the value of all money, goods, services, and other things of value furnished in violation of this subsection does not exceed one hundred dollars ($100) in any six (6) month period. The violator is subject to the penalties set forth in § 11-49-10(b) if the value does exceed one hundred dollars ($100) in any six (6) month period.
(b) Misrepresentation to issuer.
A person who is authorized by an issuer to furnish money, goods, services, or anything else of value upon presentation of a credit card by the cardholder or any agent or employee of the person who, with intent to defraud the issuer or the cardholder, fails to furnish money, goods, services, or anything else of value which he or she represents in writing to the issuer that he has furnished, violates this subsection and is subject to the penalties set forth in § 11-49-10(a), if the difference between the value of all money, goods, services, and anything else of value actually furnished and the value represented to the issuer to have been furnished, does not exceed five hundred dollars ($500) in any six (6) month period. The violator is subject to the penalties set forth in § 11-49-10(b) if the difference does exceed five hundred dollars ($500) in any six (6) month period.
History of Section.
P.L. 1969, ch. 129, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49 - Credit Card Crime ActSection 11-49-6.1. - Publishing information for fraudulent purposes.

§ 11-49-6.1. Publishing information for fraudulent purposes.
(a)(1)
It shall be unlawful for any person to publish or cause to be published the number or code of an existing, cancelled, revoked, expired, or nonexistent credit card issued by a company providing telecommunication services or the numbering or coding system which is employed in the issuance of those credit cards, or any method, scheme, instruction, or information on how to fraudulently avoid payment for telecommunication services, with the intent that the number or coding system or information be used or with knowledge that the system or information are to be used to fraudulently avoid the payment of any lawful charges imposed by the telecommunications company.
(2)
As used in this section, “publishes” means the communication of information to any one or more persons, either orally, in person, or by telephone, radio, or television, or in writing of any kind, including a letter or memorandum, circular, poster, or handbill, newspaper or magazine article, or book with the intent that the information be used or employed in violation of this section.
(b)
Any person who violates this section is guilty of a misdemeanor and, upon conviction, may be imprisoned for not more than one year, or fined not more than five hundred dollars ($500), or both.
(c)
Any person convicted of a second or subsequent offense of this section shall be guilty of a felony and, upon conviction, may be imprisoned for not more than three (3) years or fined not more than three thousand dollars ($3,000), or both.
History of Section.
P.L. 1978, ch. 60, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49 - Credit Card Crime ActSection 11-49-6. - Possession of machinery, plates or other contrivance or incomplete credit cards.

§ 11-49-6. Possession of machinery, plates or other contrivance or incomplete credit cards.
A person other than the cardholder possessing two (2) or more incomplete credit cards with intent to complete them without the consent of the issuer or a person possessing with knowledge of its character any machinery, plates, or any other contrivance designed to reproduce instruments purporting to be the credit cards of an issuer who has not consented to the preparation of the credit cards violates this section and is subject to the penalties set forth in § 11-49-10(b). A credit card is incomplete if part of the matter other than the signature of the cardholder, which an issuer requires to appear on the credit card before it can be used by a cardholder, has not yet been stamped, embossed, imprinted, or written on it.
History of Section.
P.L. 1969, ch. 129, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49 - Credit Card Crime ActSection 11-49-7. - Receipt of money, goods and services obtained by fraudulent use of credit cards.

§ 11-49-7. Receipt of money, goods and services obtained by fraudulent use of credit cards.
A person who receives money, goods, services, or anything else of value obtained in violation of § 11-49-4, knowing or believing

that it was so obtained, violates this section and is subject to the penalties set forth in § 11-49-10(a). A person who obtains at a discount price a ticket issued by an airline, railroad, steamship, or other transportation company, which was acquired in violation of § 11-49-4 without reasonable inquiry to ascertain that the person from whom it was obtained had a legal right to possess it, shall be presumed to know that the ticket was acquired under circumstances constituting a violation of § 11-49-4.
History of Section.
P.L. 1969, ch. 129, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-49 - Credit Card Crime ActSection 11-49-8. - Defense not available.

§ 11-49-8. Defense not available.
In any prosecution for violation of this chapter, the state is not required to establish and it is no defense that a person, other than the defendant, who violated this chapter has not been convicted, apprehended, or identified.
History of Section.
P.L. 1969, ch. 129, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-1. - Assault with intent to commit specified felonies.

§ 11-5-1. Assault with intent to commit specified felonies.
Every person who shall make an assault with intent to commit murder, robbery, sexual assault, burglary, or the abominable and detestable crime against nature, shall be imprisoned not exceeding twenty (20) years nor less than one year.
History of Section.
G.L. 1896, ch. 277, § 18; G.L. 1909, ch. 343, § 18; G.L. 1923, ch. 395, § 18; G.L. 1938, ch. 606, § 18; G.L. 1956, § 11-5-1; P.L. 1981, ch. 76, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-10.1. - Assault on persons 60 years of age or older causing serious bodily injury.

§ 11-5-10.1. Assault on persons 60 years of age or older causing serious bodily injury.
(a)
Any person who shall commit an assault or battery, or both, upon a person sixty (60) years of age or older, causing serious bodily injury, shall be deemed to have committed a felony and shall be imprisoned for not less than three (3) years but not more than twenty (20) years, or fined not more than ten thousand dollars ($10,000), or both. Every person so convicted shall be ordered to make restitution to the victim of the offense or to perform up to five hundred (500) hours of public community restitution work or attend violence counseling and/or substance abuse counseling, or any combination of them imposed by the sentencing judge. The court may not waive the obligation to make restitution and/or public community restitution work. The restitution and/or public community restitution work shall be in addition to any fine or sentence which may be imposed and not in lieu of the fine or sentence.
(b)
“Serious bodily injury” means physical injury that:
(1)
Creates a substantial risk of death;
(2)
Causes protracted loss or impairment of the function of any bodily part, member or organ; or
(3)
Causes serious permanent disfigurement.
History of Section.
P.L. 1987, ch. 123, § 1; P.L. 1988, ch. 491, § 1; P.L. 1991, ch. 324, § 1; P.L. 1997, ch. 119, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-10.2. - Assault on persons with severe impairments causing serious bodily injury.

§ 11-5-10.2. Assault on persons with severe impairments causing serious bodily injury.
(a)
Any person who shall commit an assault or battery, or both, upon a person, with severe impairments causing serious bodily injury, shall be deemed to have committed a felony and shall be imprisoned for not less than two (2) years but not more than twenty (20) years, or fined not more than five thousand dollars ($5,000), or both. Every person so convicted shall be ordered to make restitution to the victim of the offense or to perform up to five hundred (500) hours of public community restitution work, or both, or any combination of them imposed by the sentencing judge. The court may not waive the obligation to make restitution and/or public community restitution work. The restitution and/or public community restitution work shall be in addition to any fine or sentence which may be imposed and not in lieu of the fine or sentence.

(b)
“Serious bodily injury” means physical injury that:
(1)
Creates a substantial risk of death, serious disfigurement;
(2)
Causes protracted loss or impairment of the function of any bodily part, member or organ; or
(3)
Causes serious permanent disfigurement.
(c)
For the purposes of this section:
(1)
“Adult” means a person over the age of eighteen (18).
(2)
“Major life activities” means: (i) mobility; (ii) self-care; (iii) communication; (iv) receptive and/or expressive language; (v) learning; (vi) self-direction; (vii) capacity for independent living; or (viii) economic self-sufficiency.
(3)
“Person with severe impairments” means a child or adult who has a disability which is attributable to a mental or physical impairment or combination of mental and physical impairments and results in substantial functional limitations in one or more major life activities.
(d)
Violations of this section shall be reported to the local police department.
(e)
After July 1, 2007 pursuant to § 40-8.5-2, the local police department may request the department of behavioral healthcare, developmental disabilities and hospitals provide crisis intervention services for the adult victim with severe impairments when:
(1)
Necessary to ensure the immediate health and safety of the adult victim;
(2)
The adult victim relies on the person believed to have committed the assault and/or battery, for assistance in performing three (3) or more major life activities; and
(3)
After the victim is informed of his or her right to refuse crisis intervention and/or supportive services.
History of Section.
P.L. 1988, ch. 358, § 1; P.L. 1990, ch. 422, § 1; P.L. 1991, ch. 324, § 1; P.L. 2006, ch. 175, § 1; P.L. 2006, ch. 268, § 1; P.L. 2012, ch. 254, § 1; P.L. 2012, ch. 264, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-10.3. - Assault on persons 60 years of age or older by caretaker causing bodily injury.

§ 11-5-10.3. Assault on persons 60 years of age or older by caretaker causing bodily injury.
Any person who shall commit an assault and battery upon a person sixty (60) years of age or older, causing bodily injury, and who was, at the time of the assault and battery, responsible for the care and treatment of the victim, shall be deemed to have committed a felony and shall be imprisoned not exceeding five (5) years, or fined not exceeding two thousand five hundred dollars ($2,500), or both. Further, if at the time of the assault and battery the person committing the act was employed by a health care facility that either condoned the act or attempted to conceal it, the health care facility shall be fined not exceeding five thousand dollars ($5,000).
History of Section.
P.L. 1988, ch. 442, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-10.4. - Assault on persons 60 years of age or older by caretaker causing serious bodily injury.

§ 11-5-10.4. Assault on persons 60 years of age or older by caretaker causing serious bodily injury.
(a)
Any person who shall commit an assault or battery, or both, upon a person sixty (60) years of age or older, causing serious bodily injury, and who was, at the time of the assault and battery, responsible for the care and treatment of the victim, shall be deemed to have committed a felony and shall be imprisoned for not less than two (2) years but not more than twenty (20) years, or fined not more than ten thousand dollars ($10,000), or both. Further, if at the time of the assault and battery the person committing the act was employed by a health care facility that either condoned the act or attempted to conceal it, the health care facility shall be fined not exceeding fifteen thousand dollars ($15,000). Every person so convicted shall be ordered to make restitution to the victim of the offense or to perform up to five hundred (500) hours of public community restitution work or attend violence counseling and/or substance abuse counseling, or any combination of them imposed by the sentencing judge. The court may not waive the obligation to make restitution and/or public community restitution work. The restitution and/or public community restitution work shall be in

addition to any fine or sentence which may be imposed and not in lieu of the fine or sentence.
(b)
“Serious bodily injury” means physical injury that:
(1)
Creates a substantial risk of death;
(2)
Causes protracted loss or impairment of the function of any bodily part, member or organ; or
(3)
Causes serious permanent disfigurement.
History of Section.
P.L. 1988, ch. 442, § 1; P.L. 1991, ch. 324, § 1; P.L. 1997, ch. 119, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-10. - Assault on persons 60 years of age or older causing bodily injury.

§ 11-5-10. Assault on persons 60 years of age or older causing bodily injury.
Any person who shall commit an assault and battery upon a person sixty (60) years of age or older, causing bodily injury, shall be deemed to have committed a felony and shall be imprisoned not exceeding five (5) years, or fined not exceeding one thousand dollars ($1,000), or both.
History of Section.
P.L. 1980, ch. 158, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-11. - Assault on persons with severe impairments.

§ 11-5-11. Assault on persons with severe impairments.
(a)
For the purposes of this section:
(1)
“adult” means a person over the age of eighteen (18).
(2)
“major life activities” means: (i) mobility; (ii) self-care; (iii) communication; (iv) receptive and/or expressive language; (v) learning; (vi) self-direction; (vii) capacity for independent living; or (viii) economic self-sufficiency.
(3)
“person with severe impairments” means a child or adult who has a disability which is attributable to a mental or physical impairment or combination of mental and physical impairments which results in a substantial limitation on the person’s ability to function independently in the family or community and in one or more major life activities.
(b)
Any person who shall commit an assault and battery upon a person who is severely impaired as defined in subsection (a) of this section, causing bodily injury, shall be deemed to have committed a felony and shall be imprisoned not exceeding five (5) years, or fined not exceeding two thousand dollars ($2,000), or both.
(c)
Violations of this section shall be reported to the local police department.
(d)
After July 1, 2007 pursuant to § 40-8.5-2, the local police department may request the department of behavioral healthcare, developmental disabilities and hospitals provide crisis intervention services for the adult victim with severe impairments when:
(1)
Necessary to ensure the immediate health and safety of the adult victim;
(2)
The adult victim relies on the person believed to have committed the assault and/or battery, for assistance in performing three (3) or more major life activities; and
(3)
After the victim is informed of his or her right to refuse crisis intervention and/or supportive services.
History of Section.
P.L. 1982, ch. 445, § 1; P.L. 1985, ch. 374, § 1; P.L. 1990, ch. 423, § 1; P.L. 1999, ch. 83, § 10; P.L. 1999, ch. 130, § 10; P.L. 2006, ch. 175, § 1; P.L. 2006, ch. 268, § 1; P.L. 2012, ch. 254, § 1; P.L. 2012, ch. 264, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-12. - Abuse, neglect and/or exploitation of adults with severe impairments.

§ 11-5-12. Abuse, neglect and/or exploitation of adults with severe impairments.
(a)

Any person primarily responsible for the care of an adult with severe impairments who shall willfully and knowingly abuse, neglect or exploit that adult shall be subject to a fine of not more than two thousand dollars ($2,000), or imprisoned not more than five (5) years, or both, and ordered to make full restitution of any funds as the result of any exploitation which results in the misappropriation of funds. Every person convicted of or placed on probation for violation of this section shall be ordered by the sentencing judge to attend appropriate professional counseling to address his or her abusive behavior.

(b)

As used in this section:

(1)

“Abuse” means the subjection of an adult with a severe impairment to willful infliction of physical pain, willful deprivation of services necessary to maintain the physical or mental health of the person, or unreasonable confinement.

(2)

“Adult with severe impairments” means a person over the age of eighteen (18) who has a disability which is attributable to a mental or physical impairment or combination of mental and physical impairments and results in substantial functional limitations in one or more of the following areas of major life activity: (i) mobility; (ii) self-care; (iii) communication; (iv) receptive and/or expressive language; (v) learning; (vi) self-direction; (vii) capacity for independent living; or (viii) economic self-sufficiency.

(3)

“Exploitation” means an act or process of taking pecuniary advantage of impaired persons by use of undue influence, harassment, duress, deception, false representation, false pretenses, or misappropriation of funds.

(4)

“Neglect” means the willful refusal to provide services necessary to maintain the physical or mental health of an adult with severe impairments.

(5)

“Person primarily responsible for care” or “caregiver” means any person who is for a significant period of time the primary caregiver or is primarily responsible for the management of the funds of an adult with severe impairments.

(c)

Violations of this section shall be reported to the local police department.

(d)

After July 1, 2007 pursuant to § 40-8.5-2, the local police department may request the department of behavioral healthcare, developmental disabilities and hospitals provide crisis intervention services for the adult victim with severe impairments when:

(1)

necessary to ensure the immediate health and safety of the adult victim;

(2)

the adult victim relies on the person believed to have committed the abuse, neglect and/or exploitation, for assistance in performing three (3) or more major life activities; and

(3)

After the victim is informed of his or her right to refuse crisis intervention and/or supportive services.

(e)

Any person who fails to report known or suspected abuse or neglect shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than five hundred dollars ($500).

(f)

Nothing in this section shall be interpreted to apply to the discontinuance of life-support systems or life-sustaining treatment for an adult for whom, if the treatment were terminated, death may result.

(g)

Any person participating in good faith in making a report pursuant to this chapter, excluding any perpetrator or conspirator of the acts, shall have immunity from any civil liability that might otherwise be incurred or imposed.

(h)

Nothing in this section shall be interpreted to prohibit the use of any medical or psychological treatment procedure designed and conducted in accordance with applicable professional standards when performed by appropriately trained personnel under the supervision of a person or facility licensed or approved by the state of Rhode Island and when any consent as is required by law has been obtained.

(i)

Nothing in this chapter shall be construed to mean a person is abused or neglected for the sole reason that the person is being furnished or relies upon treatment by spiritual means through prayer alone in accordance with the tenets and practices of a church or religious denomination recognized by the laws of this state.

(j)

Nothing in this chapter shall be construed to mean a person is abused or neglected when the parent or legal guardian of an adult with severe impairments, who is the person primarily responsible for care of the adult, (1) decides, in good faith, not to accept support services from a governmental agency, which in the opinion of the parent or legal guardian and the adult, is considered to be inappropriate or inconsistent with the best interests of that adult; or (2) decides, in good faith, to reduce or discontinue assistance to

that adult who is developing, acquiring or practicing independent decision-making or living skills.
History of Section.
P.L. 1990, ch. 210, § 1; P.L. 1993, ch. 456, § 1; P.L. 2006, ch. 169, § 1; P.L. 2006, ch. 175, § 1; P.L. 2006, ch. 196, § 1; P.L. 2006, ch. 268, § 1; P.L. 2012, ch. 254, § 1; P.L. 2012, ch. 264, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-14.1. - Assault on child in care of department of children, youth and families causing serious bodily injury.

§ 11-5-14.1. Assault on child in care of department of children, youth and families causing serious bodily injury.
(a)
Any employee of the department of children, youth and families, or any employee of any public or private agency with which the department contracts for services in furtherance of the care or custody of children who shall commit an assault or battery upon a child in the care of the department, causing serious bodily injury, shall be deemed to have committed a felony and shall be punished by imprisonment for not less than five (5) years but not more than twenty (20) years and a fine of not less than five thousand dollars ($5,000) nor more than twenty thousand dollars ($20,000).
(b)
“Serious bodily injury” means physical injury that:
(1)
Creates a substantial risk of death;
(2)
Causes protracted loss or impairment of the function of any bodily part, member or organ; or
(3)
Causes serious permanent disfigurement.
History of Section.
P.L. 1991, ch. 258, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-14.2. - Battery by an adult upon child ten (10) years of age or younger causing serious bodily injury.

§ 11-5-14.2. Battery by an adult upon child ten (10) years of age or younger causing serious bodily injury.
(a)
Any person eighteen (18) years of age or older who shall commit a battery upon a child ten (10) years of age or younger, causing serious bodily injury, shall be deemed to have committed a felony and shall be punished by imprisonment for not less than five (5) years but not more than twenty (20) years and a fine of not less than five thousand ($5,000) dollars nor more than twenty thousand ($20,000) dollars.
(b)
“Serious bodily injury” means physical injury that:
(1)
Creates a substantial risk of death;
(2)
Causes protracted loss or impairment of the function of any bodily part, member or organ; or
(3)
Causes serious permanent disfigurement.
History of Section.
P.L. 1996, ch. 90, § 1; P.L. 1996, ch. 109, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-14. - Assault on child in care of department of children, youth and families.

§ 11-5-14. Assault on child in care of department of children, youth and families.
Any employee of the department of children, youth and families, or any employee of any public or private agency with which the department contracts for services in furtherance of the care or custody of children, who shall commit an assault and battery upon a child in the care of the department shall be deemed to have committed a felony and shall be punished by imprisonment for not less than three (3) years but not more than ten (10) years and a fine of not less than one thousand dollars ($1,000) nor more than ten thousand dollars ($10,000).
History of Section.
P.L. 1991, ch. 258, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-15. - Aggravated harassment of a deputy sheriff by an inmate.

§ 11-5-15. Aggravated harassment of a deputy sheriff by an inmate.

Every prisoner confined in a custodial unit of the adult correctional institutions or in the custody of the warden or other correctional employee while outside the confines of the institutions who causes or attempts to cause any deputy sheriff to come into contact with blood, seminal fluid, urine or feces, by throwing, tossing or expelling the fluid or material with the intent to harass, annoy, threaten or alarm, shall be imprisoned not exceeding two (2) years, or fined not less than five hundred dollars ($500) nor more than two thousand dollars ($2,000), or both.
History of Section.
P.L. 1999, ch. 467, § 1; P.L. 2012, ch. 324, § 29.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-16. - Assault of health care providers or emergency services medical personnel.

§ 11-5-16. Assault of health care providers or emergency services medical personnel.
(a)
Any person who shall knowingly and willfully assault a health care provider and/or emergency medical services personnel while that provider is engaged in providing health care services shall be deemed to have committed a felony, and may be imprisoned no more than three (3) years and fined not more than fifteen hundred dollars ($1,500), or both.
(b)
The following terms, as used in this section, are defined as follows:
(1)
“Health care provider” has the same meaning as defined in § 5-37.3-3 and includes any personnel directed by them.
(2)
“Emergency medical services personnel” means anyone who provides emergency medical transportation services and anyone directed by them.
(3)
“Health care services” has the same meaning as defined in § 5-37.3-3 and includes any personnel directed by them.
History of Section.
P.L. 2001, ch. 74, § 1; P.L. 2001, ch. 201, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-17. - Assault or battery for purpose of causing unconsciousness.

§ 11-5-17. Assault or battery for purpose of causing unconsciousness.
Any person who shall make an assault or battery, or both, by causing, or attempting to cause, another person to be rendered unconscious by a single punch, kick, or other singular striking motion to the head of such person for the purpose of bringing about the loss of consciousness of such person, or who shall knowingly assist, aid, abet, solicit, encourage, counsel, command, or conspire to coerce any person to commit such an act, shall be deemed to have committed a felony and shall be imprisoned for not more than three (3) years or fined not more than one thousand five hundred dollars ($1,500), or both.
History of Section.
P.L. 2014, ch. 483, § 1; P.L. 2014, ch. 546, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-2.1. - Felony assault by use of devices similar in appearance to a firearm.

§ 11-5-2.1. Felony assault by use of devices similar in appearance to a firearm.
(a)
Every person who shall make an assault or battery, or both, with any device manufactured and designed to be substantially similar in appearance to a firearm shall be punished by imprisonment for not more than ten (10) years if serious injury results, and in the event that serious bodily injury does not result, punishment shall be imprisonment for not more than three (3) years.
(b)
“Serious bodily injury” means physical injury that:
(1)
Creates a substantial risk of death;
(2)
Causes protracted loss or impairment of the function of any bodily part, member or organ; or
(3)
Causes serious permanent disfigurement.
History of Section.
P.L. 1988, ch. 604, § 1; P.L. 1991, ch. 324, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-2.2. - Battery — Criminal negligence.

§ 11-5-2.2. Battery — Criminal negligence.
(a)
When serious bodily injury, as defined in § 11-5-2, of any person, occurs as a proximate result of criminal negligence, the person committing the criminal negligence shall be guilty of battery and shall be deemed to have committed a felony and shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars ($10,000), or both.
(b)
For the purposes of this section: (i) “Criminal negligence” shall mean: Conduct which is such a departure from what would be that of an ordinary prudent or careful person in the same circumstance as to be incompatible with a proper regard for human life or an indifference to consequences. Criminal negligence is negligence that is aggravated, culpable or gross; (ii) “Person” shall mean an individual or any business entity recognized by the laws of the state of Rhode Island including, but not limited to, corporations, limited liability corporations, partnerships or limited liability partnerships.
History of Section.
P.L. 2004, ch. 194, § 1; P.L. 2004, ch. 204, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-2.3. - Domestic assault by strangulation.

§ 11-5-2.3. Domestic assault by strangulation.
(a)
Every person who shall make an assault or battery, or both, by strangulation, on a family or household member as defined in subsection 12-29-2(b), shall be punished by imprisonment for not more than ten (10) years.
(b)
Where the provisions of “The Domestic Violence Prevention Act,” chapter 29 of title 12, are applicable, the penalties for violation of this section shall also include the penalties as provided in § 12-29-5.
(c)
“Strangulation” means knowingly and intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person, with the intent to cause that person harm.
History of Section.
P.L. 2012, ch. 278, § 1; P.L. 2012, ch. 284, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-2. - Felony assault.

§ 11-5-2. Felony assault.
(a)
Every person who shall make an assault or battery, or both, upon the person of another, with a dangerous weapon, or with acid or other dangerous substance, or by fire, or an assault or battery that results in serious bodily injury shall be guilty of a felony assault. If such assault results in serious bodily injury, it shall be punished by imprisonment for not more than twenty (20) years. Every other felony assault which results in bodily injury or no injury shall be punished by imprisonment for not more than six (6) years.
(b)
Where the provisions of “The Domestic Violence Prevention Act,” chapter 29 of title 12, are applicable, the penalties for violation of this section shall also include the penalties as provided in § 12-29-5.
(c)
“Serious bodily injury” means physical injury that:
(1)
Creates a substantial risk of death;
(2)
Causes protracted loss or impairment of the function of any bodily part, member, or organ;
(3)
Causes serious permanent disfigurement or circumcises, excises, or infibulates the whole or any part of the labia majora or labia minora or clitoris of a person; or
(4)
Results in the termination of a pregnancy where the person making the assault or battery is someone other than the pregnant person and knows or has reason to know that the person upon whom the assault or battery is made is pregnant.
(d)
This section shall not apply to acts committed by:
(1)
Any person relating to the performance of an abortion pursuant to chapter 4.13 of title 23, the Reproductive Privacy Act, for which the consent of the pregnant person, or a person authorized by law on her behalf, has been obtained or for which such consent is implied by law; or
(2)
Any person for any medical treatment of the pregnant person or the fetus.

(e)
“Bodily injury” means physical injury that causes physical pain, illness, or any impairment of physical condition.
History of Section.
G.L. 1896, ch. 277, § 19; G.L. 1909, ch. 343, § 19; P.L. 1915, ch. 1258, § 6; G.L. 1923, ch. 395, § 19; P.L. 1925, ch. 657, § 1; G.L. 1938, ch. 606, § 19; G.L. 1956, § 11-5-2; P.L. 1981, ch. 76, § 1; P.L. 1988, ch. 539, § 8; P.L. 1990, ch. 241, § 1; P.L. 1991, ch. 324, § 1; P.L. 1996, ch. 81, § 1; P.L. 2017, ch. 344, § 1; P.L. 2017, ch. 354, § 1; P.L. 2019, ch. 27, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-3.1. - Assault or battery upon delivery person.

§ 11-5-3.1. Assault or battery upon delivery person.
(a)
“Delivery person” means any person engaged in the commercial delivery of any item, food product, or anything else of value to any home, residence, or business.
(b)
Every person who shall make an assault or battery upon any delivery person in the execution of the delivery person’s duty shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars ($3,000), or both.
(c)
Every person who shall make an assault or battery, or both, with a dangerous weapon, or with acid or other dangerous substance, or by fire, or an assault or battery that results in serious bodily injury, to any delivery person shall be punished by imprisonment for a period of not less than five (5) years, but not more than twenty (20) years.
History of Section.
P.L. 2017, ch. 436, § 1; P.L. 2017, ch. 437, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-3. - Simple assault or battery.

§ 11-5-3. Simple assault or battery.
(a)
Except as otherwise provided in § 11-5-2, every person who shall make an assault or battery or both shall be imprisoned not exceeding one year or fined not exceeding one thousand dollars ($1,000), or both.
(b)
Where the provisions of “The Domestic Violence Prevention Act”, chapter 29 of title 12, are applicable, the penalties for violation of this section shall also include the penalties as provided in § 12-29-5.
History of Section.
G.L. 1896, ch. 277, § 20; C.P.A. 1905, § 1171; G.L. 1909, ch. 343, § 20; G.L. 1923, ch. 395, § 20; G.L. 1938, ch. 606, § 20; G.L. 1956, § 11-5-3; P.L. 1988, ch. 539, § 8; P.L. 1992, ch. 329, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-4. - Assault with dangerous weapon in dwelling house.

§ 11-5-4. Assault with dangerous weapon in dwelling house.
Whoever, being armed with a dangerous weapon, assaults another with intent to rob or murder, shall, if the assault is committed within a dwelling house, be punished by imprisonment in the adult correctional institution for not less than ten (10) years to life.
History of Section.
R.P.L. 1957, ch. 99, § 1; P.L. 2000, ch. 109, § 4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-5. - Assault of police officers and other officials.

§ 11-5-5. Assault of police officers and other officials.
Any person who shall make an assault or battery, or both, by knowingly and willfully either (1) striking, or (2) spraying with a noxious chemical, commonly used as a personal defense weapon, including Mace and an oleoresin capsicum product or like products, a uniformed member of the state police or metropolitan park police, environmental police officer, state properties patrol officer, probation and parole officers, state government case worker or investigator, judge of the supreme, superior, family, district court, traffic tribunal or municipal court, deputy sheriff, city or town police officer or firefighter, member of the capitol police, member of campus security force of state colleges and universities, member of the Rhode Island airport police department, member of the Rhode Island fugitive task force, Rhode Island public transit authority bus driver, or on-duty plainclothes member of the town, city, or state police force, investigator of the department of the attorney general appointed pursuant to § 42-9-8.1, or member of the railroad police after proper identification is displayed, or uniformed dog officer, or out-of-state police officer called into Rhode Island under a cooperative agreement to provide mutual aid at the request of the state of Rhode Island pursuant to chapter 37 of title 42, or assistant attorney general or special assistant attorney general, or employees of the department of environmental management

responsible for administrative inspections or any constable authorized by chapter 45-16 of the Rhode Island general law causing bodily injury while the officer or official is engaged in the performance of his or her duty, shall be deemed to have committed a felony, and shall be imprisoned not exceeding three (3) years, or fined not exceeding fifteen hundred dollars ($1,500), or both.
History of Section.
P.L. 1965, ch. 206, § 1; P.L. 1966, ch. 188, § 1; P.L. 1968, ch. 76, § 1; P.L. 1973, ch. 66, § 1; P.L. 1979, ch. 249, § 1; P.L. 1980, ch. 305, § 1; P.L. 1982, ch. 362, § 1; P.L. 1984, ch. 277, § 1; P.L. 1986, ch. 78, § 1; P.L. 1988, ch. 266, § 1; P.L. 1990, ch. 428, § 1; P.L. 1991, ch. 200, § 1; P.L. 1993, ch. 59, § 1; P.L. 1995, ch. 56, § 1; P.L. 1996, ch. 152, § 2; P.L. 1997, ch. 332, § 1; P.L. 1999, ch. 74, § 1; P.L. 1999, ch. 491, § 1; P.L. 2003, ch. 60, § 1; P.L. 2003, ch. 71, § 1; P.L. 2011, ch. 74, § 1; P.L. 2011, ch. 81, § 1; P.L. 2012, ch. 324, § 29.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-6. - Assault and battery in the collection of a loan.

§ 11-5-6. Assault and battery in the collection of a loan.
Any person who commits an assault and battery upon another for the purpose of collecting any loan shall be punished upon the first conviction by imprisonment for not more than five (5) years and upon a second or subsequent conviction by imprisonment for not less than three (3) years nor more than ten (10) years.
History of Section.
P.L. 1970, ch. 264, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-7. - Assault of schoolteachers, school officials or other school department employees.

§ 11-5-7. Assault of schoolteachers, school officials or other school department employees.
Any person who shall knowingly and willfully strike a schoolteacher, student teacher, school security officer or school administrator, causing bodily injury, while the teacher, student teacher, security officer, administrator, or school department employee is engaged in the performance of his or her duty, shall be deemed to have committed a felony, and shall be imprisoned not exceeding three (3) years, or fined not exceeding fifteen hundred dollars ($1,500), or both.
History of Section.
P.L. 1972, ch. 208, § 1; P.L. 1984, ch. 70, § 1; P.L. 1997, ch. 203, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-8.1. - Assault with bodily fluid.

§ 11-5-8.1. Assault with bodily fluid.
Any person incarcerated or in custody at a state correctional facility including the juvenile training school who shall knowingly and willfully commit an assault upon a correctional officer or any other employee of the department of corrections with any bodily fluid, while the employee is engaged in the performance of his or her duty, shall be imprisoned not exceeding five (5) years, or fined not less than five hundred dollars ($500) nor more than five thousand dollars ($5,000), or both.
History of Section.
P.L. 1997, ch. 35, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-5 - AssaultsSection 11-5-8. - Assault on correctional officer, or training school employee.

§ 11-5-8. Assault on correctional officer, or training school employee.
Any person who shall knowingly and willfully strike a uniformed member of the correctional officer staff at the adult correctional institutions causing bodily injury, or willfully strikes a member who is out of uniform, knowing the person to be such a member, while the member is engaged in the performance of his or her duty, or who knowingly and without consent removes or attempts to remove a firearm from a correctional officer engaged in the lawful performance of his or her duties, or who knowingly and willfully strikes a training school employee at the training school for youth, causing bodily injury to the employee while the employee is engaged in the performance of his or her duty, shall be imprisoned not exceeding five (5) years, or fined not less than five hundred dollars ($500) nor more than five thousand dollars ($5,000), or both.
History of Section.
P.L. 1973, ch. 147, § 1; P.L. 1987, ch. 58, § 1; P.L. 1988, ch. 86, § 1; P.L. 1992, ch. 349, § 1; P.L. 1996, ch. 192, § 1; P.L. 1999, ch. 138, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-50 - Games of ChanceSection 11-50-1. - Filing requirement.

§ 11-50-1. Filing requirement.
Any person, firm, or corporation proposing to engage in any game, contest, or other promotion or advertising scheme or plan in which a retail establishment offers the opportunity to receive gifts, prizes, or gratuities, as determined by chance, in order to promote

its retail business, where the total announced value of the prizes offered to the general public is in excess of five hundred dollars ($500), shall file with the secretary of state upon a form that he or she shall provide a statement setting forth: (1) the minimum number of participating objects to be made available; (2) the minimum number of prize winning objects that will be included in the promotion or advertising scheme or plan; (3) the proportionate opportunity of winning prizes; (4) the minimum value of prizes to be made available; and (5) the rules and regulations pertaining to the promotion or advertising scheme or plan which shall include the period of time and the geographic area to be covered by the contest. There shall be a filing fee of one hundred and fifty dollars ($150) when the statement is filed. Failure to file a statement shall be a misdemeanor.
History of Section.
P.L. 1972, ch. 199, § 1; P.L. 1990, ch. 65, art. 43, § 9.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-50 - Games of ChanceSection 11-50-2. - Posting of available prizes — Rules and winners.

§ 11-50-2. Posting of available prizes — Rules and winners.
Every person, firm, or corporation engaging in any promotion or advertising game or contest of the type set forth in § 11-50-1 shall cause to be posted in a conspicuous and prominent location in every retail establishment offering the opportunity to participate in the game or contest the minimum number and value of prizes available to be won over a stated period of time and slated geographic area, and the rules and regulations pertaining to the promotion or advertising scheme or plan and the names and addresses of prize winners. Failure to cause this posting shall be a misdemeanor.
History of Section.
P.L. 1972, ch. 199, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-50 - Games of ChanceSection 11-50-3. - Records.

§ 11-50-3. Records.
Every person, firm, or corporation engaging in any promotion or advertising scheme or plan of the type set forth in § 11-50-1 shall maintain for six (6) months following the completion of the promotion or advertising scheme or plan adequate records to enable the person, firm, or corporation to report to the secretary of state, upon his or her request, the name and address of each winner of every prize having a value of more than twenty-five dollars ($25.00), the description of the prize won by each person, and the date when the prize was delivered to each person. Failure to file that information with the secretary of state upon his or her request within six (6) months shall be a misdemeanor.
History of Section.
P.L. 1972, ch. 199, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-50 - Games of ChanceSection 11-50-4. - Manipulation of games.

§ 11-50-4. Manipulation of games.
Every person, firm, or corporation who manipulates or rigs any promotion or advertising scheme or plan of the type set forth in § 11-50-1 so that gifts, prizes, or gratuities are dispersed to predetermined individuals or retail establishments shall be guilty of a misdemeanor, provided, that this section shall not prevent distribution of gifts, prizes, or gratuities of equal value to retail establishments in a uniform ratio to the number of participating objects distributed to those establishments.
History of Section.
P.L. 1972, ch. 199, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-50 - Games of ChanceSection 11-50-5. - Failure to distribute prizes.

§ 11-50-5. Failure to distribute prizes.
Every person, firm, or corporation who engages in any promotion or advertising scheme or plan of the type set forth in § 11-50-1 and who fails to distribute the offered gifts, prizes, or gratuities to designated winners shall be guilty of a misdemeanor.
History of Section.
P.L. 1972, ch. 199, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-50 - Games of ChanceSection 11-50-6. - Deceptive advertising practices.

§ 11-50-6. Deceptive advertising practices.
Every person, firm, or corporation who prints, publishes, or circulates literature or advertising material, used in connection with any promotion or advertising scheme or plan of the type set forth in § 11-50-1, which is false, deceptive, or misleading, shall be guilty of a misdemeanor.
History of Section.
P.L. 1972, ch. 199, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-50 - Games of ChanceSection 11-50-7. - Dealer coercion.

§ 11-50-7. Dealer coercion.
Every person, firm, or corporation who coerces a retail dealer to participate in any promotion or advertising scheme or plan of the type set forth in § 11-50-1 shall be guilty of a misdemeanor. Coercion includes, but is not limited to, circumstances in which a course of business conduct extending over a period of one year or longer between a supplier and a dealer is materially changed for no legitimate business reason, coincident with a failure or refusal of the dealer to participate in an above-mentioned promotion or advertising scheme or plan.
History of Section.
P.L. 1972, ch. 199, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-50 - Games of ChanceSection 11-50-8. - Injunction.

§ 11-50-8. Injunction.
Whenever the attorney general has reason to believe that any promotion or advertising scheme or plan of the type set forth in § 11-50-1 is being operated in violation of this chapter, he or she may bring an action in the superior court, in the name and on behalf of the people of the state, to enjoin the continued operation of the promotion or advertising scheme or plan.
History of Section.
P.L. 1972, ch. 199, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-51 - Organized Criminal GamblingSection 11-51-1. - Definitions.

§ 11-51-1. Definitions.
(a)
“Gambling” includes, but is not limited to, pool-selling, bookmaking, maintaining slot-machines, roulette wheels or dice tables, and conducting lotteries, Policy, Bolita, or numbers games or selling chances in them.
(b)(1)
“Organized criminal gambling business” as used in this chapter means a gambling business which involves three (3) or more persons who conduct, finance, manage, supervise, direct, operate, or own all or part of the business and which has been or remains in substantially continuous operation for a period in excess of fifteen (15) days, or which has conducted operations on at least two (2) days in each of two (2) consecutive weeks, or which has a combined gross revenue of at least one thousand dollars ($1,000) in any single day, or which has entered into a total of at least one hundred (100) gambling transactions in any single day.
(2)
“Organized criminal gambling business” does not refer to betting specifically authorized by chapter 4 of title 41 or any act in amendment of that chapter, nor to any form of gambling otherwise licensed or permitted by specific statutory enactment.
History of Section.
P.L. 1979, ch. 127, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-51 - Organized Criminal GamblingSection 11-51-2. - Organized criminal gambling business.

§ 11-51-2. Organized criminal gambling business.
Whoever shall conduct, finance, manage, supervise, direct or own all or part of an organized criminal gambling business, as defined in this chapter, shall be imprisoned for not more than five (5) years and fined not more than ten thousand dollars ($10,000).
History of Section.
P.L. 1979, ch. 127, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.1 - Internet Misrepresentation of Business Affiliation ActSection 11-52.1-1. - Short title.

§ 11-52.1-1. Short title.
This chapter shall be known and may be cited as the “Internet Misrepresentation of Business Affiliation Act.”
History of Section.
P.L. 2006, ch. 558, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.1 - Internet Misrepresentation of Business Affiliation ActSection 11-52.1-2. - Definitions.

§ 11-52.1-2. Definitions.
The following definitions apply to this section:
(1)
“Electronic mail message” means a message sent to a unique destination that consists of a unique user name or mailbox and a

reference to an Internet domain, whether or not displayed, and to which an electronic mail message can be sent or delivered.
(2)
“Identifying information” means a piece of information that can be used to access an individual’s financial account or to obtain goods or services, and includes an individual’s:
(a)
Social security number;
(b)
Driver’s license number;
(c)
Bank account number;
(d)
Credit or debit card number;
(e)
Personal identification number;
(f)
Automated or electronic signature;
(g)
Unique biometric data; or
(h)
Account password.
(3)
“Internet” means, collectively, the myriad of computer and telecommunications facilities, including equipment and operating software, that comprise the interconnected worldwide network of networks that employ the transmission control protocol or Internet protocol, or any predecessor or successor protocols to such protocol, to communicate information of all kinds by wire or radio.
(4)
“Person” shall include any individual, partnership, association, corporation, limited liability company, joint venture or any other type of entity.
(5)
“Web page” means allocation with respect to the worldwide web that has a single uniform resource locator or other single location with respect to the Internet.
History of Section.
P.L. 2006, ch. 558, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.1 - Internet Misrepresentation of Business Affiliation ActSection 11-52.1-3. - Prohibition.

§ 11-52.1-3. Prohibition.
A person shall not, by means of a webpage or electronic mail message or otherwise, using the Internet, solicit, request or take any action to induce another person to provide identifying information by representing that the person, either directly or by implication, is an online business without the express authority or approval of the online business purported to be represented by the person.
History of Section.
P.L. 2006, ch. 558, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.1 - Internet Misrepresentation of Business Affiliation ActSection 11-52.1-4. - Penalties.

§ 11-52.1-4. Penalties.
Any person who is convicted of a violation of this chapter shall, upon conviction, be guilty of a felony punishable by imprisonment for not more than five (5) years, or a fine of not more than five thousand dollars ($5,000) per offense, or both.
History of Section.
P.L. 2006, ch. 558, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.1 - Internet Misrepresentation of Business Affiliation ActSection 11-52.1-5. - Civil action.

§ 11-52.1-5. Civil action.
(a)
The attorney general, or any person who either is engaged in the business of providing Internet access service to the public or owns a webpage or trademark and is adversely affected by reason of a violation of the chapter, may bring a civil action against a person who violates this chapter in order to:
(1)
enjoin further violations of this chapter; and

(2)
recover the greater of: (i) the actual damages incurred as a result of such violation(s); or (ii) five hundred thousand dollars ($500,000) for each violation of this chapter.
(b)
In any action brought pursuant to this section, the court may increase the damage award to an amount equal to not more than three (3) times the amount otherwise available under this section, if the court determines that the violating party has engaged in a pattern and practice of violating this chapter. The attorney general or other aggrieved party may also recover reasonable attorneys' fees and costs, and any other relief that the court deems appropriate.
(c)
For purposes of this chapter, multiple violations resulting from any single action shall constitute one violation.
(d)
A the request of any party to an action brought pursuant to this section, the court may, in its discretion, conduct all legal proceedings in such a way as to protect the secrecy and security of the information involved in order to prevent possible recurrence of the same or a similar act by another person and to protect any trade secrets of any party.
(e)
The provisions of this section shall not be construed to limit any person's right to pursue any additional civil remedy otherwise allowed by law.
History of Section.
P.L. 2006, ch. 558, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.2 - Software FraudSection 11-52.2-1. - Definitions.

§ 11-52.2-1. Definitions.
As used in this chapter:
(1)
"Advertisement" means a communication, the purpose of which is the promotion of a commercial product or service, including a communication on an internet website that is operated for a commercial purpose.
(2)
"Computer software" means a sequence of instructions written in any programming language that is executed on a computer. "Computer software" does not include computer software that is a web page, or are data components of web pages that are not executable independently of the web page.
(3)
"Computer virus" means a computer program or other set of instructions that is designed to degrade the performance of or disable a computer or computer network and is designed to have the ability to replicate itself on other computers or computer networks without the authorization of the owners of those computers or computer networks.
(4)
"Damage" means any significant impairment to the integrity or availability of data, computer software, a system, or information.
(5)
"Execute" means the performance of the functions or the carrying out of the instructions of the computer software.
(6)
"Intentionally deceptive" means any of the following:
(a)
An intentionally and materially false or fraudulent statement;
(b)
A statement or description that intentionally omits or misrepresents material information in order to deceive an owner or operator; and
(c)
An intentional and material failure to provide any notice to an owner or operator regarding the installation or execution of computer software in order to deceive the owner or operator.
(7)
"Internet" means the global information system that is logically linked together by a globally unique address space based on the internet protocol (IP), or its subsequent extensions, and that is able to support communications using the transmission control protocol/internet protocol (TCP/IP) suite, or its subsequent extensions, or other IP-compatible protocols, and that provides, uses, or makes accessible, either publicly or privately, high level services layered on the communications and related infrastructure described in this subsection.
(8)
"Owner or operator" means the owner or lessee of a computer, or someone using such computer with the owner's or lessee's authorization. "Owner or operator" does not include any person who owns a computer before the first retail sale of such computer.
(9)

“Person” means any individual, partnership, corporation, limited liability company, or other organization, or any combination thereof.
(10)
“Personally identifiable information” means any of the following with respect to an individual who is an owner or operator:
(a)
First name or first initial in combination with last name;
(b)
A home or other physical address including street name;
(c)
An electronic mail address;
(d)
A credit or debit card number, bank account number, or a password or access code associated with a credit or debit card or bank account;
(e)
Social security number, tax identification number, driver’s license number, passport number, or any other government-issued identification number; and
(f)
Any of the following information in a form that personally identifies an owner or operator:
(i)
Account balances;
(ii)
Overdraft history; and
(iii)
Payment history.
(11)
“Transmit” means to transfer, send, or make available computer software, or any component thereof, via the internet or any other medium, including local area networks of computers, other nonwire transmission, and disc or other data storage device. “Transmit” does not include any action by a person providing:
(a)
The internet connection, telephone connection, or other means of transmission capability such as a compact disk or digital video disk through which the software was made available; or
(b)
The storage or hosting of the software program or a web page through which the software was made available.
History of Section.
P.L. 2006, ch. 583, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.2 - Software FraudSection 11-52.2-2. - Unlawful modification of computer settings.

§ 11-52.2-2. Unlawful modification of computer settings.
It is unlawful for a person who is not an owner or operator to transmit computer software to the owner or operator’s computer with actual knowledge or with conscious avoidance of actual knowledge and to use such software to do any of the following:
(1)
Modify, through intentionally deceptive means, settings that control any of the following:
(a)
The page that appears when an owner or operator launches an internet browser or similar computer software used to access and navigate the internet;
(b)
The default provider or web proxy the owner or operator uses to access or search the internet; and
(c)
The owner or operator’s list of bookmarks used to access web pages;
(2)
Collect, through intentionally deceptive means, personally identifiable information:
(a)
Through the use of a keystroke-logging function that records all keystrokes made by an owner or operator and transfers that information from the computer to another person;
(b)
In a manner that correlates such information with data respecting all or substantially all of the websites visited by an owner or operator, other than websites operated by the person collecting such information; and
(c)

Described in subsection (10)(d), (e), or (f)(i) or (ii) of § 11-52.2-1 by extracting the information from the owner or operator's hard drive;
(3)
Prevent, through intentionally deceptive means, an owner or operator's reasonable efforts to block the installation or execution of, or to disable, computer software by causing the software that the owner or operator has properly removed or disabled automatically to reinstall or reactive [reactivate] on the computer;
(4)
Intentionally misrepresent that the computer software will be uninstalled or disabled by an owner or operator's action; and
(5)
Through intentionally deceptive means, remove, disable, or render inoperative security, antispyware, or antivirus computer software installed on the computer.
History of Section.
P.L. 2006, ch. 583, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.2 - Software FraudSection 11-52.2-3. - Unlawful control of a computer.

§ 11-52.2-3. Unlawful control of a computer.
It is unlawful for a person who is not an owner or operator to transmit computer software to the owner or operator's computer with actual knowledge or with conscious avoidance of actual knowledge and to use the software to do any of the following:
(1)
Take control of the computer by:
(a)
Accessing or using the modem or internet service for such computer to cause damage to the computer or cause an owner or operator to incur financial charges for a service that is not authorized by the owner or operator;
(b)
Opening multiple, sequential, stand-alone advertisements in the owner or operator's internet browser without the authorization of an owner or operator and that a reasonable computer user cannot close without turning off the computer or closing the internet browser;
(2)
Modify any of the following settings related to the computer's access to, or use of, the internet:
(a)
Settings that protect information about the owner or operator in order to steal the owner or operator's personally identifiable information; and
(b)
Security settings in order to cause damage to a computer; and
(3)
Prevent an owner or operator's reasonable efforts to block the installation of, or to disable, computer software by doing any of the following:
(a)
Presenting the owner or operator with an option to decline installation of computer software with knowledge that, when the option is selected, the installation nevertheless proceeds; and
(b)
Falsely representing that computer software has been disabled.
History of Section.
P.L. 2006, ch. 583, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.2 - Software FraudSection 11-52.2-4. - Deceptive sale of software.

§ 11-52.2-4. Deceptive sale of software.
It is unlawful for a person who is not an owner or operator to do any of the following with regard to the owner or operator's computer:
(1)
Induce an owner or operator to install a computer software component onto the computer by intentionally misrepresenting the extent to which installing the software is necessary for security or privacy reasons or in order to open, view, or play a particular type of content; and
(2)
Deceptively cause the execution on the computer of a computer software component with the intent of causing an owner or operator to use the component in a manner that violates any other provision of this section.
History of Section.
P.L. 2006, ch. 583, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.2 - Software FraudSection 11-52.2-5. - Exemptions.

§ 11-52.2-5. Exemptions.
Section 11-52.2-3 or 11-52.2-4 does not apply to any monitoring of, or interaction with, a subscriber's internet or other network connection or service, or a computer, by a telecommunications carrier, cable operator, computer hardware or software provider, or provider of information service or interactive computer service for network or computer security purposes, diagnostics, technical support, maintenance, repair, authorized updates of software or system firmware, authorized remote system management, or detection or prevention of the unauthorized use of a fraudulent or other illegal activities in connection with a network, service, or computer software, including scanning for and removing software under this chapter.
History of Section.
P.L. 2006, ch. 583, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.2 - Software FraudSection 11-52.2-6. - Civil action.

§ 11-52.2-6. Civil action.
(1)
A person who is injured under this chapter may bring a civil action in the superior court to enjoin further violations, or to seek up to one thousand dollars ($1,000) per violation, or actual damages, whichever is greater. The injured individuals may bring their cause of action as a class action. Nothing in this section prohibits the attorney general from bringing a class action suit under § 6-13.1-5.
(2)
In an action under subsection (1) of this section, a court may increase the damages up to three (3) times the damages allowed by subsection (1) of this section if the defendant has engaged in a pattern and practice of violating this chapter. The court may also award costs and reasonable attorneys' fees to the prevailing party.
History of Section.
P.L. 2006, ch. 583, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.2 - Software FraudSection 11-52.2-7. - Legislative intent.

§ 11-52.2-7. Legislative intent.
It is the intent of the legislature that this chapter is a matter of statewide concern. This chapter supersedes and preempts all rules, regulations, codes, ordinances, and other laws adopted by a city, county, city and county, municipality, or local agency regarding spyware and notices to consumers from computer software providers regarding information collection.
History of Section.
P.L. 2006, ch. 583, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.2 - Software FraudSection 11-52.2-8. - Severability.

§ 11-52.2-8. Severability.
If any one or more sections, clauses, sentences or parts of this chapter shall for any reason be adjudged unconstitutional or otherwise invalid in any court, that judgment shall not affect, impair or invalidate the remaining provisions of this chapter but shall be confined in its operation to the specific provisions so held unconstitutional or invalid and the inapplicability or invalidity of any section, clause or provisions of this chapter in any one or more instances or circumstances shall not be taken to affect or prejudice in any way its applicability or validity in any other instance.
History of Section.
P.L. 2006, ch. 583, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.3 - Online Property OffensesSection 11-52.3-1. - Definitions.

§ 11-52.3-1. Definitions.
As used in this chapter:
(a)
"Access" means to use, instruct, communicate with, store data in, retrieve or intercept data from, or otherwise utilize any services of a computer.
(b)
"Computer" means a device that accepts, processes, stores, retrieves or outputs data, and includes, but is not limited to, auxiliary storage and telecommunications devices connected to computers.
(c)
"Internet" means an interactive computer service or system or an information service, system, or access software provider that

provides or enables computer access by multiple users to a computer server, and includes, but is not limited to, an information service, system, or access software provider that provides access to a network system commonly known as the Internet, or any comparable system or service and also includes, but is not limited to, a World Wide Web page, newsgroup, message board, mailing list, or chat area on any interactive computer service or system or other online service.
(d)
"Online" means the use of any electronic or wireless device to access the Internet.
History of Section.
P.L. 2008, ch. 467, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.3 - Online Property OffensesSection 11-52.3-2. - Online sale of stolen property.

§ 11-52.3-2. Online sale of stolen property.
A person commits the offense of online sale of stolen property when he or she uses or accesses the Internet with the intent of selling property gained through unlawful means.
History of Section.
P.L. 2008, ch. 467, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.3 - Online Property OffensesSection 11-52.3-3. - Online theft by deception.

§ 11-52.3-3. Online theft by deception.
A person commits the offense of online theft by deception when he or she uses the Internet to purchase or attempt to purchase property from a seller with a mode of payment that he or she knows is fictitious, stolen, or lacking the consent of the valid account holder.
History of Section.
P.L. 2008, ch. 467, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.3 - Online Property OffensesSection 11-52.3-4. - Online fencing.

§ 11-52.3-4. Online fencing.
A person commits the offense of online fencing when he or she sells stolen property using the Internet, knowing that the property was stolen. The provisions of this chapter shall not apply to a person who unknowingly purchases stolen property over the Internet.
History of Section.
P.L. 2008, ch. 467, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52.3 - Online Property OffensesSection 11-52.3-5. - Penalties.

§ 11-52.3-5. Penalties.
(a)
Any person convicted of any offense under §§ 11-52.3-2 and 11-52.3-4, if the value of the property is less than five hundred dollars ($500), shall be guilty of a misdemeanor and shall be imprisoned for not more than one year, or by a fine of not more than one thousand dollars ($1,000), or both. If the property has a value of five hundred dollars ($500) or more, the person shall be guilty of a felony, and shall be imprisoned for not more than ten (10) years, or by a fine of not more than five thousand dollars ($5,000), or both.
History of Section.
P.L. 2008, ch. 467, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52 - Computer CrimeSection 11-52-1. - Definitions.

§ 11-52-1. Definitions.
As used in this chapter:
(1)
"Access" means to approach, instruct, communicate with, store data in, enter data in, retrieve data from, or otherwise make use of any resources of, a computer, computer system, or computer network.
(2)
"Computer" means an electronic, magnetic, optical, hydraulic or organic device or group of devices which, pursuant to a computer program, to human instruction, or to permanent instructions contained in the device or group of devices, can automatically perform computer operations with or on computer data and can communicate the results to another computer or to a person. The term "computer" includes any connected or directly related device, equipment, or facility which enables the computer to store, retrieve or communicate computer programs, computer data or the results of computer operations to or from a person, another computer or

another device.
(3)
“Computer data” means any representation of information, knowledge, facts, concepts, or instructions which is being prepared or has been prepared and is intended to be processed, is being processed, or has been processed in a computer or computer network. “Computer data” may be in any form, whether readable only by a computer or only by a human or by either, including, but not limited to, computer printouts, magnetic storage media, punched cards, or data stored internally in the memory of the computer.
(4)
“Computer network” means a set of related, remotely connected devices and any communications facilities including more than one computer with the capability to transmit data among them through the communications facilities.
(5)
“Computer operation” means arithmetic, logical, monitoring, storage or retrieval functions and any combination of them, and includes, but is not limited to, communication with, storage of data to, or retrieval of data from any device or human hand manipulation of electronic or magnetic impulses. A “computer operation” for a particular computer may also be any function for which that computer was generally designed.
(6)
“Computer program” means a series of instructions or statements or related data that, in actual or modified form, is capable of causing a computer or a computer system to perform specified functions in a form acceptable to a computer, which permits the functioning of a computer system in a manner designed to provide appropriate products from the computer systems.
(7)
“Computer services” includes computer time or services, data processing services, Internet service providers’ networks and facilities located in the state or information or data stored in connection with them.
(8)
“Computer software” means a set of computer programs, procedures, and associated documentation concerned with the operation of a computer, computer program or computer network.
(9)
“Computer system” means a set of related, connected or unconnected, computer equipment, devices, and software.
(10)
“Data” means any representation of information, knowledge, facts, concepts, or instructions which are being prepared or have been prepared and are intended to be entered, processed, or stored, are being entered, processed, or stored or have been entered, processed, or stored in a computer, computer system, or computer network.
(11)
“Electronic mail service provider” means any business or organization qualified to do business in the state of Rhode Island that provides registered users the ability to send or receive electronic mail through equipment located in this state and that is an intermediary in sending or receiving electronic mail.
(12)
“Financial instrument” includes, but is not limited to, any check, draft, warrant, money order, note, certificate of deposit, letter of credit, bill of exchange, credit or debit card transaction authorization mechanism, marketable security, or any computerized representation of any of these.
(13)
“Owner” means an owner or lessee of a computer or a computer network or an owner, lessee, or licensee of computer data, computer programs, or computer software.
(14)
“Person” shall include any individual, partnership, association, corporation or joint venture.
(15)
“Property” includes, but is not limited to:
(i)
Real property;
(ii)
Computers and computer networks;
(iii)
Financial instruments, computer data, computer programs, computer software and all other personal property regardless of whether they are:
(A)
Tangible or intangible;
(B)
In a format readable by humans or by a computer;
(C)
In transit between computers or within a computer network or between any devices which comprise a computer; or
(D)

Located on any paper or in any device on which it is stored by a computer or by a human; and
(E)
Computer services.
(iv)
A person “uses” a computer or computer network when he or she:
(A)
Attempts to cause or causes a computer or computer network to perform or to stop performing computer operations;
(B)
Attempts to cause or causes the withholding or denial of the use of a computer, computer network, computer program, computer data or computer software to another user; or
(C)
Attempts to cause or causes another person to put false information into a computer.
(v)
A person is “without authority” when: (A) he or she has no right or permission of the owner to use a computer, or, he or she uses a computer in a manner exceeding his or her right or permission or (B) he or she uses an Internet service e-mail system offered by a Rhode Island based Internet service provider in contravention of the authority granted by or in violation of the policies set by the Internet service provider.
(vi)
Transmission of electronic mail from an organization to its members shall not be deemed to be unsolicited bulk electronic mail.
(16)
“Services” includes, but is not limited to, computer time, data processing, and storage functions.
(17)
“Source document” means an original document or record which forms the basis of every electronic entry put into a computer, computer system, or computer network.
History of Section.
P.L. 1979, ch. 217, § 1; P.L. 1989, ch. 136 § 1; P.L. 1999, ch. 421, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52 - Computer CrimeSection 11-52-2. - Access to computer for fraudulent purposes.

§ 11-52-2. Access to computer for fraudulent purposes.
Whoever directly or indirectly accesses or causes to be accessed any computer, computer system, or computer network for the purpose of: (1) devising or executing any scheme or artifice to defraud; (2) obtaining money, property, or services by means of false or fraudulent pretenses, representations, or promises; or (3) damaging, destroying, altering, deleting, or removing any program or data contained in it in connection with any scheme or artifice to defraud, shall be guilty of a felony and shall be subject to the penalties set forth in § 11-52-5.
History of Section.
P.L. 1979, ch. 217, § 1; P.L. 1983, ch. 246, § 1; P.L. 1989, ch. 136, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52 - Computer CrimeSection 11-52-3. - Intentional access, alteration, damage, or destruction.

§ 11-52-3. Intentional access, alteration, damage, or destruction.
Whoever, intentionally, without authorization, and for fraudulent or other illegal purposes, directly or indirectly, accesses, alters, damages, or destroys any computer, computer system, computer network, computer software, computer program, or data contained in a computer, computer system, computer program, or computer network shall be guilty of a felony and shall be subject to the penalties set forth in § 11-52-5.
History of Section.
P.L. 1979, ch. 217, § 1; P.L. 1983, ch. 246, § 1; P.L. 1989, ch. 136, § 1; P.L. 2007, ch. 347, § 1; P.L. 2007, ch. 483, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52 - Computer CrimeSection 11-52-4.1. - Computer trespass.

§ 11-52-4.1. Computer trespass.
(a)
It shall be unlawful for any person to use a computer or computer network without authority and with the intent to:
(1)
Temporarily or permanently remove, halt, or otherwise disable any computer data, computer programs, or computer software from a computer or computer network;
(2)
Cause a computer to malfunction regardless of how long the malfunction persists;
(3)

Alter or erase any computer data, computer programs, or computer software;
(4)
Effect the creation or alteration of a financial instrument or of an electronic transfer of funds;
(5)
Cause physical injury to the property of another;
(6)
Make or cause to be made an unauthorized copy, in any form, including, but not limited to, any printed or electronic form of computer data, computer programs, or computer software residing in, communicated by, or produced by a computer or computer network;
(7)
Forge e-mail header information or other Internet routine information for the purpose of sending unsolicited bulk electronic mail through or into the facilities of an electronic mail service provider or its subscribers; or
(8)
To sell, give or otherwise distribute or possess with the intent to sell, give or distribute software which is designed to facilitate or enable the forgery of electronic mail header information or other Internet routing information for the purpose of sending unsolicited bulk electronic mail through or into the facilities of an electronic mail service provider or its subscribers.
(b)
Nothing in this section shall be construed to interfere with or prohibit terms or conditions in a contract or license related to computers, computer data, computer networks, computer operations, computer programs, computer services, or computer software or to create any liability by reason of terms or conditions adopted by, or technical measures implemented by, a Rhode Island-based electronic mail service provider to prevent the transmission of unsolicited bulk electronic mail in violation of this chapter. Whoever violates this section shall be guilty of a felony and shall be subject to the penalties set forth in § 11-52-2. If the value is five hundred dollars ($500) or less, then the person shall be guilty of a misdemeanor and may be punishable by imprisonment for a term not exceeding one year or by a fine of not more than one thousand dollars ($1,000) or both.
History of Section.
P.L. 1999, ch. 421, § 2; P.L. 2006, ch. 373, § 1; P.L. 2006, ch. 461, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52 - Computer CrimeSection 11-52-4.2. - Cyberstalking and cyberharassment prohibited.

§ 11-52-4.2. Cyberstalking and cyberharassment prohibited.
(a)
Whoever transmits any communication by computer or other electronic device to any person or causes any person to be contacted for the sole purpose of harassing that person or his or her family is guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars ($500), by imprisonment for not more than one year, or both. For the purpose of this section, “harassing” means any knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or bothers the person, and which serves no legitimate purpose. The course of conduct must be of a kind that would cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury. “Course of conduct” means a pattern of conduct composed of a series of acts over a period of time, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of “course of conduct.”
(b)
A second or subsequent conviction under subsection (a) of this section shall be deemed a felony punishable by imprisonment for not more than two (2) years, by a fine of not more than six thousand dollars ($6,000), or both.
History of Section.
P.L. 2001, ch. 215, § 1; P.L. 2001, ch. 272, § 1; P.L. 2008, ch. 120, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52 - Computer CrimeSection 11-52-4.3. - Violation of restraining order.

§ 11-52-4.3. Violation of restraining order.
(a)
Whenever there is a restraining order or injunction issued by a court of competent jurisdiction enjoining one person from harassing another person, and the person so enjoined is convicted of the crime as set forth in section 11-52-4.2 for actions against the person protected by the court order or injunction, he or she shall be guilty of a felony which shall be punishable by imprisonment for not more than two (2) years, or by a fine of not more than six thousand dollars ($6,000), or both.
(b)
A second or subsequent conviction under subsection (a) of this section shall be punishable by imprisonment for not more than five (5) years, by a fine of not more than ten thousand dollars ($10,000), or both.
History of Section.
P.L. 2001, ch. 215, § 1; P.L. 2001, ch. 272, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52 - Computer CrimeSection 11-52-4. - Computer theft.

§ 11-52-4. Computer theft.

Whoever, intentionally and without claim of right, takes, transfers, conceals or retains possession of any computer, computer system, computer network, computer software, computer program, or data contained in a computer, computer system, computer program, or computer network with a value in excess of five hundred dollars ($500) shall be guilty of a felony and shall be subject to the penalties set forth in § 11-52-5. If the value is five hundred dollars ($500) or less, then the person shall be guilty of a misdemeanor and may be punishable by imprisonment for a term not exceeding one year or by a fine of not more than one thousand dollars ($1,000), or both.

History of Section.

P.L. 1983, ch. 246, § 2; P.L. 1989, ch. 71, § 1; P.L. 1989, ch. 136, § 1; P.L. 2006, ch. 373, § 1; P.L. 2006, ch. 461, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52 - Computer CrimeSection 11-52-5. - Penalties.

§ 11-52-5. Penalties.

(a)

Any person who is convicted of an offense which is classified as a felony under this chapter shall be fined not more than five thousand dollars ($5,000), or imprisoned for not more than five (5) years, or both.

(b)

Any person who is convicted of an offense which is classified as a misdemeanor under this chapter shall be fined not more than five hundred dollars ($500), or imprisoned for not more than one year, or both.

History of Section.

P.L. 1979, ch. 217, § 1; G.L. 1956, § 11-52-4; P.L. 1983, ch. 246, § 3; P.L. 1989, ch. 71, § 1; P.L. 1989, ch. 136, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52 - Computer CrimeSection 11-52-6. - Civil action.

§ 11-52-6. Civil action.

(a)

Any person injured as a result of a violation of this chapter may bring a civil action against the violator for compensatory damages, punitive damages, court costs, and any other relief that the court deems appropriate, including reasonable attorneys' fees.

(b)

If the injury arises from the transmission of unsolicited bulk electronic mail, the injured person, other than an electronic mail service provider, may also recover attorney's fees and costs and may elect, in lieu of actual damages, to recover the lesser of five hundred dollars ($500) for each and every unsolicited bulk electronic mail message transmitted in violation of this chapter up to a maximum of twenty-five thousand dollars ($25,000) per day. The injured person shall not have a cause of action against the electronic mail service provider which merely transmits the unsolicited bulk electronic mail over its computer network.

(c)

If the injury arises from the transmission of unsolicited bulk electronic mail, an injured electronic mail service provider may also recover attorneys fees and costs, and may elect, in lieu of actual damages, to recover the greater of five hundred dollars ($500) for each and every unsolicited bulk electronic mail message transmitted in violation of this chapter up to a maximum of twenty-five thousand dollars ($25,000) per day.

(d)

At the request of any party to an action brought pursuant to this section, the court may, in its discretion, conduct all legal proceedings in such a way as to protect the secrecy and security of the computer, computer network, computer data, computer program and computer software involved in order to prevent possible recurrence of the same or a similar act by another person and to protect any trade secrets of any party.

(e)

The provisions of this section shall not be construed to limit any person's right to pursue any additional civil remedy otherwise allowed by law.

History of Section.

P.L. 1989, ch. 115 § 1; P.L. 1999, ch. 421, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52 - Computer CrimeSection 11-52-7.1. - Online impersonation.

§ 11-52-7.1. Online impersonation.

(a)

Definitions, as used in this section:

(1)

"Commercial social networking site" means a business, organization, or other similar entity that operates a website and permits persons to become registered users for the purpose of establishing personal relationships with other users through direct or real-time

communication with other users or the creation of web pages or profiles available to the public or to other users.
(2)
“Electronic mail” means an electronic mail message sent through the use of an electronic mail program or a message board program.
(3)
“Identifying information” means information that alone, or in conjunction with other information, identifies a person, including a person’s:
(i)
Name, social security number, date of birth, or government-issued identification number;
(ii)
Unique biometric data, including the person’s fingerprint, voice print, or retina or iris image;
(iii)
Unique electronic identification number, electronic mail address, routing code, or financial institution account number; and
(iv)
Telecommunication identifying information or access device.
(4)
“Public official” means a person elected by the public, or elected or appointed by a governmental body, or an appointed official in the executive, legislative, or judicial branch of the state or any political subdivision thereof.
(b)
A person commits the crime of online impersonation if the person:
(1)
Uses the name or persona of another person to create a web page on or to post one or more messages on a commercial social networking site or sends an electronic mail, instant message, text message, or similar communication without obtaining the other person’s consent and with the intent to harm, defraud, intimidate, or threaten any person;
(2)
Sends an electronic mail, instant message, text message, or similar communication that references a name, domain address, telephone number, or other item of identifying information belonging to any person without obtaining the other person’s consent with the intent to cause a recipient of the communication to reasonably believe that the other person authorized or transmitted the communication and with the intent to harm or defraud any person; or
(3)
Uses the name or persona of a public official to create a web page on, or to post one or more messages on, a commercial social networking site or sends an electronic mail, instant message, text message, or similar communication without obtaining the public official’s consent and with the intent to induce another to submit to such pretended official authority, to solicit funds, or otherwise to act in reliance upon that pretense to the other person’s detriment.
(c)
Every person convicted of an offense under this section shall be guilty of a misdemeanor for the first offense and shall be subject to imprisonment not exceeding one year, a fine of one thousand dollars ($1,000), or both, and an order of restitution as provided herein. Every person convicted of a second or subsequent offense under this section shall be guilty of a felony and shall be subject to imprisonment not exceeding three (3) years, a fine of three thousand dollars ($3,000), or both, and an order of restitution as provided herein.
(d)
Every person convicted of an offense under this section shall be subject to an order for restitution, if appropriate, which shall be in addition to any other applicable penalty.
History of Section.
P.L. 2014, ch. 202, § 1; P.L. 2014, ch. 215, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52 - Computer CrimeSection 11-52-7. - Use of false information.

§ 11-52-7. Use of false information.
Whoever intentionally or knowingly makes a transmission of false data for the purpose of submitting a claim for payment, or makes, presents, or uses or causes to be made, presented, or used any data for the purpose of submitting a claim for payment with knowledge of its falsity and with knowledge that it will be used for any claim for payment, shall be guilty of a felony and shall be subject to the penalties set forth in § 11-52-5.
History of Section.
P.L. 1989, ch. 136 § 2; P.L. 2012, ch. 314, § 1; P.L. 2012, ch. 349, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-52 - Computer CrimeSection 11-52-8. - Tampering with computer source documents.

§ 11-52-8. Tampering with computer source documents.
(a)

Whoever intentionally or knowingly conceals, destroys, or alters or intentionally or knowingly causes another to conceal, destroy, or alter any computer source document used for a computer, computer program, computer system, or computer network, when the computer source document is required to be kept by law, shall be guilty of a misdemeanor and shall be subject to the provisions of § 11-52-5.
(b)
Whoever intentionally or knowingly conceals, destroys, or alters or intentionally, knowingly conceals, destroys, or alters or intentionally or knowingly causes another to conceal, destroy, or alter any computer source document used for a computer, computer program, computer system, or computer network, when the computer source document is required to be kept by law, with the intent to obstruct an official investigation by any state agency authorized by law to conduct any civil or criminal investigation, shall be guilty of a felony and shall be subject to the provisions of § 11-52-5.
History of Section.
P.L. 1989, ch. 136 § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-54 - Experimentation on Human FetusesSection 11-54-1. - Experimentation on human fetuses.

§ 11-54-1. Experimentation on human fetuses.
(a)
No person shall use any live human fetus, whether before or after expulsion from its mother's womb, for scientific, laboratory research, or other kind of experimentation. This section shall not prohibit procedures incident to the study of a human fetus while it is in its mother's womb, provided that in the best medical judgment of the physician, made at the time of the study, the procedures do not substantially jeopardize the life or health of the fetus, and provided the fetus is not the subject of a planned abortion. In any criminal proceeding the fetus shall be conclusively presumed not to be the subject of a planned abortion if the mother signed a written statement at the time of the study that she was not planning an abortion.
(b)
This section shall not prohibit or regulate diagnostic or remedial procedures, the purpose of which is to determine or to preserve the life or health of the fetus involved or the mother involved.
(c)
A fetus is a live fetus for purposes of this section when, in the best medical judgment of a physician, it shows evidence of life as determined by the same medical standards as are used in determining evidence of life in a spontaneously aborted fetus at approximately the same stage of gestational development.
(d)
No experimentation may knowingly be performed upon a dead fetus unless the consent of its mother has first been obtained, provided, that such consent shall not be required in the case of a routine pathological study. In any criminal proceeding, consent shall be conclusively presumed to have been granted for the purposes of this section by a written statement, signed by the mother, who is at least eighteen (18) years of age, to the effect that she consents to the use of her fetus for scientific, laboratory, research, or other kind of experimentation or study; that written consent shall constitute lawful authorization for the transfer of the dead fetus.
(e)
No person shall perform or offer to perform an abortion where part or all of the consideration for the performance is that the fetal remains may be used for experimentation or other kinds of research or study.
(f)
No person shall knowingly sell, transfer, distribute, or give away any fetus for a use which is in violation of the provisions of this section. For purposes of this section, the word "fetus" includes an embryo or neonate.
History of Section.
P.L. 1981, ch. 231, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-54 - Experimentation on Human FetusesSection 11-54-2. - Penalties.

§ 11-54-2. Penalties.
Any person who performs any of the acts prohibited by this chapter shall be guilty of a felony and shall be punished by a fine of at least one thousand dollars ($1,000) or shall be imprisoned for a period of at least one year, or both.
History of Section.
P.L. 1981, ch. 231, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-55 - Paramilitary TrainingSection 11-55-1. - Definitions.

§ 11-55-1. Definitions.
For the purposes of this chapter:
(1)
"Civil disorder" means any public disturbance involving acts of violence by assemblages of three (3) or more persons, which causes

an immediate danger of, or results in, damage or injury to the property or person of any other individual.
(2)
“Explosive or incendiary device” means:
(i)
Dynamite and all other forms of high explosives;
(ii)
Any explosive bomb, grenade, missile, or similar device; and
(iii)
Any incendiary bomb or grenade, fire bomb, or similar device, including any device which:
(A)
Consists of or includes a breakable container including a flammable liquid or compound, and a wick composed of any material which, when ignited, is capable of igniting the flammable liquid or compound; and
(B)
Can be carried or thrown by one individual acting alone.
(3)
“Firearm” means any weapon which is designed to, or may readily be converted to, expel any projectile by the action of an explosive; or the frame or receiver of any weapon of that type.
(4)
“Law enforcement officer” means any officer or employee of the United States, any state, or any political subdivision of a state acting in his or her official capacity; the term shall specifically include, but shall not be limited to, members of the National Guard, as defined in 10 U.S.C. § 101(9), the naval militia, the independent chartered military organizations set forth in § 30-1-4 and the department of environmental management in the operation of a firearm training course under its auspices.
History of Section.
P.L. 1982, ch. 187, § 1; P.L. 1982, ch. 391, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-55 - Paramilitary TrainingSection 11-55-2. - Paramilitary training prohibited.

§ 11-55-2. Paramilitary training prohibited.
(a)
Any person who teaches or demonstrates to any other person the use, application, or making of any firearm, explosive or incendiary device, or technique capable of causing injury or death to persons, knowing or having reason to know or intending that it will be unlawfully employed for use in, or in furtherance of, a civil disorder; or any person who assembles with one or more persons for the purpose of training with, practicing with, or being instructed in the use of any firearm, explosive, or incendiary device, or technique capable of causing injury or death to persons, intending to employ it unlawfully for use in, or in furtherance of, a civil disorder shall be guilty of a felony.
(b)
Nothing contained in this section shall make unlawful any act of any law enforcement officer which is performed in the lawful performance of his or her official duties.
History of Section.
P.L. 1982, ch. 187, § 1; P.L. 1982, ch. 391, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-55 - Paramilitary TrainingSection 11-55-3. - Penalty for violation.

§ 11-55-3. Penalty for violation.
Any person who violates any of the provisions of this chapter shall, upon conviction, be imprisoned for not more than five (5) years, or be fined not to exceed ten thousand dollars ($10,000), or both.
History of Section.
P.L. 1982, ch. 187, § 1; P.L. 1982, ch. 391, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-56 - Duty to Render AssistanceSection 11-56-1. - Duty to assist.

§ 11-56-1. Duty to assist.
Any person at the scene of an emergency who knows that another person is exposed to, or has suffered, grave physical harm shall, to the extent that he or she can do so without danger or peril to himself or herself or to others, give reasonable assistance to the exposed person. Any person violating the provisions of this section shall be guilty of a petty misdemeanor and shall be subject to imprisonment for a term not exceeding six (6) months, or by a fine of not more than five hundred dollars ($500), or both.
History of Section.
P.L. 1984, ch. 416, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-57 - Racketeer ViolenceSection 11-57-1. - Violent crime in aid of racketeering.

§ 11-57-1. Violent crime in aid of racketeering.
Every person who either: (1) as consideration for anything of pecuniary value from a person or persons engaged in racketeering activity as defined in chapter 15 of title 7; or (2) as the means of gaining entrance to or maintaining or increasing his financial position in an enterprise in violation of chapter 15 of title 7; commits murder, kidnapping, mayhem, assault with a dangerous weapon, or assault resulting in serious bodily injury, or threatens a person with the commission of such an offense against him or her, or attempts or conspires to commit that offense, shall be guilty of a felony and shall be sentenced, in addition to the sentence for the offense, to a term of imprisonment of not less than two (2) years and not more than ten (10) years, a fine of not more than ten thousand ($10,000) dollars, or both. A term of imprisonment imposed pursuant to this section shall be served consecutively to any other sentence of imprisonment.
History of Section.
P.L. 1985, ch. 449, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-57 - Racketeer ViolenceSection 11-57-2. - Solicitation to commit a violent crime in aid of racketeering.

§ 11-57-2. Solicitation to commit a violent crime in aid of racketeering.
Every person who solicits another to commit a violation of § 11-57-1 shall be guilty of a felony and shall be sentenced, in addition to any other sentence imposed, to a term of imprisonment of not less than two (2) years and not more than ten (10) years, a fine of not more than ten thousand ($10,000) dollars, or both. A term of imprisonment imposed pursuant to this section shall be served consecutively to any other sentence of imprisonment.
History of Section.
P.L. 1985, ch. 449, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-58 - Falsifying Educational RecordsSection 11-58-1. - Purpose.

§ 11-58-1. Purpose.
The purpose of this chapter shall be to:
(1)
Prohibit forgery, counterfeiting, or alteration of a transcript, diploma, or grade report of a postsecondary educational institution;
(2)
Prohibit certain uses of a forged, counterfeit, or altered transcript, diploma, or grade report, including, but not limited to, obtaining employment or any license; and
(3)
Provide a certain penalty for violation of this chapter.
History of Section.
P.L. 1988, ch. 185, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-58 - Falsifying Educational RecordsSection 11-58-2. - Uses prohibited.

§ 11-58-2. Uses prohibited.
(a)
A person shall not falsely make, forge, counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting a transcript, diploma, or grade report of a postsecondary educational institution.
(b)
A person shall not use, offer, or present as genuine a false, forged, counterfeited, or altered transcript, diploma, or grade report of a postsecondary educational institution.
(c)
A person shall not use, offer, or present a transcript, diploma, or grade report of a postsecondary educational institution in a fraudulent manner.
History of Section.
P.L. 1988, ch. 185, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-58 - Falsifying Educational RecordsSection 11-58-3. - Penalties for violation.

§ 11-58-3. Penalties for violation.
Any person who violates any of the provisions of this chapter shall, upon conviction, be guilty of a misdemeanor, and shall be subject to a fine not exceeding one thousand dollars ($1,000), or shall be imprisoned for not more than one year, or both.

History of Section.
P.L. 1985, ch. 185, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-59 - StalkingSection 11-59-1. - Definitions.

§ 11-59-1. Definitions.
For the purpose of this chapter:
(1)
"Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."
(2)
"Harasses" means a knowing and willful course of conduct directed at a specific person with the intent to seriously alarm, annoy, or bother the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury.
History of Section.
P.L. 1992, ch. 201, § 1; P.L. 1992, ch. 382, § 1; P.L. 1993, ch. 358, § 1; P.L. 1994, ch. 250, § 1; P.L. 2002, ch. 183, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-59 - StalkingSection 11-59-2. - Stalking prohibited.

§ 11-59-2. Stalking prohibited.
(a)
Any person who: (1) harasses another person; or (2) willfully, maliciously, and repeatedly follows another person with the intent to place that person in reasonable fear of bodily injury, is guilty of the crime of stalking.
(b)
Stalking shall be deemed a felony punishable by imprisonment for not more than five (5) years, by a fine of not more than ten thousand dollars ($10,000), or both.
History of Section.
P.L. 1992, ch. 382, § 1; P.L. 1993, ch. 358, § 3; P.L. 1995, ch. 7, § 1; P.L. 1995, ch. 65, § 1; P.L. 1995, ch. 184, § 1; P.L. 2002, ch. 183, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-6 - Bigamy and AdulterySection 11-6-1. - Bigamy.

§ 11-6-1. Bigamy.
Every person who shall be convicted of being married to another, or of cohabiting with another as husband and wife, having at the time a former husband or wife living, shall be fined not exceeding one thousand dollars ($1,000); provided, that this shall not extend to any person whose husband or wife shall be continually remaining without the limits of this state for the space of seven (7) years together, the party being married after the expiration of the seven (7) years, not knowing the other to be living within that time, nor to any person who shall be divorced at the time of the second marriage, nor to any person by reason of any former or prior marriage made when the man was less than fourteen (14) and the woman less than twelve (12) years of age.
History of Section.
G.L. 1896, ch. 281, § 1; G.L. 1909, ch. 347, § 1; G.L. 1923, ch. 399, § 1; G.L. 1938, ch. 610, § 1; G.L. 1956, § 11-6-1; P.L. 1989, ch. 214, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-6 - Bigamy and AdulterySection 11-6-2. - Adultery.

§ 11-6-2. Adultery.
Every person who shall commit adultery shall be fined not exceeding five hundred dollars ($500); and illicit sexual intercourse between any two (2) persons, where either of them is married, shall be deemed adultery in each.
History of Section.
G.L. 1896, ch. 281, § 2; G.L. 1909, ch. 347, § 2; G.L. 1923, ch. 399, § 2; G.L. 1938, ch. 610, § 2; G.L. 1956, § 11-6-2; P.L. 1989, ch. 214, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-60 - Assisted SuicideSection 11-60-1. - Legislative findings.

§ 11-60-1. Legislative findings.
The General Assembly finds and declares that the welfare of the citizens of the state requires that vulnerable persons be protected from suicide and that the cost to the taxpayers of enforcing laws preventing assisted suicides will be reduced by promoting civil enforcement of such laws.
History of Section.
P.L. 1996, ch. 181, § 1; P.L. 1996, ch. 183, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-60 - Assisted SuicideSection 11-60-2. - Definitions.

§ 11-60-2. Definitions.
As used in this chapter:
(1)
“Licensed health care professional” means a physician, surgeon, podiatrist, osteopath, osteopathic physician and surgeon, physician assistant, nurse, nurse anesthetist, dentist, or pharmacist licensed pursuant to title 5.
(2)
“Suicide” means the act or instance of taking one’s own life voluntarily and intentionally.
History of Section.
P.L. 1996, ch. 181, § 1; P.L. 1996, ch. 183, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-60 - Assisted SuicideSection 11-60-3. - Prevention of assisted suicide.

§ 11-60-3. Prevention of assisted suicide.
An individual or licensed health care practitioner who with the purpose of assisting another person to commit suicide knowingly:
(1)
Provides the physical means by which another person commits or attempts to commit suicide; or
(2)
Participates in a physical act by which another person commits or attempts to commit suicide is guilty of a felony and upon conviction may be punished by imprisonment for up to ten (10) years, by a fine of up to ten thousand dollars ($10,000) or both.
History of Section.
P.L. 1996, ch. 181, § 1; P.L. 1996, ch. 183, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-60 - Assisted SuicideSection 11-60-4. - Acts and omissions exempted.

§ 11-60-4. Acts and omissions exempted.
(a)
A licensed health care professional who administers, prescribes, or dispenses medications or procedures to relieve another person’s pain or discomfort, even if the medication or procedure may hasten or increase the risk of death, does not violate the provision of this chapter unless the medications or procedures are knowingly administered, prescribed, or dispensed to cause death.
(b)
A licensed health care professional who withholds or withdraws a life-sustaining procedure in compliance with chapter 4.10 of title 23 does not violate the provisions of this chapter.
History of Section.
P.L. 1996, ch. 181, § 1; P.L. 1996, ch. 183, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-60 - Assisted SuicideSection 11-60-5. - Injunctive relief.

§ 11-60-5. Injunctive relief.
(a)
The attorney general is empowered to seek an injunction against any person violating the provisions of this chapter. The person who has been assisted or counseled in an attempt to commit suicide, may seek an injunction against all future unlawful assisted suicides by the particular individual who assisted or attempted to assist the suicide.
(b)
A cause of action for injunctive relief under this section may be maintained by the attorney general against any individual or licensed health care practitioner who is reasonably believed to be about to violate or who is in the course of violating this chapter.
History of Section.
P.L. 1996, ch. 181, § 1; P.L. 1996, ch. 183, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-62 - Community RestitutionSection 11-62-1. - Community restitution.

§ 11-62-1. Community restitution.
The general assembly declares that the words “public service” which appear throughout this title shall now be substituted with, and referred to as “public community restitution”.
History of Section.
P.L. 1998, ch. 454, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-63 - Use of Theft Detection DevicesSection 11-63-1. - Unlawful use and/or removal of theft detection shielding devices.

§ 11-63-1. Unlawful use and/or removal of theft detection shielding devices.
(a)
A person commits unlawful use of a theft detection shielding device when he or she knowingly manufactures, sells, offers for sale or distributes in any way a laminated or coated bag or device peculiar to and marketed for shielding and intended to shield merchandise from detection by an electronic or magnetic theft alarm sensor.
(b)
A person commits unlawful possession of a theft detection shielding device when he or she knowingly possesses any laminated or coated bag or device peculiar to and designed for shielding and intended to shield merchandise from detection by an electronic or magnetic theft alarm sensor, with the intent to commit theft or retail theft.
(c)
A person commits unlawful possession of a theft detection device remover when he or she knowingly possesses any tool or device designed to allow the removal of any theft detection device from any merchandise with the intent to use the tool to remove any theft detection device from any merchandise without the permission of the merchant or person owning or holding the merchandise.
(d)
A person commits unlawful removal of a theft detection device when he or she intentionally removes the device from merchandise prior to purchase.
History of Section.
P.L. 2001, ch. 282, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-63 - Use of Theft Detection DevicesSection 11-63-2. - Detention of persons suspected of unlawful use and/or removal of theft detection devices — Reasonable cause.

§ 11-63-2. Detention of persons suspected of unlawful use and/or removal of theft detection devices — Reasonable cause.
(a)
The activation of an anti-shoplifting or inventory control device as a result of a person exiting the establishment or a protected area within the establishment shall constitute reasonable cause for the detention of the person exiting by the owner or operator of the establishment or by an agent or employee of the owner or operator, provided sufficient notice has been posted to advise the patrons that the device is being utilized. Each detention shall be made only in a reasonable manner and only for a reasonable period of time sufficient for any inquiry into the circumstances surrounding the activation of the device or for the recovery of goods.
(b)
The taking into custody and detention by a law enforcement officer, merchant, or merchant's employee, if done in compliance with all the requirements of this section, shall not render law enforcement officer, merchant, or merchant's employee criminally or civilly liable for false arrest, false imprisonment, or unlawful detention.
History of Section.
P.L. 2001, ch. 282, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-63 - Use of Theft Detection DevicesSection 11-63-3. - Penalties for violation.

§ 11-63-3. Penalties for violation.
Any person who violates any of the provisions of this chapter shall, upon conviction, be guilty of a misdemeanor, and shall be subject to a fine not exceeding one thousand dollars ($1,000), or shall be imprisoned for not more than one year, or both.
History of Section.
P.L. 2001, ch. 282, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-64 - Electronic Imaging DevicesSection 11-64-1. - Definitions.

§ 11-64-1. Definitions.
For the purposes of this chapter the following definitions apply:
(1)
"Disseminate" means to make available by any means to any person.
(2)
"Harm" means bodily injury, emotional distress, financial loss, or reputational injury.
(3)
"Identifiable" means identifiable by any person from the visual image or information offered in connection with the visual material.
(4)
"Imaging device" means any electronic instrument capable of capturing, recording, storing, or transmitting visual images.
(5)
"Intimate areas" means the naked or undergarment clad genitals, pubic area, buttocks, or any portion of the female breast below the top of the areola of a person that the person intended to be protected from public view.
(6)

“Legal entity” means any partnership, firm, association, corporation, or any agent or servant thereof.
(7)
“Publish” means to:
(i)
Disseminate with the intent that the image or images be made available by any means to any person or other legal entity;
(ii)
Disseminate with the intent the images be sold by another person or legal entity;
(iii)
Post, present, display, exhibit, circulate, advertise, or allow access by any means, so as to make an image or images available to the public; or
(iv)
Disseminate with the intent that an image or images be posted, presented, displayed, exhibited, circulated, advertised, or made accessible by any means, and to make the images available to the public.
(8)
“Sell” means to disseminate to another person, or to publish, in exchange for something of value.
(9)
“Sexually explicit conduct” means actual:
(i)
Graphic sexual intercourse, including: genital-genital, oral-genital, anal-genital, or oral-anal, or lascivious sex where the genitals or pubic area of any person is exhibited;
(ii)
Bestiality;
(iii)
Masturbation; or
(iv)
Sadistic or masochistic abuse.
(10)
“Visual image” means any photograph, film, video, or digital image or recording, whether produced by electronic, mechanical, or other means.
History of Section.
P.L. 2004, ch. 202, § 2; P.L. 2004, ch. 206, § 2; P.L. 2018, ch. 27, § 1; P.L. 2018, ch. 28, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-64 - Electronic Imaging DevicesSection 11-64-2. - Video voyeurism.

§ 11-64-2. Video voyeurism.
(1)
A person is guilty of video voyeurism when, for the purpose of sexual arousal, gratification or stimulation, such person:
(a)
Uses, installs or permits the use or installation of an imaging device to capture, record, store or transmit visual images of the intimate areas of another person without that other person’s knowledge and consent, and under circumstances in which that other person would have a reasonable expectation of privacy.
(b)
Intentionally, and with knowledge that the image was obtained in violation of subsection (a), disseminates, publishes, or sells such image of the captured representation of another person or persons depicted in the representation or reproduction, and who did not consent to the dissemination, publication or sale.
(2)
A person is also guilty of video voyeurism when that person, for the purpose of sexual arousal, gratification or stimulation, looks into an occupied dwelling or other building by use of an imaging device that provides images of the interior of a dwelling.
(3)
A person found guilty of the crime of video voyeurism shall be imprisoned for not more than three (3) years in jail and/or fined not more than five thousand dollars ($5000).
History of Section.
P.L. 2004, ch. 202, § 2; P.L. 2004, ch. 206, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-64 - Electronic Imaging DevicesSection 11-64-3. - Unauthorized dissemination of indecent material.

§ 11-64-3. Unauthorized dissemination of indecent material.
(a)
A person is guilty of unauthorized dissemination of a sexually explicit visual image of another person when the person intentionally,

by any means, disseminates, publishes, or sells:
(1)
A visual image that depicts another identifiable person eighteen (18) years or older engaged in sexually explicit conduct or of the intimate areas of that person;
(2)
The visual image was made, captured, recorded, or obtained under circumstances in which a reasonable person would know or understand that the image was to remain private;
(3)
The visual image was disseminated, published, or sold without the consent of the depicted person; and
(4)
With knowledge or with reckless disregard for the likelihood that the depicted person will suffer harm, or with the intent to harass, intimidate, threaten, or coerce the depicted person.
(b)
Subsection (a) shall not apply to:
(1)
A visual image that involves voluntary exposure of intimate areas or of sexually explicit conduct in a public or commercial setting, or in a place where a person does not have a reasonable expectation of privacy;
(2)
Dissemination made in the public interest, scientific activities, or educational activities;
(3)
Dissemination made in the course of a lawful public proceeding;
(4)
Dissemination made for purposes of law enforcement, criminal reporting, corrections, legal proceedings, the reporting of unlawful conduct, or for medical treatment; or
(5)
Dissemination of an image that constitutes a matter of public concern, such as a matter related to a newsworthy event or related to a public figure.
(c)
For the purposes of this section, “intimate areas” means the naked genitals, pubic area, buttocks, or any portion of the female breast below the top of the areola of a person that the person intended to protect from public view.
(d)
A first violation of this section shall be a misdemeanor and, upon conviction, subject to imprisonment of not more than one year, a fine of not more than one thousand dollars ($1,000), or both. A second or subsequent violation of this section shall be a felony and, upon conviction, subject to imprisonment for not more than three (3) years, a fine of not more than three thousand dollars ($3,000), or both.
(e)
Any person who intentionally threatens to disclose any visual image described in subsection (a) and makes the threat to obtain a benefit in return for not making the disclosure or in connection with the threatened disclosure, shall be guilty of a felony and, upon conviction, be subject to imprisonment for up to five (5) years, a fine of up to five thousand dollars ($5,000), or both.
(f)
Any person who demands payment of money, property, services, or anything else of value from a person in exchange for removing any visual image described in subsection (a) from public view shall be guilty of a felony and, upon conviction, be subject to imprisonment for up to five (5) years, a fine of up to five thousand dollars ($5,000), or both.
(g)
Those in violation of this section shall not be subject to sex offender registration requirements as set forth in chapter 37.1 of title 11 entitled “Sexual Offender Registration and Community Notification Act.”
(h)
A violation of this section is committed within this state if any conduct that is an element of the offense, or any harm to the depicted person resulting from the offense, occurs in this state.
(i)
Nothing in this section shall be construed to impose liability on an interactive computer service, as defined in 47 U.S.C. § 230(f)(2), an information service, as defined in 47 U.S.C. § 153, or a telecommunications service, as defined in § 44-18-7.1, for content provided by another person.
History of Section.
P.L. 2018, ch. 27, § 2; P.L. 2018, ch. 28, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-65 - Unlawful Operation of a Recording DeviceSection 11-65-1. - Definitions.

§ 11-65-1. Definitions.

As used in this chapter:
(1)
The term “audiovisual recording function” means the capability of a device to record or transmit a motion picture, or any part thereof, by means of any technology now in use or later developed.
(2)
The term “motion picture theater” means a movie theater, screening room, or other venue that is being utilized primarily for the exhibition of a motion picture at the time of the offense provided for in § 11-65-2 of this chapter.
History of Section.
P.L. 2005, ch. 162, § 1; P.L. 2005, ch. 164, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-65 - Unlawful Operation of a Recording DeviceSection 11-65-2. - Unlawful operation of a recording device.

§ 11-65-2. Unlawful operation of a recording device.
(a)
Any person who knowingly operates the audiovisual recording function of any device in a motion picture theater, while a motion picture is being exhibited with the intention of recording the movie or picture being played, and without the consent of the motion picture theater owner, shall be guilty of a misdemeanor.
(b)
A person found guilty of the crime of unlawful operation of a recording device shall be imprisoned for not more than one year, or fined not more than one thousand dollars ($1,000), or both.
(c)
The provisions of this section shall not apply to the operation of an audiovisual recording function of a device by any authorized employee or agent of a local, state or federal law enforcement agency while such employee or agent is engaged in authorized investigative, protective, law enforcement or intelligence gathering activities.
(d)
Nothing in this section shall preclude prosecution of a person under any other provision of the general statutes.
(e)
Any person reasonably believed to have committed or to be committing the crime of unlawful operation of a recording device as defined in § 11-65-2 shall be subject to detention by a police officer in accordance with § 12-7-1.
History of Section.
P.L. 2005, ch. 162, § 1; P.L. 2005, ch. 164, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-65 - Unlawful Operation of a Recording DeviceSection 11-65-3. - Immunity of motion picture theater owner.

§ 11-65-3. Immunity of motion picture theater owner.
(a)
Any theater owner or lessee, or an employee or agent of a theater owner or lessee, who observes any person committing an offense or attempting to commit an offense in violation of this chapter may stop the person. Immediately upon stopping the person, the theater owner, an employee or agent of a theater owner shall identify himself or herself and state his or her reason for stopping the person. If after his or her initial confrontation with the person under suspicion, the theater owner or lessee, or employee or agent of a theater owner or lessee, has reasonable grounds to believe that at the time stopped, the person was committing or attempting to commit the crime of unlawful operation of a recording device on the premises, the theater owner or lessee, or employee or agent of a theater owner or lessee, may detain the person for a reasonable time sufficient to summon a police officer to the premises. In no case shall the detention be for a period exceeding one hour. Detention must be accomplished in a reasonable manner without unreasonable restraint or excessive force, and may take place only on the premises of the “motion picture theater” establishment where the alleged crime occurred. Any person so stopped by a theater owner or lessee, or employee or agent of an owner or lessee pursuant to this section shall promptly identify himself or herself by name and address. Once placed under detention, no other information shall be required of the person and no written and/or signed statement shall be elicited from the person until a police officer has taken him or her into custody.
(b)
For the purposes of this section, “reasonable grounds” includes knowledge that a person appeared to be operating a recording device on the premises in violation of § 11-65-2, or appeared to be attempting to operate a recording device in violation of § 11-65-2 while on the premises.
(c)
In detaining a person whom the theater owner, or an employee or agent of a theater owner has reasonable grounds to believe is committing the crime of unlawful operating of a recording device, the theater owner, or an employee or agent of a theater owner may use a reasonable amount of nondeadly force when and only when that force is necessary to protect himself or herself, or to prevent the escape of the person being detained or the loss of the unlawful audiovisual recording.
(d)

The owner or lessee of a motion picture theater, or the agent or employee of such owner or lessee, who alerts law enforcement authorities of an alleged violation of this chapter shall not be liable in any civil action arising out of measures taken by such owner, lessee, agent or employee in the course of reasonably detaining a person that the owner, lessee, agent or employee had reasonable grounds to believe violated this chapter.
History of Section.
P.L. 2005, ch. 162, § 1; P.L. 2005, ch. 164, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-66 - Hydrant TamperingSection 11-66-1. - Interference with fire hydrants.

§ 11-66-1. Interference with fire hydrants.
Every person or entity engaged who for the purposes of commercial activity, who willfully or fraudulently injures or knowingly allows to be injured any fire hydrant or "dry hydrant," so called as constructed and maintained by a fire company or district, connected with or belonging to any public waterworks or water service owned and furnished by the city of Providence or willfully tampers or meddles with any other of the appliances or appurtenances connected with or belonging to the public waterworks or water service owned and furnished by the city of Providence in a manner that causes loss or damage, shall be fined not less than one thousand dollars ($1,000), nor more than five thousand dollars ($5,000).
This chapter shall not apply to any person who is under the age of eighteen (18) years.
History of Section.
P.L. 2006, ch. 581, § 1; P.L. 2006, ch. 593, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-1. - Short title.

§ 11-67.1-1. Short title.
This chapter shall be known and cited as the "Uniform Act on Prevention of and Remedies for Human Trafficking."
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-10. - Restitution.

§ 11-67.1-10. Restitution.
(a)
The court shall order a person convicted of an offense under §§ 11-67.1-3, 11-67.1-4, or 11-67.1-5 to pay restitution to the victim of the offense for:
(1)
Expenses incurred or reasonably certain to be incurred by the victim as a result of the offense, including reasonable attorneys' fees and costs; and
(2)
An amount equal to the greatest of the following, with no reduction for expenses the defendant incurred to maintain the victim:
(i)
The gross income to the defendant for, or the value to the defendant of, the victim's labor or services or sexual activity;
(ii)
The amount the defendant contracted to pay the victim; or
(iii)
The value of the victim's labor or services or sexual activity, calculated under the minimum-wage and overtime provisions of the "Fair Labor Standards Act," 29 U.S.C. § 201 et seq., or subsection (a)(2) of this section, whichever is greater, even if the provisions do not apply to the victim's labor or services or sexual activity.
(b)
The court shall order restitution under subsection (a) of this section even if the victim is unavailable to accept payment of restitution.
(c)
If the victim does not claim restitution ordered under subsection (a) of this section for five (5) years after entry of the order, the restitution must be paid to the criminal injuries compensation fund, as established in chapter 25 of title 12.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-11. - Forfeiture.

§ 11-67.1-11. Forfeiture.
(a)

On motion, the court shall order a person convicted of an offense under §§ 11-67.1-3, 11-67.1-4, or 11-67.1-5 to forfeit any interest in real or personal property that:
(1)
Was used or intended to be used to commit or facilitate the commission of the offense; or
(2)
Constitutes proceeds or was derived from proceeds that the person obtained, directly or indirectly, as a result of the offense.
(b)
In a proceeding against real or personal property under this section, the person convicted of the offense may assert a defense that the forfeiture is manifestly disproportional to the seriousness of the offense. The person has the burden to establish the defense by a preponderance of the evidence.
(c)
Proceeds from the public sale or auction of property forfeited under subsection (a) of this section must be distributed in the manner provided for the distribution of the proceeds of criminal forfeitures act pursuant to §§ 21-28-5.04.1 and 21-28-5.04.2.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-12. - Statute of limitations.

§ 11-67.1-12. Statute of limitations.
A prosecution for an offense under this chapter must be commenced not later than ten (10) years after commission of the offense.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-13. - Victim confidentiality.

§ 11-67.1-13. Victim confidentiality.
In an investigation of or a prosecution for an offense under this chapter, every agency of state or local government shall keep confidential the identity, pictures, and images of the alleged victim and the family of the alleged victim, except to the extent that disclosure is:
(1)
Necessary for the purpose of investigation or prosecution;
(2)
Required by law or court order; or
(3)
Necessary to ensure provision of services or benefits to the victim or the victim’s family.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-14. - Past sexual behavior of victim.

§ 11-67.1-14. Past sexual behavior of victim.
In a prosecution for an offense under this chapter or a civil action under § 11-67.1-18, evidence of a specific instance of the alleged victim’s past sexual behavior or reputation, or opinion evidence of past sexual behavior of the alleged victim, is not admissible unless the evidence is:
(1)
Admitted in accordance with § 11-37-13; or
(2)
Offered by the prosecution to prove a pattern of human trafficking by the defendant.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-15. - Immunity of minor.

§ 11-67.1-15. Immunity of minor.
(a)
An individual is not criminally liable or subject to a delinquency proceeding in the family court for prostitution or solicitation to commit a sexual act if the individual was a minor at the time of the offense and committed the offense as a direct result of being a victim.

(b)
An individual who has engaged in commercial sexual activity is not criminally liable or subject to a delinquency proceeding in the family court for prostitution or solicitation to commit a sexual act if the individual was a minor at the time of the offense.
(c)
A minor who under subsection (a) or (b) of this section is not subject to criminal liability or a delinquency proceeding in family court is presumed to be an abused and/or neglected child as defined in § 40-11-2.
(d)
This section does not apply in a prosecution or a delinquency proceeding for patronizing a prostitute.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-16. - Affirmative defense of victim.

§ 11-67.1-16. Affirmative defense of victim.
An individual charged with prostitution or solicitation to commit a sexual act, committed as a direct result of being a victim, may assert an affirmative defense that the individual is a victim.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-17. - Motion to vacate and expunge conviction.

§ 11-67.1-17. Motion to vacate and expunge conviction.
(a)
An individual convicted of prostitution or solicitation to commit a sexual act, committed as a direct result of being a victim, may apply by motion to the court having jurisdiction over the offense to vacate the conviction and seal or expunge the record of conviction. The court may grant the motion after a hearing and upon a finding that the individual's participation in the offense was a direct result of being a victim.
(b)
An official determination or documentation from a federal, state, local, or tribal agency that the individual was a victim at the time of the offense creates a presumption that the individual's participation was a direct result of being a victim.
(c)
A motion filed under subsection (a) of this section, any hearing conducted on the motion, and any relief granted shall be conducted in accordance with the provisions of §§ 12-1-12, 12-1-12.1, and 12-1-12.2, or chapter 1.3 of title 12.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-18. - Civil action.

§ 11-67.1-18. Civil action.
(a)
A victim may bring a civil action against a person who or that commits an offense against the victim under §§ 11-67.1-3, 11-67.1-4, or 11-67.1-5 for compensatory damages, punitive damages, injunctive relief, and any other appropriate relief.
(b)
If a victim prevails in an action under this section, the court shall award the victim reasonable attorneys' fees and costs.
(c)
An action under this section must be commenced not later than ten (10) years after the later of the date on which the victim:
(1)
No longer was subject to human trafficking; or
(2)
Attained eighteen (18) years of age.
(d)
Damages awarded to a victim under this section for an item must be offset by any restitution paid to the victim pursuant to § 11-67.1-10.
(e)
This section does not preclude any other remedy available to a victim under federal law or other general or public law of this state other than this chapter.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-19. - Council on human trafficking.

§ 11-67.1-19. Council on human trafficking.

(a)

The council on human trafficking is created in the executive branch. The governor shall appoint the chair and members of the council. Members must include representatives of:

(1)

Department of the attorney general, the department of health, the department of children, youth and families, the department of behavioral healthcare, developmental disabilities and hospitals, and law enforcement, that have contact with victims or perpetrators;

(2)

Nongovernmental organizations that represent, advocate for, or provide services to victims; and

(3)

Other organizations and individuals, including victims, whose expertise would benefit the council.

(b)

The state agencies represented on the council created under this section shall provide staff to the council.

(c)

The council created under this section shall meet on a regular basis and:

(1)

Develop a coordinated and comprehensive plan to provide victims with services;

(2)

Collect and evaluate data on human trafficking in this state and submit an annual report to the governor and legislature;

(3)

Promote public awareness about human trafficking, victim remedies and services, and trafficking prevention;

(4)

Create a public awareness sign that contains the state and national human trafficking resource center hotline information;

(5)

Coordinate training on human trafficking prevention and victim services for state and local employees who may have recurring contact with victims or perpetrators; and

(6)

Conduct other appropriate activities.

History of Section.

P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-2. - Definitions.

§ 11-67.1-2. Definitions.

(a)

For purposes of this chapter:

(1)

“Adult” means an individual eighteen (18) years of age or older.

(2)

“Coercion” means:

(i)

The use or threat of force against, abduction of, serious harm to, or physical restraint of, an individual;

(ii)

The use of a plan, pattern, or statement with intent to cause an individual to believe that failure to perform an act will result in the use of force against, abduction of, serious harm to, or physical restraint of, an individual;

(iii)

The abuse or threatened abuse of law or legal process;

(iv)

Controlling or threatening to control an individual’s access to a controlled substance as defined in § 21-28-1.02;

(v)

The destruction or taking of or a threatened destruction or taking of an individual’s identification document or other property;

(vi)

The use of debt bondage;

(vii)

The use of an individual’s physical or mental impairment when the impairment has a substantial adverse effect on the individual’s cognitive or volitional function; or

(viii)
The commission of civil or criminal fraud.
(3)
“Commercial sexual activity” means sexual activity for which anything of value is given to, promised to, or received, by a person.
(4)
“Debt bondage” means inducing an individual to provide:
(i)
Commercial sexual activity in payment toward or satisfaction of a real or purported debt; or
(ii)
Labor or services in payment toward or satisfaction of a real or purported debt if:
(A)
The reasonable value of the labor or services is not applied toward the liquidation of the debt; or
(B)
The length of the labor or services is not limited and the nature of the labor or services is not defined.
(5)
“Human trafficking” means the commission of an offense created by §§ 11-67.1-3 — 11-67.1-7.
(6)
“Identification document” means a passport, driver’s license, immigration document, travel document, or other government-issued identification document, including a document issued by a foreign government.
(7)
“Labor or services” means activity having economic value.
(8)
“Minor” means an individual less than eighteen (18) years of age.
(9)
“Person” means an individual, estate, business or nonprofit entity, or other legal entity. The term does not include a public corporation or government or governmental subdivision, agency, or instrumentality.
(10)
“Serious harm” means harm, whether physical or nonphysical, including psychological, economic, or reputational, to an individual that would compel a reasonable individual of the same background and in the same circumstances to perform or continue to perform labor or services or sexual activity to avoid incurring the harm.
(11)
“Sexual activity” means sexual intercourse, cunnilingus, fellatio, anal intercourse, or the intentional touching of the victim’s or accused’s intimate body parts, clothed or unclothed, if the touching is for the purpose of sexual arousal, gratification, or assault. The term includes a sexually-explicit performance.
(12)
“Sexually explicit performance” means an act or show, intended to arouse, satisfy the sexual desires of, or appeal to the prurient interests of patrons or viewers, whether public or private, live, photographed, recorded, or videotaped.
(13)
“State” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. The term includes an Indian tribe or band recognized by federal law or formally acknowledged by a state.
(14)
“Victim” means an individual who is subjected to human trafficking or to conduct that would have constituted human trafficking had this chapter been in effect when the conduct occurred, regardless of whether the perpetrator is identified, apprehended, prosecuted, or convicted.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-20. - Display of public-awareness sign — Penalty for failure to display.

§ 11-67.1-20. Display of public-awareness sign — Penalty for failure to display.
(a)
Any public or quasi-public transportation agency shall display a public-awareness sign that contains the state and national human trafficking resource center hotline information in every transportation station, rest area, and welcome center in the state that is open to the public.
(b)
An employer shall display the public-awareness sign described in subsection (a) of this section in a place that is clearly conspicuous and visible to employees and the public at each of the following locations in this state at which the employer has employees:
(1)

A strip club or other sexually-oriented business;
(2)
A business entity previously found to be a nuisance for prostitution;
(3)
A job-recruitment center;
(4)
A hospital; or
(5)
An emergency-care provider.
(c)
The department of labor and training shall impose a fine of three hundred dollars ($300) per violation on an employer that knowingly fails to comply with subsection (b) of this section. The fine shall be the exclusive remedy for failure to comply.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-21. - Eligibility for benefit or service.

§ 11-67.1-21. Eligibility for benefit or service.
(a)
A victim is eligible for a benefit or service available through the state in any plan established by the council on human trafficking [and identified in the plan developed under § 11-67.1-19(c)(1)], including compensation under the criminal injuries compensation act pursuant to chapter 25 of title 12, regardless of immigration status.
(b)
A minor who has engaged in commercial sexual activity is eligible for a benefit or service available through the state in any plan established by the council on human trafficking, regardless of immigration status.
(c)
As soon as practicable after a first encounter with an individual who reasonably appears to any state or local agency to be a victim or a minor who has engaged in commercial sexual activity, the agency shall notify the department of attorney general, a state or local law enforcement agency, or the department of health that the individual may be eligible for a benefit or service pursuant to this chapter.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-22. - Law enforcement protocol.

§ 11-67.1-22. Law enforcement protocol.
(a)
On request from an individual whom a law enforcement officer or agent thereof reasonably believes is a victim who is, or has been, subjected to a severe form of trafficking or criminal offense required for the individual to qualify for a nonimmigrant T or U visa under 8 U.S.C. § 1101(a)(15)(T), or 8 U.S.C. § 1101(a)(15)(U), or for continued presence under 22 U.S.C. § 7105(c)(3), the law enforcement officer, as soon as practicable after receiving the request, shall complete, sign, and give to the individual the Form I-914B or Form I-918B provided by the United States Citizenship and Immigration Services on its Internet website and request assistance from the local Immigration and Naturalization office.
(b)
If the law enforcement agency or officer determines that an individual does not meet the requirements for the agency to comply with subsection (a) of this section, the agency shall inform the individual of the reason and that the individual may make another request under subsection (a) of this section and submit additional evidence satisfying the requirements.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-23. - Grant to or contract with service provider.

§ 11-67.1-23. Grant to or contract with service provider.
(a)
To the extent that funds are appropriated for this purpose, the council on human trafficking may make a grant to, or contract with, a unit of state or local government or nongovernmental victim's service organization to develop or expand service programs for victims.
(b)
A recipient of a grant or contract under subsection (a) of this section shall report annually to the council on human trafficking the

number and demographic information of all victims receiving services under the grant or contract.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-24. - Uniformity of application and construction.

§ 11-67.1-24. Uniformity of application and construction.
In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-25. - Severability.

§ 11-67.1-25. Severability.
If any provision of this chapter or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-26. - Effect of repeal on criminal prosecutions.

§ 11-67.1-26. Effect of repeal on criminal prosecutions.
(a)
For the purposes of this chapter, the term “event” means and includes any conduct, investigation, suit, prosecution, complaint, information, or indictment related to violations committed before the date of repeal of chapter 67 of title 11.
(b)
No event occurring or committed under chapter 67 of title 11, as repealed, shall in any case be affected by the repeal.
(c)
All of the events may be proceeded with pursuant to chapter 67 of title 11, which shall be deemed to be in force for the purpose of prosecuting any of the events to final judgment and execution or sentence, as the case may be.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-3. - Trafficking an individual.

§ 11-67.1-3. Trafficking an individual.
(a)
A person commits the offense of trafficking an individual if the person knowingly recruits, transports, transfers, harbors, receives, provides, obtains, isolates, maintains, or entices an individual in furtherance of:
(1)
Forced labor in violation of § 11-67.1-4; or
(2)
Sexual servitude in violation of § 11-67.1-5.
(b)
Every person who shall commit trafficking of a minor shall be guilty of a felony, subject to not more than fifty (50) years imprisonment, a fine of up to forty thousand dollars ($40,000), or both.
(c)
Every person who shall commit trafficking of an adult shall be guilty of a felony, subject to not more than twenty (20) years imprisonment, a fine of up to twenty thousand dollars ($20,000), or both.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-4. - Forced labor.

§ 11-67.1-4. Forced labor.
(a)

A person commits the offense of forced labor if the person knowingly uses coercion to compel an individual to provide labor or services, except when such conduct is permissible under federal law or law of this state other than this chapter.
(b)
Every person who shall commit forced labor of a minor shall be guilty of a felony, subject to not more than fifty (50) years imprisonment, a fine of up to forty thousand dollars ($40,000), or both.
(c)
Every person who shall commit forced labor of an adult shall be guilty of a felony, subject to not more than twenty (20) years imprisonment, a fine of up to twenty thousand dollars ($20,000), or both.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-5. - Sexual servitude.

§ 11-67.1-5. Sexual servitude.
(a)
A person commits the offense of sexual servitude if the person knowingly:
(1)
Maintains or makes available a minor for the purpose of engaging the minor in commercial sexual activity; or
(2)
Uses coercion or deception to compel an adult to engage in commercial sexual activity.
(b)
It is not a defense in a prosecution under subsection (a)(1) of this section that the minor consented to engage in commercial sexual activity or that the defendant believed the minor was an adult.
(c)
Every person who shall commit sexual servitude of a minor shall be guilty of a felony, subject to not more than fifty (50) years imprisonment, a fine of up to forty thousand dollars ($40,000), or both.
(d)
Every person who shall commit sexual servitude of an adult shall be guilty of a felony, subject to not more than twenty (20) years imprisonment, a fine of up to twenty thousand dollars ($20,000), or both.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-6. - Patronizing a victim of sexual servitude.

§ 11-67.1-6. Patronizing a victim of sexual servitude.
(a)
A person commits the offense of patronizing a victim of sexual servitude if the person knowingly gives, agrees to give, or offers to give anything of value so that an individual may engage in commercial sexual activity with another individual and the person knows that the other individual is a victim of sexual servitude.
(b)
Every person who shall patronize a minor for purposes of sexual servitude of a minor shall be guilty of a felony, subject to not more than twenty (20) years imprisonment, a fine of up to twenty thousand dollars ($20,000), or both.
(c)
Every person who shall patronize an adult for purposes of sexual servitude of an adult shall be guilty of a felony, subject to not more than ten (10) years imprisonment, a fine of up to ten thousand dollars ($10,000), or both.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-7. - Patronizing a minor for commercial sexual activity.

§ 11-67.1-7. Patronizing a minor for commercial sexual activity.
(a)
A person commits the offense of patronizing a minor for commercial sexual activity if:
(1)
With the intent that an individual engage in commercial sexual activity with a minor, the person gives, agrees to give, or offers to give anything of value to a minor or another person so that the individual may engage in commercial sexual activity with a minor; or
(2)
The person gives, agrees to give, or offers to give anything of value to a minor or another person so that an individual may engage in commercial sexual activity with a minor.

(b)
Every person who shall patronize a minor for purposes of commercial sexual activity with a minor shall be guilty of a felony, subject to not more than ten (10) years imprisonment, a fine of up to twenty thousand dollars ($20,000), or both.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-8. - Business entity liability.

§ 11-67.1-8. Business entity liability.
(a)
A person that is a business entity may be prosecuted for an offense under §§ 11-67.1-3 — 11-67.1-7 only if:
(1)
The entity knowingly engages in conduct that constitutes human trafficking; or
(2)
An employee or nonemployee agent of the entity engages in conduct that constitutes human trafficking and the conduct is part of a pattern of activity in violation of this chapter for the benefit of the entity, which the entity knew was occurring and failed to take effective action to stop.
(b)
When a person that is a business entity is prosecuted for an offense under §§ 11-67.1-3 — 11-67.1-7, the court may consider the severity of the entity's conduct and order penalties in addition to those otherwise provided for the offense, including:
(1)
A fine of not more than fifty thousand dollars ($50,000) per offense;
(2)
Disgorgement of profit from activity in violation of this chapter; and
(3)
Debarment from state and local government contracts.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-67.1 - Uniform Act on Prevention of and Remedies for Human TraffickingSection 11-67.1-9. - Aggravating circumstance.

§ 11-67.1-9. Aggravating circumstance.
(a)
An aggravating circumstance during the commission of an offense under §§ 11-67.1-3, 11-67.1-4, or 11-67.1-5 occurs when:
(1)
The defendant recruited, enticed, or obtained the victim of the offense from a shelter that serves individuals subjected to human trafficking, domestic violence, or sexual assault, runaway youth, foster children, or the homeless; or
(2)
Kidnaps, holds hostage, or otherwise keeps the victim against his or her will.
(b)
Whenever it appears that a person may be subject to the enhanced sentence pursuant to this section, the attorney general, in no case later than the first pretrial conference, shall file with the court a notice specifying that the defendant, upon conviction, is subject to the imposition of sentencing in accordance with this section.
(c)
Upon any plea of guilt or nolo contendere, or verdict or finding of guilt of the defendant, the court shall conduct a sentencing hearing to determine if evidence of aggravating circumstances exist. At the hearing, the court shall permit the attorney general and the defense counsel to present additional evidence to the jury relevant to the determination of whether aggravating circumstances exist. If the jury at the hearing, or in the case of a plea of guilty or nolo contendere the court at sentencing, determines beyond a reasonable doubt that aggravating circumstances exist, they shall be sentenced as provided in subsection (d) of this section.
(d)
If the trier of fact finds that an aggravating circumstance occurred during the commission of an offense under §§ 11-67.1-3, 11-67.1-4, or 11-67.1-5, the defendant may be imprisoned for up to five (5) years in addition to the period of imprisonment prescribed for the offense. Any such sentence may run consecutively to any other sentence imposed.
History of Section.
P.L. 2017, ch. 232, § 2; P.L. 2017, ch. 260, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-68 - Exploitation of Elder PersonsSection 11-68-1. - Definitions.

§ 11-68-1. Definitions.

As used in this chapter:
(1)
“Business relationship” means a relationship between two (2) or more individuals or entities where there exists an oral or written contract or agreement for goods or services.
(2)
“Caregiver” means a person who has been entrusted with or has assumed responsibility for the care or the property of an elder person. Caregiver includes, but is not limited to, relatives, court-appointed or voluntary guardians, adult household members, neighbors, healthcare providers, and employees and volunteers of elder care facilities.
(3)
“Deception” means misrepresenting or concealing a material fact relating to:
(i)
Services rendered, disposition of property, or use of property, when such services or property are intended to benefit an elder person; or
(ii)
Terms of a contract or agreement entered into with an elder person; or
(iii)
An existing or preexisting condition of any property involved in a contract or agreement entered into with an elder person; or
(iv)
Using any misrepresentation, false pretense, or false promise in order to induce, encourage, or solicit an elder person to enter into a contract or agreement.
(4)
“Elder person” means a person sixty (60) years of age or older.
(5)
“Intimidation” means the communication by word or act to an elder person that the elder person will be deprived of food, nutrition, clothing, shelter, supervision, medicine, medical services, money, or financial support or will suffer physical violence.
(6)
“Lacks capacity to consent” means an impairment by reason of mental illness, developmental disability, organic brain disorder, physical illness or disability, short-term memory loss, or other cause, that causes an elder person to lack sufficient understanding or capacity to make or communicate reasonable decisions concerning the elder person’s person or property.
(7)
“Position of trust and confidence” with respect to an elder person means the position of a person who:
(i)
Is a spouse, adult child, or other relative by blood or marriage of the elder person;
(ii)
Is a joint tenant or tenant in common with the elder person;
(iii)
Has a legal or fiduciary relationship with the elder person including, but not limited to, a court-appointed or voluntary guardian, trustee, attorney, or conservator;
(iv)
Is the caregiver of the elder person; or
(v)
Is any other person who has been entrusted with or has assumed responsibility for the use or management of the elder person’s funds, assets, or property.
History of Section.
P.L. 2008, ch. 161, § 2; P.L. 2008, ch. 204, § 2; P.L. 2022, ch. 77, § 1, effective June 15, 2022; P.L. 2022, ch. 78, § 1, effective June 15, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-68 - Exploitation of Elder PersonsSection 11-68-2. - Exploitation of an elder person.

§ 11-68-2. Exploitation of an elder person.
(a)
A person is guilty of exploitation of an elder person if that person:
(1)
Knowingly, by deception or intimidation, obtains or uses, or endeavors to obtain or use, an elder person’s funds, assets or property with the intent to temporarily or permanently deprive the elder person of the use, benefit, or possession of the funds, assets or property, or to benefit someone other than the elder person by a person who:
(i)
Stands in a position of trust and confidence with the elder person; or
(ii)

Has a business relationship with the elder person; or
(2)
Knowingly, by deception or intimidation, obtains or uses, endeavors to obtain or use, or conspires with another to obtain or use an elder person's funds, assets, or property with the intent to temporarily or permanently deprive the elder person of the use, benefit, or possession of the funds, assets, or property, or to benefit someone other than the elder person, by a person who knows or reasonably should know that the elder person lacks the capacity to consent.
(b)
Any person who shall exploit an elder person as defined in this chapter shall be guilty of a felony.
History of Section.
P.L. 2008, ch. 161, § 2; P.L. 2008, ch. 204, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-68 - Exploitation of Elder PersonsSection 11-68-3. - Penalties for violations.

§ 11-68-3. Penalties for violations.
(a)
Any person convicted of exploiting an elder person as provided under this chapter shall be punished as follows:
(1)
If the funds, assets, or property involved in the exploitation of the elder person are valued at less than five hundred dollars ($500), the person shall be subject to imprisonment for not more than five (5) years or by a fine of not more than five thousand dollars ($5,000) or both.
(2)
If the funds, assets, or property involved in the exploitation of the elder person are valued at five hundred dollars ($500) or more, but less than one hundred thousand dollars ($100,000), the person shall be subject to imprisonment for not more than fifteen (15) years or by a fine of not more than ten thousand dollars ($10,000) or both.
(3)
If the funds, assets, or property involved in the exploitation of the elder person are valued at one hundred thousand dollars ($100,000) or more, the person shall be subject to imprisonment for not more than thirty (30) years or by a fine of not more than fifteen thousand dollars ($15,000) or both.
History of Section.
P.L. 2008, ch. 161, § 2; P.L. 2008, ch. 204, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-69 - Electronic Tracking of Motor VehiclesSection 11-69-1. - Electronic tracking of motor vehicles.

§ 11-69-1. Electronic tracking of motor vehicles.
(a)(1)
Except as provided in subsection (b) of this section, it is an offense for a person to knowingly install, conceal, or otherwise place or use an electronic tracking device in or on a motor vehicle without the consent of the operator and all occupants of the vehicle for the purpose of monitoring or following the operator, occupant, or occupants of the vehicle.
(2) Definitions.
As used in this section:
(i)
The term "dealer" has the same meaning as set forth in § 31-5-5 and includes, for purposes of this section, an assignee of the dealer;
(ii)
The term "person" does not include the manufacturer of the motor vehicle, provider of telematics equipment and services, or entities that rent motor vehicles; and
(iii)
The term "starter interrupt technology" means technology used to remotely disable the starter of a motor vehicle.
(b)(1)
It shall not be a violation if the installation, concealment, placement, or use of an electronic tracking device in or on a motor vehicle is by, or at the direction of, a law enforcement officer in furtherance of a criminal investigation and is carried out in accordance with the applicable state and federal law.
(2)
If the installation, concealment, placement, or use of an electronic tracking device in or on a motor vehicle is by, or at the direction of, a parent or legal guardian who owns or leases the vehicle, and if the device is used solely for the purpose of monitoring the minor child of the parent or legal guardian when the child is an occupant of the vehicle, then the installation, concealment, placement, or use of the device in or on the vehicle without the consent of any or all occupants in the vehicle shall not be a violation, unless the person utilizing the tracking device has an active restraining order or no contact order against them for the protection of any vehicle occupant.
(3)

It shall not be a violation of this section if an electronic tracking device is attached to stolen goods for the purpose of tracking the location of the stolen goods, whether or not they may be transported in a vehicle, or if installed, concealed, placed, or used in or on a vehicle as a vehicle theft recovery device.
(4)
It shall not be a violation of this section if an electronic tracking device, including but not limited to devices also containing technology used to remotely disable the starter of a motor vehicle, is installed and/or used by a motor vehicle dealer in connection with the credit sale, loan, or lease of a motor vehicle with the express written consent of the vehicle's purchaser, lessor, or lessee.
(5)
It shall not be a violation of this section if an electronic tracking device is installed and/or used by a business that is authorized to transact business in this state and the tracking device is used by the business for the purpose of tracking vehicles that are owned or leased by the business and driven by employees of that business, its affiliates, or contractors of that business or its affiliates.
(c)
The provisions of this section shall not apply to a tracking system installed by the manufacturer of a motor vehicle, a provider of telematics equipment and services, or installed and/or used by an entity renting out vehicles, or installed or provided by an insurance company with the vehicle owner's or vehicle lessee's permission to monitor driving habits for insurance rating purposes.
(d)
A violation of this section is a misdemeanor punishable by up to one year in prison, or up to a one thousand dollar ($1,000) fine, or both.
History of Section.
P.L. 2016, ch. 39, § 1; P.L. 2016, ch. 41, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-7 - BriberySection 11-7-1. - Bribery of juror or person exercising judicial function.

§ 11-7-1. Bribery of juror or person exercising judicial function.
Every person who shall give any sum of money or any bribe, present, reward or unsecured loan, or any promise or security for any, to obtain or influence the opinion, judgment, verdict, sentence, report or award of any judge, justice of the peace, warden, juror, auditor, referee, arbitrator, master in chancery, or person summoned as a juror, in any matter or cause pending or to be tried before him or her alone or before him or her with others, shall be imprisoned not exceeding seven (7) years or be fined not exceeding one thousand dollars ($1,000).
History of Section.
G.L. 1896, ch. 276, § 4; G.L. 1909, ch. 342, § 4; G.L. 1923, ch. 394, § 4; G.L. 1938, ch. 605, § 4; G.L. 1956, § 11-7-1; P.L. 1990, ch. 95, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-7 - BriberySection 11-7-10. - Acceptance of bribe by sports participant or official.

§ 11-7-10. Acceptance of bribe by sports participant or official.
Any player, coach, manager, official, or other person engaged in the playing, arranging, or promotion of any amateur or professional athletic game or contest or jai alai match or officiating at the game, contest or match, or any owner, trainer, groom, jockey, racing official or other person participating in any horse race or dog race or in any manner engaged in conducting, arranging, or promoting any horse race or officiating at any horse or dog race, who accepts any gift or gratuity, directly or indirectly, from any person who gives, offers, or promises any gift or gratuity with intent to improperly influence the conduct of the person in the arranging, holding, or playing of the athletic game or contest or jai alai match or officiating at the game, contest or match, or the running or promoting of the horse race or dog race or officiating at the horse or dog race, shall be punished by a fine of not more than one thousand dollars ($1,000), or by imprisonment of not more than seven (7) years, or both.
History of Section.
P.L. 1950, ch. 2556, § 2; G.L. 1956, § 11-7-10; P.L. 1981, ch. 193, § 1; P.L. 1991, ch. 24, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-7 - BriberySection 11-7-11. - Bribery of witness.

§ 11-7-11. Bribery of witness.
Any person who shall corruptly give or offer to give any sum of money or any bribe, present, or reward, or any promise or security to obtain or influence the testimony of any witness to any crime or to induce the witness to absent himself or herself from, or otherwise avoid or seek to avoid appearing or testifying at, any hearing shall be guilty of a felony and upon conviction shall be imprisoned for not more than seven (7) years, or fined not more than one thousand dollars ($1,000), or both. Nothing in this section shall be construed to make an agreement between the victim and the defendant to dismiss a criminal charge unlawful.
History of Section.
P.L. 1989, ch. 430, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-7 - BriberySection 11-7-12. - Failure to report corruption of sports participant or official.

§ 11-7-12. Failure to report corruption of sports participant or official.
Any person who knows or has reason to know that corruption of a player, coach, manager, trainer, umpire, referee, or other person engaged in playing, arranging, staging, officiating at, or promoting any amateur or professional athletic game or contest or jai alai match to be played or held within the state of Rhode Island, or any owner, trainer, groom, jockey, racing official, or other person in any manner engaged in or connected with the running, officiating at, or promoting any horse race or dog race run or to be run within the state of Rhode Island by giving, offering or promising any gift or gratuity whatever, directly or indirectly, with intent to improperly influence the conduct of the person in the playing, running or carrying out of any athletic game or contest or jai alai match or any horse race or dog race has taken place in his or her presence or that any attempt to corrupt that person has taken place in his or her presence shall immediately notify the state police or the police department of the city or town in which the corruption or attempt to corrupt has taken place. Any person violating the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding one thousand dollars ($1,000), or by imprisonment for not more than one year, or both.
History of Section.
P.L. 1991, ch. 24, § 4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-7 - BriberySection 11-7-13. - Acceptance of gratuity by employees of banking division of department of business regulation.

§ 11-7-13. Acceptance of gratuity by employees of banking division of department of business regulation.
(a)
No person who is an employee of the banking division of the department of business regulation or an employee of the department with jurisdiction over the banking division, shall accept a gratuity from a financial institution governed by title 19 or from any officer, director, or employee of the financial institution.
(b)
If the gratuity, so accepted, is valued at less than one hundred dollars ($100), the person who violates this section shall be guilty of a misdemeanor and shall be imprisoned for not more than one year, or fined not more than one thousand dollars ($1,000), or both.
(c)
If the gratuity, so accepted, is valued at one hundred dollars ($100) or more, or if the aggregate of the gratuities so accepted within a year equal or exceed one hundred dollars ($100), the person who violated this section shall be guilty of a felony and shall be imprisoned not more than three (3) years, or fined not more than twenty-five thousand dollars ($25,000) or three (3) times the amount of the gratuity so given, whichever is greater, or both.
History of Section.
P.L. 1991, ch. 140, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-7 - BriberySection 11-7-14. - Offer of gratuity by employees of financial institutions.

§ 11-7-14. Offer of gratuity by employees of financial institutions.
(a)
No person who is an officer, director, or employee of a financial institution governed by title 19 shall give any gratuity to any individual who is an employee of the banking division of the department of business regulation, or to any employee of the department with jurisdiction over the banking division.
(b)
If the gratuity, so accepted, is valued at less than one hundred dollars ($100), the person who violates this section shall be guilty of a misdemeanor and shall be fined not more than one thousand dollars ($1,000).
(c)
If the gratuity, so accepted, is valued at one hundred dollars ($100) or more or if the aggregate of the gratuities, so accepted, within a year equals or exceeds one hundred dollars ($100), the person who violated this section shall be guilty of a felony and shall be imprisoned not more than three (3) years, or fined not more than twenty-five thousand dollars ($25,000) or three (3) times the amount of the gratuity so given, whichever is greater, or both fine and imprisonment.
History of Section.
P.L. 1992, ch. 467, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-7 - BriberySection 11-7-2. - Acceptance of bribe by juror or person exercising judicial function.

§ 11-7-2. Acceptance of bribe by juror or person exercising judicial function.
Every judge, justice of the peace, warden, juror, auditor, referee, arbitrator, master in chancery, or person summoned as a juror, who shall accept, receive, or agree for in any way any bribe, present, reward, or unsecured loan, to him or her offered, for the purpose of obtaining or influencing his or her opinion, judgment, verdict, sentence, report, or award in any matter or cause depending or to be tried before him or her alone or before him or her with others, shall be imprisoned not exceeding seven (7) years or fined not exceeding one thousand dollars ($1,000).

History of Section.
G.L. 1896, ch. 276, § 5; G.L. 1909, ch. 342, § 5; G.L. 1923, ch. 394, § 5; G.L. 1938, ch. 605, § 5; G.L. 1956, § 11-7-2; P.L. 1990, ch. 95, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-7 - BriberySection 11-7-3. - Solicitation or acceptance of bribe by agent, employee, or public official.

§ 11-7-3. Solicitation or acceptance of bribe by agent, employee, or public official.
(a)
No person in public or private employ, or public official shall corruptly accept, or obtain or agree to accept, or attempt to obtain from any person, for himself or herself or any other person, any gift or valuable consideration as an inducement or reward for doing or forbearing to do, or for having done or forborne to do, any act in relation to the business of his or her principal, master, employer, or state, city, or town of which he or she is an official, or for showing or forbearing to show favor or disfavor to any person in relation to the business of his or her principal, master, employer, or state, city, or town of which he or she is an official.
(b)
It shall not be a defense to a prosecution under this section that the person did not have the power or authority to perform the act or omission for which the reward or inducement was offered, solicited, accepted, or agreed upon.
History of Section.
P.L. 1905, ch. 1219, § 1; G.L. 1909, ch. 349, § 21; G.L. 1923, ch. 401, § 21; G.L. 1938, ch. 612, § 21; G.L. 1956, § 11-7-3; P.L. 1991, ch. 139, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-7 - BriberySection 11-7-4. - Bribery of agent, employee, or public official.

§ 11-7-4. Bribery of agent, employee, or public official.
(a)
No person shall corruptly give or offer any gift or valuable consideration to any person in public or private employ, or any public official as an inducement or reward for doing or forebearing to do, or for having done or forborne to do, any act in relation to the business of his or her principal, master, or employer, or the state, city, or town of which he or she is an official, or for showing or forbearing to show favor or disfavor to any person in relation to the business of his or her principal, master, employer, or state, city, or town of which he or she is an official.
(b)
It shall not be a defense to a prosecution under this section that the person did not have the power or authority to perform the act or omission for which the reward or inducement was offered, solicited, accepted, or agreed upon.
History of Section.
P.L. 1905, ch. 1219, § 2; G.L. 1909, ch. 349, § 22; G.L. 1923, ch. 401, § 22; G.L. 1938, ch. 612, § 22; G.L. 1956, § 11-7-4; P.L. 1991, ch. 136, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-7 - BriberySection 11-7-5. - Penalty for violations.

§ 11-7-5. Penalty for violations.
Any person who violates any of the provisions of § 11-7-3 or 11-7-4 shall be deemed guilty of a felony, and shall, upon conviction, be fined not less than five thousand dollars ($5,000) nor more than fifty thousand dollars ($50,000) or three times the monetary equivalent of the gift or valuable consideration, whichever is greater, or imprisoned for not more than twenty (20) years, or both.
History of Section.
P.L. 1905, ch. 1219, § 4; G.L. 1909, ch. 349, § 24; G.L. 1923, ch. 401, § 24; G.L. 1938, ch. 612, § 24; G.L. 1956, § 11-7-5; P.L. 1981, ch. 193, § 1; P.L. 1991, ch. 89, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-7 - BriberySection 11-7-6. - Civil liability for violating § 11-7-3 or 11-7-4.

§ 11-7-6. Civil liability for violating § 11-7-3 or 11-7-4.
Any person injured by any violation of the provisions of § 11-7-3 or 11-7-4 may recover from the person or persons inflicting the injury twice the amount of the injury.
History of Section.
P.L. 1905, ch. 1219, § 5; G.L. 1909, ch. 349, § 25; G.L. 1923, ch. 401, § 25; G.L. 1938, ch. 612, § 25; G.L. 1956, § 11-7-6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-7 - BriberySection 11-7-8. - Accepting bribe to obtain preferential military treatment.

§ 11-7-8. Accepting bribe to obtain preferential military treatment.
Any person obtaining anything of value from a spouse, parent, or other blood relative of any citizen of this state in the armed forces of the United States or subject to the Military Selective Service Act, 50 U.S.C. App. § 451 et seq., by claiming that he or she has

obtained, can or will obtain for that citizen any exception, deferment, promotion, leave, furlough, preference, change of duty or place of service or the like, shall be guilty of a felony, and upon conviction shall be imprisoned not less than five (5) nor more than twenty-five (25) years.
History of Section.
G.L. 1938, ch. 612, § 58; P.L. 1943, ch. 1352, § 1; G.L. 1956, § 11-7-8.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-7 - BriberySection 11-7-9. - Corruption of sports participant or official.

§ 11-7-9. Corruption of sports participant or official.
Whoever corrupts or attempts to corrupt a player, coach, manager, trainer, umpire, referee, or other person engaged in playing, arranging, staging, officiating at, or promoting any amateur or professional athletic game or contest or jai alai match to be played or held within the state of Rhode Island, or who corrupts or attempts to corrupt any owner, trainer, groom, jockey, racing official, or other person in any manner engaged in or connected with the running, officiating at or promoting any horse race or dog race run or to be run within the state of Rhode Island by giving, offering, or promising any gift or gratuity whatever, directly or indirectly, with intent to improperly influence the conduct of the person in the playing, running, or carrying out of any athletic game or contest or jai alai match or any horse race, or officiating at the game or contest, whether the offer, promise, gift, or gratuity is made at or away from the playing field, boxing or ice arena, race course or fronton, or other place where the athletic game, contest, or horse race is scheduled to take place with intent to improperly influence the conduct of the person in connection with the proper playing or promoting of the athletic game or contest or jai alai match or officiating at the game, contest or match, or the proper running or promoting of any horse race or dog race or officiating at any horse or dog race, shall be punished by a fine of not more than one thousand dollars ($1,000), or by imprisonment of not more than seven (7) years, or both.
History of Section.
P.L. 1950, ch. 2556, § 1; G.L. 1956, § 11-7-9; P.L. 1981, ch. 193, § 1; P.L. 1991, ch. 24, § 3.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-70 - False Representation of Military StatusSection 11-70-1. - False representation of military status prohibited — Stolen valor.

§ 11-70-1. False representation of military status prohibited — Stolen valor.
(a)
A person commits the crime of stolen valor if he or she knowingly, with the intent to obtain money or property:
(1)
Fraudulently represents himself or herself to be an active member or veteran of the United States Navy, Army, Air Force, Marines, or Coast Guard, including armed forces reserves and National Guard, through the unauthorized manufacture, sale, or use of military regalia or gear, including the wearing of military uniforms, or the use of falsified military identification, and obtains money or property through such fraudulent representation; or
(2)
Fraudulently represents himself or herself to be a recipient of the Congressional Medal of Honor, Distinguished Service Cross, Navy Cross, Air Force Cross, Silver Star, Purple Heart, Combat Infantryman Badge, Combat Action Badge, Combat Medical Badge, Combat Action Ribbon, or Air Force Combat Action Medal, and obtains money or property through such fraudulent representation.
(b)
A person who commits the crime of stolen valor is guilty of a misdemeanor and shall be punished by imprisonment for not more than one year or by a fine of one thousand dollars ($1,000), or both.
(c)
Any monies collected pursuant to this chapter shall be forwarded to the office of the adjutant general to be allocated to the Rhode Island military family relief fund established pursuant to § 30-3-41.
History of Section.
P.L. 2022, ch. 67, § 1, effective June 15, 2022; P.L. 2022, ch. 68, § 1, effective June 15, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-8 - Burglary and Breaking and EnteringSection 11-8-1.1. - Attempted breaking and entering.

§ 11-8-1.1. Attempted breaking and entering.
(a)
Whoever attempts to commit the breaking and entering of any structure as set out in §§ 11-8-2, 11-8-2.1, 11-8-2.2, 11-8-2.3, 11-8-3, 11-8-4 or 11-8-5.1 by doing any overt act toward the commission of the offense while in the curtilage of the structure, but fails in its perpetration, shall, unless otherwise provided, suffer the same punishment which might have been imposed if the attempted offense had been committed.
(b)
An “overt act” is defined as any act of an individual by which the individual physically attempts to gain entrance into a type of structure set forth in the sections listed in subsection (a) of this section.
History of Section.

P.L. 1982, ch. 288, § 1; P.L. 1987, ch. 87, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-8 - Burglary and Breaking and EnteringSection 11-8-1. - Burglary.

§ 11-8-1. Burglary.
Every person who shall commit burglary shall be imprisoned for life or for any term not less than five (5) years.
History of Section.
G.L. 1896, ch. 279, § 7; G.L. 1909, ch. 345, § 7; G.L. 1923, ch. 397, § 7; G.L. 1938, ch. 608, § 7; G.L. 1956, § 11-8-1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-8 - Burglary and Breaking and EnteringSection 11-8-2.1. - Unlawful breaking and entering of dwelling with possession of instruments relating to wrongful setting of fires.

§ 11-8-2.1. Unlawful breaking and entering of dwelling with possession of instruments relating to wrongful setting of fires.
Every person who shall break and enter, at any time of the day or night, any dwelling house or apartment, whether it is occupied or not, or any outbuilding or garage attached to or adjoining any dwelling house or apartment, without the consent of the owner or tenant of the dwelling house, apartment, building, or garage, and who shall have in his or her possession any instrument or instrumentality or equipment of any kind that is reasonably related to the wrongful setting of fires shall be punished by imprisonment for not less than three (3) years and not more than fifteen (15) years. "Possession" means in the actual or constructive control or custody of the person while in the dwelling. "Wrongful" excludes those items which are ordinarily used for the lighting of smoking paraphernalia.
History of Section.
P.L. 1975, ch. 234, § 1; P.L. 1985, ch. 109, § 1; P.L. 1989, ch. 536, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-8 - Burglary and Breaking and EnteringSection 11-8-2.2. - Breaking and entering of a dwelling when resident on premises.

§ 11-8-2.2. Breaking and entering of a dwelling when resident on premises.
(a)
Every person who shall break and enter into any dwelling house or apartment without the consent of the owner or tenant at a time when the resident or residents of the dwelling house or apartment are on the premises, after having been previously convicted of such an offense, shall be imprisoned for not less than one year and not more than ten (10) years and shall not be afforded the provisions of suspension or deferment of sentence nor probation and may in addition be fined not more than five thousand dollars ($5,000).
(b)
Every person convicted pursuant to subsection (a) of this section shall be ordered to make restitution to the victim of the offense, or to perform up to five hundred (500) hours of public community restitution work, or both, or any combination of them approved by the sentencing judge. The court may not waive the obligation to make restitution and/or public community restitution work. Restitution and/or public community restitution work shall be in addition to any fine or sentence which may be imposed and not in lieu of the fine or sentence; provided, that nothing contained in this section shall be construed to require the payment of restitution while the convicted person is imprisoned.
History of Section.
P.L. 1985, ch. 426, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-8 - Burglary and Breaking and EnteringSection 11-8-2.3. - Breaking and entering of dwelling house of persons 60 years of age or older when resident on premises.

§ 11-8-2.3. Breaking and entering of dwelling house of persons 60 years of age or older when resident on premises.
(a)
Every person who shall break and enter any dwelling house or apartment, without the consent of the owner or tenant at a time when a resident of the dwelling house or apartment who is sixty (60) years of age or older is on the premises, shall be imprisoned for not less than four (4) years and not more than twenty (20) years for the first conviction, and for the second and subsequent convictions shall be imprisoned for not less than six (6) years and not more than twenty (20) years, and may in addition be fined not more than fifteen thousand dollars ($15,000) for a first conviction and not more than twenty thousand dollars ($20,000) for second and subsequent convictions.
(b)
Every person convicted pursuant to subsection (a) of this section shall be ordered to make restitution to the victim of the offense, or to perform up to five hundred (500) hours of public community restitution work, or both, or any combination of them imposed by the sentencing judge. The court may not waive the obligation to make restitution and/or public community restitution work. Restitution and/or public community restitution work shall be in addition to any fine or sentence which may be imposed and not in lieu of the fine or sentence; provided, that nothing contained in this section shall be construed to require the payment of restitution while the convicted person is imprisoned.

History of Section.
P.L. 1987, ch. 87, § 1; P.L. 1988, ch. 543, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-8 - Burglary and Breaking and EnteringSection 11-8-2.4. - Breaking and entering of dwelling house of a person who is severely impaired.

§ 11-8-2.4. Breaking and entering of dwelling house of a person who is severely impaired.
(a)
Every person who shall break and enter any dwelling house or apartment, without the consent of the owner or tenant at a time when a resident of the dwelling house or apartment who is a person who is severely impaired as defined by the provisions of § 11-5-11 is on the premises, shall be imprisoned for not less than five (5) years and not more than twenty-five (25) years and may in addition be fined not more than fifteen thousand dollars ($15,000) for a first conviction and not more than twenty thousand dollars ($20,000) for second and subsequent convictions.
(b)
Every person convicted pursuant to subsection (a) of this section shall be ordered to make restitution to the victim of the offense, or to perform up to five hundred (500) hours of public community restitution work, or both, or any combination of them imposed by the sentencing judge. The court may not waive the obligation to make restitution and/or public community restitution work. Restitution and/or public community restitution work shall be in addition to any fine or sentence which may be imposed and not in lieu of the fine or sentence; provided, that nothing contained in this section shall be construed to require the payment of restitution while the convicted person is imprisoned.
History of Section.
P.L. 1988, ch. 347, § 1; P.L. 1999, ch. 83, § 11; P.L. 1999, ch. 130, § 11; P.L. 2011, ch. 356, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-8 - Burglary and Breaking and EnteringSection 11-8-2. - Unlawful breaking and entering of dwelling house.

§ 11-8-2. Unlawful breaking and entering of dwelling house.
(a)
Every person who shall break and enter at any time of the day or night any dwelling house or apartment, whether the dwelling house or apartment is occupied or not, or any outbuilding or garage attached to or adjoining any dwelling house, without the consent of the owner or tenant of the dwelling house, apartment, building, or garage, shall be imprisoned for not less than two (2) years and not more than ten (10) years for the first conviction, and for the second and subsequent conviction shall be imprisoned for not less than four (4) years and not more than fifteen (15) years, or fined not more than ten thousand dollars ($10,000), or both.
(b)
Every person convicted pursuant to subsection (a) of this section shall be ordered to make restitution to the victim of the offense or to perform up to five hundred (500) hours of public community restitution work, or both, or any combination of them approved by the sentencing judge. The court may not waive the obligation to make restitution and/or public community restitution work. The restitution and/or public community restitution work shall be in addition to any fine or sentence which may be imposed and not in lieu of the fine or sentence.
History of Section.
G.L. 1923, ch. 397, § 9; P.L. 1928, ch. 1209, § 1; G.L. 1938, ch. 608, § 9; G.L. 1956, § 11-8-2; P.L. 1978, ch. 288, § 1; P.L. 1980, ch. 154, § 1; P.L. 1985, ch. 426, § 1; P.L. 1988, ch. 171, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-8 - Burglary and Breaking and EnteringSection 11-8-3. - Entry of building or ship with felonious intent.

§ 11-8-3. Entry of building or ship with felonious intent.
Every person who, with intent to commit murder, sexual assault, robbery, arson or larceny, shall enter any dwelling house or apartment at any time of the day or night, or who with such intent shall, during the daytime, enter any other building, or ship or vessel, shall be imprisoned not more than ten (10) years, or be fined not more than five hundred dollars ($500), or both.
History of Section.
G.L. 1896, ch. 279, § 9; G.L. 1909, ch. 345, § 9; P.L. 1922, ch. 2233, § 1; G.L. 1923, ch. 397, § 9; P.L. 1928, ch. 1209, § 1; G.L. 1938, ch. 608, § 9; G.L. 1956, § 11-8-3; P.L. 1978, ch. 288, § 1; P.L. 1980, ch. 50, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-8 - Burglary and Breaking and EnteringSection 11-8-4. - Breaking and entering business place, public building, or ship with felonious intent.

§ 11-8-4. Breaking and entering business place, public building, or ship with felonious intent.
Every person who shall break and enter any bank, shop, office or warehouse, not adjoining to or occupied as a dwelling house, any meeting house, church, chapel, courthouse, town house, college, academy, schoolhouse, library or other building erected for public use or occupied for any public purpose, or any ship or vessel, with intent to commit murder, sexual assault, robbery or larceny, shall be imprisoned not exceeding ten (10) years.

History of Section.
G.L. 1896, ch. 279, § 8; G.L. 1909, ch. 345, § 8; G.L. 1923, ch. 397, § 8; G.L. 1938, ch. 608, § 8; G.L. 1956, § 11-8-4; P.L. 1987, ch. 140, § 1; P.L. 1993, ch. 314, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-8 - Burglary and Breaking and EnteringSection 11-8-5.1. - Unlawful breaking and entering of business place, public building or ship during the daytime.

§ 11-8-5.1. Unlawful breaking and entering of business place, public building or ship during the daytime.
Every person who shall break and enter any bank, shop, office or warehouse, not adjoining to or occupied as a dwelling house, any meeting house, church, chapel, courthouse, town house, college, academy, schoolhouse, library, or other building erected for public use or occupied for any purpose, or any ship or vessel during the daytime, shall be imprisoned not more than three (3) years, or fined not more than three hundred dollars ($300), or both.
History of Section.
P.L. 1978, ch. 157, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-8 - Burglary and Breaking and EnteringSection 11-8-5. - Breaking and entering other buildings with criminal intent — Railroad cars — Tractor trailers.

§ 11-8-5. Breaking and entering other buildings with criminal intent — Railroad cars — Tractor trailers.
Every person who shall break and enter or enter in the nighttime, with intent to commit larceny or any felony or misdemeanor in it, any barn, stable, carriage house, or other building, for the breaking and entering or entering of which with that intent no punishment is otherwise prescribed by this title, and every person who shall at any time break and enter or enter any railroad car or the trailer portion of a tractor trailer or break any lock or seal on it with intent to commit larceny or other crime, shall be imprisoned not exceeding ten (10) years.
History of Section.
G.L. 1896, ch. 279, § 10; P.L. 1897, ch. 454, § 1; P.L. 1908, ch. 1568, § 1; G.L. 1909, ch. 345, § 10; P.L. 1922, ch. 2233, § 1; G.L. 1923, ch. 397, § 10; G.L. 1938, ch. 608, § 10; G.L. 1956, § 11-8-5; P.L. 1987, ch. 533, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-8 - Burglary and Breaking and EnteringSection 11-8-6. - Entry to steal poultry — Arrest — Fine.

§ 11-8-6. Entry to steal poultry — Arrest — Fine.
Every person who breaks and enters, or enters in the nighttime without breaking, any building or enclosure in which are kept or confined any kind of poultry, with intent to steal any of the poultry, shall be punished by imprisonment for not more than five (5) years, or by a fine of not more than five hundred dollars ($500), or both. Every person who is discovered in the act of willfully entering any building or enclosure in which are kept or confined any kind of poultry, with intent to steal any of the poultry, may be arrested without a warrant by a deputy sheriff, town constable, guard, police officer, or other person and detained in jail or otherwise until a complaint can be made against him or her for the offense, and until he or she is taken on a warrant issued upon the complaint, but detention without a warrant shall not continue more than twenty-four (24) hours. One-half (½) of any fine imposed under this section shall inure to the complainant.
History of Section.
G.L. 1909, ch. 345, § 26; P.L. 1912, ch. 853, § 1; P.L. 1915, ch. 1258, § 11; G.L. 1923, ch. 397, § 26; G.L. 1938, ch. 608, § 26; G.L. 1956, § 11-8-6; P.L. 2012, ch. 324, § 30; P.L. 2015, ch. 260, § 12; P.L. 2015, ch. 275, § 12.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-8 - Burglary and Breaking and EnteringSection 11-8-7. - Making, repairing, or possessing burglar tools.

§ 11-8-7. Making, repairing, or possessing burglar tools.
Whoever makes or mends, or does any work connected with the making or reparation of, or has in his or her possession any engine, machine, tool, false key, pick lock, nippers, or implement of any kind adapted and designed for cutting through, forcing, breaking open, or entering a building, room, vault, safe, or other depository, in order to steal from it money or other property, or to commit any other crime, knowing the equipment to be adapted and designed for this purpose, with intent to use or employ, or allow the equipment to be used or employed, for this purpose, shall be imprisoned not more than ten (10) years.
History of Section.
P.L. 1896, ch. 302, § 1; G.L. 1909, ch. 349, § 42; G.L. 1923, ch. 401, § 42; G.L. 1938, ch. 608, § 8; G.L. 1956, § 11-8-7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-8 - Burglary and Breaking and EnteringSection 11-8-8. - Injury or death — Defense.

§ 11-8-8. Injury or death — Defense.
In the event that any person shall die or shall sustain a personal injury in any way or for any cause while in the commission of any criminal offense enumerated in §§ 11-8-2 — 11-8-6, it shall be rebuttably presumed as a matter of law in any civil or criminal proceeding that the owner, tenant, or occupier of the place where the offense was committed acted by reasonable means in

self-defense and in the reasonable belief that the person engaged in the criminal offense was about to inflict great bodily harm or death upon that person or any other individual lawfully in the place where the criminal offense was committed. There shall be no duty on the part of an owner, tenant, or occupier to retreat from any person engaged in the commission of any criminal offense enumerated in §§ 11-8-2 — 11-8-6.
History of Section.
P.L. 1976, ch. 216, § 1; P.L. 1977, ch. 17, § 1; P.L. 1984, ch. 212, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-8 - Burglary and Breaking and EnteringSection 11-8-9. - Aiding and abetting a minor.

§ 11-8-9. Aiding and abetting a minor.
(a)
Every person eighteen (18) years of age or older who shall aid, assist, abet, counsel, hire, command, or procure a person under the age of eighteen (18) years to commit any offense as set forth in this chapter shall be imprisoned for not less than four (4) years and not more than twenty (20) years and/or fined not less than twenty-five hundred dollars ($2,500) nor more than twenty-five thousand dollars ($25,000), or both, for each such offense.
(b)
Every person convicted pursuant to subsection (a) of this section shall be ordered by the sentencing judge to perform up to one hundred (100) hours of public community restitution work. The court may not waive the obligation to perform public community restitution work. Public community restitution work shall be in addition to any fine or sentence which may be imposed and not in lieu of the fine or sentence.
History of Section.
P.L. 1985, ch. 482, § 1; P.L. 1989, ch. 541, § 1; P.L. 1990, ch. 464, § 1; P.L. 1991, ch. 226, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9.1 - Commercial TransactionsSection 11-9.1-1. - Receipts for installment payments for merchandise.

§ 11-9.1-1. Receipts for installment payments for merchandise.
Any person selling merchandise on the installment plan shall give to every purchaser of the merchandise on the plan a receipt in writing for every installment paid on account of the price of the merchandise, and every such receipt shall show the balance of the price remaining unpaid after giving credit for the payment. Any person violating any of the provisions of this section shall be fined twenty dollars ($20.00).
History of Section.
P.L. 1908, ch. 1596, §§ 1, 2; G.L. 1909, ch. 184, §§ 1, 2; G.L. 1923, ch. 210, §§ 1, 2; G.L. 1938, ch. 384, §§ 1, 2; G.L. 1956, § 6-15-1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9.1 - Commercial TransactionsSection 11-9.1-10. - False statements in warehouse receipt.

§ 11-9.1-10. False statements in warehouse receipt.
A warehouse operator, or any officer, agent, or servant of a warehouse operator, who fraudulently issues or aids in fraudulently issuing a warehouse receipt for goods knowing that it contains any false statement, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars ($1,000), or both.
History of Section.
P.L. 1908, ch. 1549, § 51; G.L. 1909, ch. 270, § 2; G.L. 1923, ch. 315, § 2; G.L. 1938, ch. 468, § 2; G.L. 1956, § 6-25-52.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9.1 - Commercial TransactionsSection 11-9.1-11. - Failure to mark duplicate warehouse receipt.

§ 11-9.1-11. Failure to mark duplicate warehouse receipt.
A warehouse operator, or any officer, agent, or servant of a warehouse operator, who issues or aids in issuing a duplicate or additional negotiable receipt for goods knowing that a former negotiable receipt for the same goods or any part of them is outstanding and uncanceled, without plainly placing upon the face of it the word “Duplicate,” except in the case of a lost or destroyed receipt after proceedings as provided for in § 6A-7-601, shall be guilty of a crime and upon conviction shall be punished for each offense by imprisonment not exceeding five (5) years, or by a fine not exceeding five thousand dollars ($5,000), or both.
History of Section.
P.L. 1908, ch. 1549, § 52; G.L. 1909, ch. 270, § 3; G.L. 1923, ch. 315, § 3; G.L. 1938, ch. 468, § 3; G.L. 1956, § 6-25-53.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9.1 - Commercial TransactionsSection 11-9.1-12. - Failure to state warehouse operator’s title in warehouse receipt.

§ 11-9.1-12. Failure to state warehouse operator’s title in warehouse receipt.

Where there are deposited with or held by a warehouse operator goods of which he or she is owner, either solely or jointly or in common with others, the warehouse operator, or any of his or her officers, agents, or servants who, knowing this ownership, issues or aids in issuing a negotiable receipt for the goods which does not state that ownership, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars ($1,000), or both.
History of Section.
P.L. 1908, ch. 1549, § 53; G.L. 1909, ch. 270, § 4; G.L. 1923, ch. 315, § 4; G.L. 1938, ch. 468, § 4; G.L. 1956, § 6-25-54.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9.1 - Commercial TransactionsSection 11-9.1-13. - Failure to take up warehouse receipt on delivery of goods.

§ 11-9.1-13. Failure to take up warehouse receipt on delivery of goods.
A warehouse operator, or any officer, agent, or servant of a warehouse operator, who delivers goods out of the possession of the warehouse operator, knowing that a negotiable receipt the negotiation of which would transfer the right to the possession of the goods is outstanding and uncanceled, without obtaining the possession of the receipt at or before the time of the delivery, shall, except in the cases provided for in §§ 6A-7-210 and 6A-7-601, be found guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars ($1,000), or both.
History of Section.
P.L. 1908, ch. 1549, § 54; G.L. 1909, ch. 270, § 5; G.L. 1923, ch. 315, § 5; G.L. 1938, ch. 468, § 5; G.L. 1956, § 6-25-55.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9.1 - Commercial TransactionsSection 11-9.1-14. - Failure of depositor to disclose lien or want of title on negotiation of warehouse receipt.

§ 11-9.1-14. Failure of depositor to disclose lien or want of title on negotiation of warehouse receipt.
Any person who deposits goods to which he or she does not have title, or upon which there is a lien or mortgage, and who takes for those goods a negotiable receipt which he or she afterwards negotiates for value with intent to deceive and without disclosing his or her want of title or the existence of the lien or mortgage, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars ($1,000), or both.
History of Section.
P.L. 1908, ch. 1549, § 55; G.L. 1909, ch. 270, § 6; G.L. 1923, ch. 315, § 6; G.L. 1938, ch. 468, § 6; G.L. 1956, § 6-25-56.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9.1 - Commercial TransactionsSection 11-9.1-15. - Laundering of monetary instruments.

§ 11-9.1-15. Laundering of monetary instruments.
(a)
Whoever conducts or attempts to conduct a financial transaction: (1) with the intent to promote the carrying on of specified unlawful activity; or (2) with the intent to conceal or disguise the nature, location, source, ownership, or control of property believed to be the proceeds of specified unlawful activity; or (3) with the intent to avoid a transaction reporting requirement under state law; or (4) knowing that the transaction is designed in whole or in part: (i) to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity; or (ii) to avoid a transaction reporting requirement under the laws of this state or of the United States; shall be punished by a fine of not more than five hundred thousand dollars ($500,000) or twice the value of the property involved in the transaction, whichever is greater, or by imprisonment for not more than twenty (20) years, or both.
(b)
Whoever conducts or attempts to conduct a financial transaction: (1) knowing that the property involved in the transaction represents the proceeds of some form of unlawful activity, or has been or is being used to conduct or facilitate some form of unlawful activity; or (2) involving property represented as the proceeds of some form of unlawful activity, by a law enforcement officer or other person working at the direction or with the approval of an official authorized to investigate or prosecute violations of this section; shall be punished by a fine of not more than five hundred thousand dollars ($500,000) or twice the value of the property involved in the transaction, whichever is greater, or by imprisonment for not more than twenty (20) years, or both.
(c)
Whoever is convicted of conducting or attempting to conduct a financial transaction described in subsection (a) or (b) of this section is liable to the state of Rhode Island for a civil penalty of not more than the greater of:
(1)
The value of the property, funds, or monetary instruments involved in the transaction; or
(2)
Ten thousand dollars ($10,000).
(d)
As used in this section:
(1)
“Conducts” includes initiating, concluding, or participating in initiating or concluding a transaction;

(2)
“Financial institution” means any institution organized under title 19, or any institution having the definition given that term in 31 U.S.C. § 5312, where applicable, including, but not limited to, banks, savings banks, bank associations, trust companies, loan and investment companies, savings and loan companies, building-loan associations, credit unions, deposit-insurance companies, and any other depository required by law to file reports with the Rhode Island department of business regulation;
(3)
“Financial transaction” means a transaction involving the movement of funds;
(4)
“Knowing that the property involved in a financial transaction represents the proceeds of some form of unlawful activity” means that the person knew the property involved in the transaction represented proceeds from some form, though not necessarily which form, of activity that constitutes a felony under state law, regardless of whether or not the activity is specified in subdivision (7) of this subsection.
(5)
“Monetary instruments” means coin or currency of the United States or any other country, travelers’ checks, personal checks, bank checks, money orders, investment securities in bearer form or in such form that title to them passes upon delivery, and negotiable instruments in bearer form or in such form that title to them passes upon delivery;
(6)
“Specified unlawful activity” includes:
(A)
Any act or activity declared a felony pursuant to title 19;
(B)
Any act or activity declared a felony pursuant to chapter 28 of title 21;
(C)
Any act or acts prohibited by the Rhode Island Racketeer Influenced and Corrupt Organizations Act (RICO), chapter 15 of title 7;
(D)
Any act constituting a felony pursuant to this title.
(7)
“Transaction” includes a purchase, sale, loan, pledge, gift, transfer, delivery, or other disposition, and with respect to a financial institution includes a deposit, withdrawal, transfer between accounts, exchange of currency, loan, extension of credit, purchase or sale of any stock, bond, certificate of deposit, or other monetary instrument, or any other payment, transfer, or delivery by, through, or to a financial institution, by whatever means effected.
(e)
Nothing in this chapter shall be construed to duplicate or prevent the application or effect of 18 U.S.C. § 1956, or of any provision of state or other law imposing criminal penalties or affording civil remedies in addition to those provided for in this chapter.
History of Section.
P.L. 1991, ch. 51, § 1; P.L. 2006, ch. 82, § 1; P.L. 2006, ch. 95, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9.1 - Commercial TransactionsSection 11-9.1-2. - Fraudulent issuance of bill of lading.

§ 11-9.1-2. Fraudulent issuance of bill of lading.
Any officer, agent or servant of a carrier who, with intent to defraud issues or aids in issuing a bill of lading knowing that all or any part of the goods for which the bill is issued have not been received by the carrier, or by an agent of the carrier or by a connecting carrier, or are not under the carrier’s control at the time of issuing the bill, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five (5) years, or by a fine not exceeding five thousand dollars ($5,000), or both.
History of Section.
P.L. 1914, ch. 1029, § 44; G.L. 1923, ch. 320, § 1; G.L. 1938, ch. 473, § 1; G.L. 1956, § 6-24-45.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9.1 - Commercial TransactionsSection 11-9.1-3. - False statements in bill of lading.

§ 11-9.1-3. False statements in bill of lading.
Any officer, agent, or servant of a carrier who, with intent to defraud, issues or aids in issuing a bill of lading for goods knowing that it contains any false statement, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars ($1,000), or both.
History of Section.
P.L. 1914, ch. 1029, § 45; G.L. 1923, ch. 320, § 2; G.L. 1938, ch. 473, § 2; G.L. 1956, § 6-24-46.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9.1 - Commercial TransactionsSection 11-9.1-4. - Unlawful issuance of duplicate bill of lading.

§ 11-9.1-4. Unlawful issuance of duplicate bill of lading.
Any officer, agent, or servant of a carrier who, with intent to defraud, issues or aids in issuing a duplicate or additional negotiable bill of lading for goods without placing plainly upon the face of each bill the word “duplicate” or some other word or words indicating that the document is not an original bill of lading, knowing that a former negotiable bill of lading for the same goods or any part of them is outstanding and uncanceled, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five (5) years, or by a fine not exceeding five thousand dollars ($5,000), or both.
History of Section.
P.L. 1914, ch. 1029, § 46; G.L. 1923, ch. 320, § 3; G.L. 1938, ch. 473, § 3; G.L. 1956, § 6-24-47.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9.1 - Commercial TransactionsSection 11-9.1-5. - Unlawful shipment on negotiable bill of lading.

§ 11-9.1-5. Unlawful shipment on negotiable bill of lading.
Any person who ships goods to which he or she does not have title, or upon which there is a lien or mortgage, and who takes for the goods a negotiable bill of lading which he or she afterwards negotiates for value with intent to deceive and without disclosing his or her want of title or the existence of the lien or mortgage, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars ($1,000), or both.
History of Section.
P.L. 1914, ch. 1029, § 47; G.L. 1923, ch. 320, § 4; G.L. 1938, ch. 473, § 4; G.L. 1956, § 6-24-48.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9.1 - Commercial TransactionsSection 11-9.1-6. - Transfer of bill of lading for goods not in control of carrier.

§ 11-9.1-6. Transfer of bill of lading for goods not in control of carrier.
Any person who, with intent to deceive, negotiates or transfers for value a bill of lading knowing that any or all of the goods which, by the terms of the bill, appear to have been received for transportation by the carrier which issued the bill of lading, are not in the possession or control of the carrier, or of a connecting carrier, without disclosing this fact, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five (5) years, or by a fine not exceeding five thousand dollars ($5,000), or both.
History of Section.
P.L. 1914, ch. 1029, § 48; G.L. 1923, ch. 320, § 5; G.L. 1938, ch. 473, § 5; G.L. 1956, § 6-24-49.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9.1 - Commercial TransactionsSection 11-9.1-7. - Fraudulently procuring issuance of bill of lading.

§ 11-9.1-7. Fraudulently procuring issuance of bill of lading.
Any person who, with intent to defraud, secures the issue by a carrier of a bill of lading knowing that at the time of the issue any or all of the goods described in the bill, as received for transportation, have not been received by the carrier, or an agent of the carrier or a connecting carrier, or are not under the carrier’s control, by inducing an officer, agent, or servant of the carrier falsely to believe that the goods have been received by the carrier, or are under its control, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five (5) years, or by a fine not exceeding five thousand dollars ($5,000), or both.
History of Section.
P.L. 1914, ch. 1029, § 49; G.L. 1923, ch. 320, § 6; G.L. 1938, ch. 473, § 6; G.L. 1956, § 6-24-50.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9.1 - Commercial TransactionsSection 11-9.1-8. - Failure to mark nonnegotiable bill of lading.

§ 11-9.1-8. Failure to mark nonnegotiable bill of lading.
Any person who, with intent to defraud, issues or aids in issuing a nonnegotiable bill of lading without the words “not negotiable” placed plainly upon the face of it shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five (5) years, or by a fine not exceeding five thousand dollars ($5,000), or both.
History of Section.
P.L. 1914, ch. 1029, § 50; G.L. 1923, ch. 320, § 7; G.L. 1938, ch. 473, § 7; G.L. 1956, § 6-24-51.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9.1 - Commercial TransactionsSection 11-9.1-9. - Issuance of fraudulent warehouse receipt.

§ 11-9.1-9. Issuance of fraudulent warehouse receipt.
A warehouse operator, or any officer, agent, or servant of a warehouse operator, who issues or aids in issuing a warehouse receipt knowing that the goods for which the receipt is issued have not been actually received by the warehouse operator, or are not under his or her actual control at the time of issuing the receipt, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five (5) years, or by a fine not exceeding five thousand dollars ($5,000), or both.

History of Section.
P.L. 1908, ch. 1549, § 50; G.L. 1909, ch. 270, § 1; G.L. 1923, ch. 315, § 1; G.L. 1938, ch. 468, § 1; G.L. 1956, § 6-25-51.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-1.1. - Child nudity prohibited in publications.

§ 11-9-1.1. Child nudity prohibited in publications.
Every person, firm, association, or corporation which shall publish, sell, offer for sale, loan, give away, or otherwise distribute any book, magazine, pamphlet, or other publication, or any photograph, picture, or film which depicts any child, or children, under the age of eighteen (18) years and known to be under the age of eighteen (18) years of age by the person, firm, association, or corporation in a setting which taken as a whole suggests to the average person that the child, or children, is about to engage in or has engaged in, any sexual act, or which depicts any child under eighteen (18) years of age performing sodomy, oral copulation, sexual intercourse, masturbation, or bestiality, shall, for the first offense, be punished by imprisonment for not more than ten (10) years, or by a fine of not more than ten thousand dollars ($10,000), or both; for any subsequent offense, by imprisonment for not more than fifteen (15) years, or by a fine of not more than fifteen thousand dollars ($15,000), or both. Provided, that artistic drawings, sketches, paintings, sculptures, or other artistic renditions, shall be exempt from the provisions of this section.
History of Section.
P.L. 1977, ch. 131, § 2; P.L. 1978, ch. 130, § 1; P.L. 1978, ch. 210, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-1.2. - Rebuttable presumption of minority upon testimony of physician.

§ 11-9-1.2. Rebuttable presumption of minority upon testimony of physician.
Whenever any person, firm, association or corporation is charged with a violation of the provisions of this chapter, testimony by a physician, duly authorized pursuant to the provisions of § 5-37-2, that based upon the physician's examination of the book, magazine, pamphlet, or other publication, or photograph, picture, or film which allegedly depicts any child or children under the age of eighteen (18) years, the physician is of the opinion, based upon a reasonable medical certainty, that any person depicted in it is under the age of eighteen (18) years, then there shall be created a rebuttable presumption of that fact.
History of Section.
P.L. 1978, ch. 130, § 1; P.L. 1978, ch. 210, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-1.3. - Child pornography prohibited.

§ 11-9-1.3. Child pornography prohibited.
(a) Violations.
It is a violation of this section for any person to:
(1)
Knowingly produce any child pornography;
(2)
Knowingly mail, transport, deliver or transfer by any means, including by computer, any child pornography;
(3)
Knowingly reproduce any child pornography by any means, including the computer; or
(4)
Knowingly possess any book, magazine, periodical, film, videotape, computer disk, computer file or any other material that contains an image of child pornography.
(b) Penalties.
(1)
Whoever violates or attempts or conspires to violate subdivisions (a)(1), (a)(2) or (a)(3) of this section shall be subject to a fine of not more than five thousand dollars ($5,000), or imprisoned for not more than fifteen (15) years, or both.
(2)
Whoever violates or attempts or conspires to violate subdivision (a)(4) of this section shall be subject to a fine of not more than five thousand dollars ($5,000), or imprisoned not more than five (5) years, or both.
(c) Definitions.
For purposes of this section:
(1)
"Child pornography" means any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct where:
(i)
The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
(ii)

Such visual depiction is a digital image, computer image, or computer-generated image of a minor engaging in sexually explicit conduct; or
(iii)
Such visual depiction has been created, adapted, or modified to display an identifiable minor engaging in sexually explicit conduct.
(2)
“Computer” has the meaning given to that term in section 11-52-1;
(3)
“Minor” means any person not having reached eighteen (18) years of age;
(4)
“Identifiable minor.”
(i)
Means a person:
(A)(I)
Who was a minor at the time the visual depiction was created, adapted, or modified; or
(II)
Whose image as a minor was used in creating, adapting, or modifying the visual depiction; and
(ii)
Who is recognizable as an actual person by the person’s face, likeness, or other distinguishing characteristic, such as a unique birthmark or other recognizable feature; and
(B)
Shall not be construed to require proof of the actual identity of the identifiable minor.
(5)
“Producing” means producing, directing, manufacturing, issuing, publishing or advertising;
(6)
“Sexually explicit conduct” means actual:
(i)
Graphic sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, or lascivious sexual intercourse where the genitals, or pubic area of any person is exhibited;
(ii)
Bestiality;
(iii)
Masturbation;
(iv)
Sadistic or masochistic abuse; or
(v)
Graphic or lascivious exhibition of the genitals or pubic area of any person;
(7)
“Visual depiction” includes undeveloped film and videotape and data stored on a computer disk or by electronic means, which is capable of conversion into a visual image;
(8)
“Graphic,” when used with respect to a depiction of sexually explicit conduct, means that a viewer can observe any part of the genitals or pubic area of any depicted person or animal during any part of the time that the sexually explicit conduct is being depicted.
(d) Affirmative defenses.
(1)
It shall be an affirmative defense to a charge of violating subdivision (a)(1), (a)(2), or (a)(3) of this section that:
(i)
The alleged child pornography was produced using an actual person or persons engaging in sexually explicit conduct; and
(ii)
Each such person was an adult at the time the material was produced; and
(iii)
The defendant did not advertise, promote, present, describe or distribute the material in such a manner as to convey the impression that it is or contains a visual depiction of a minor engaging in sexually explicit conduct.
(2)
It shall be an affirmative defense to a charge of violating subdivision (a)(4) of this section that the defendant:
(i)
Possessed less than three (3) images of child pornography; and
(ii)
Promptly and in good faith and without retaining or allowing any person, other than a law enforcement agency, to access any image

or copy of it:
(A)
Took reasonable steps to destroy each such image; or
(B)
Reported the matter to a law enforcement agency and afforded that agency access to each such image.
(e) Severability.
If any provision or provisions of this section, or the application of this section to any person or circumstance is held invalid by a court of competent authority, that invalidity does not affect other provisions or applications of this section which can be given effect without that invalid provision or provisions or application of the provision or provisions, and to this end the provisions of this section are declared to be separable and severable.
History of Section.
P.L. 2001, ch. 143, § 1; P.L. 2004, ch. 586, § 2; P.L. 2004, ch. 612, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-1.4. - Minor electronically disseminating indecent material to another person — "Sexting" prohibited.

§ 11-9-1.4. Minor electronically disseminating indecent material to another person — "Sexting" prohibited.
(a)
Definitions as used in this section:
(1)
"Minor" means any person not having reached eighteen (18) years of age;
(2)
"Computer" has the meaning given to that term in § 11-52-1;
(3)
"Telecommunication device" means an analog or digital electronic device which processes data, telephony, video, or sound transmission as part of any system involved in the sending and/or receiving at a distance of voice, sound, data, and/or video transmissions;
(4)
"Indecent visual depiction" means any digital image or digital video of the minor engaging in sexually explicit conduct, and includes data stored on any computer, telecommunication device, or other electronic storage media which is capable of conversion into a visual image;
(5)
"Sexually explicit conduct" means actual masturbation or graphic focus on or lascivious exhibition of the nude genitals or pubic area of the minor.
(b)
No minor shall knowingly and voluntarily and without threat or coercion use a computer or telecommunication device to transmit an indecent visual depiction of himself or herself to another person.
(c)
A violation of this section shall be a status offense and referred to the family court.
(d)
Any minor adjudicated under subsection (b) shall not be charged under § 11-9-1.3 and, further, shall not be subject to sex offender registration requirements set forth in § 11-37.1-1 et seq., entitled "Sexual Offender Registration and Community Notification Act."
History of Section.
P.L. 2011, ch. 270, § 1; P.L. 2011, ch. 295, § 1; P.L. 2012, ch. 415, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-1.5. - Electronically disseminating indecent material to minors prohibited.

§ 11-9-1.5. Electronically disseminating indecent material to minors prohibited.
(a)
Definitions as used in this section:
(1)
"Minor" means any person not having reached eighteen (18) years of age.
(2)
"Computer" has the meaning given to that term in § 11-52-1.
(3)
"Telecommunication device" means an analog or digital electronic device that processes data, telephone, video, or sound transmission as part of any system involved in the sending and/or receiving at a distance of voice, sound, data, and/or video transmissions.
(4)
"Indecent visual depiction" means any digital image or digital video depicting one or more persons engaging in sexually explicit

conduct, is obscene as defined in § 11-31-1(b), and includes:
(i)
Data stored on any computer, telecommunication device, or other electronic storage media that is capable of conversion into a visual image; or
(ii)
Digital video depicting sexually explicit conduct transmitted live over a computer online service, internet service, or local electronic bulletin board service. If a digital image or digital video is part of a larger work, that larger work shall be the subject for the purpose of § 11-31-1(b) analysis.
(5)
“Sexually explicit conduct” means actual:
(i)
Graphic sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, or lascivious sexual intercourse where the genitals or pubic area of any person is exhibited;
(ii)
Bestiality;
(iii)
Masturbation;
(iv)
Sadistic or masochistic abuse; or
(v)
Graphic or lascivious exhibition of the genitals or pubic area of any person.
(b)
No person shall knowingly and intentionally use a computer or telecommunication device to transmit an indecent visual depiction to a person he or she knows is, or believes to be, a minor.
(c)
No minor shall be charged under this section if his or her conduct falls within § 11-9-1.4, “Minor Electronically Disseminating Indecent Material to Another Person — ‘Sexting’ Prohibited.”
(d)
No person shall be charged under this section if the minor to whom the indecent visual depiction was transmitted was fifteen (15) years of age or older and the person transmitting the indecent visual depiction was not more than four (4) years older than the minor.
(e)
The fact that an undercover operative or law enforcement officer was involved in the detection and investigation of an offense under this section shall not constitute a defense to a prosecution under this section.
(f)
Those in violation of this section shall be guilty of a felony and subject to imprisonment for not more than five (5) years, a fine of not more than five thousand dollars ($5,000), or both.
(g)
Those in violation of this section shall be subject to sex offender registration requirements set forth in § 11-37.1-1 et seq., entitled “Sexual Offender Registration and Community Notification Act.”
(h)
Nothing in this section shall be construed to impose liability upon the following entities as a result of content or information provided by another person:
(1)
An interactive computer service;
(2)
A provider of public or private mobile service; or
(3)
A telecommunications network provider.
History of Section.
P.L. 2014, ch. 416, § 2; P.L. 2014, ch. 448, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-1.6. - Child erotica prohibited.

§ 11-9-1.6. Child erotica prohibited.
(a)
Definitions as used in this section:
(1)
“Minor” means any person not having reached eighteen (18) years of age.
(2)

“Produces” means produces, directs, manufactures, issues, publishes, or advertises.
(3)
“Visual portrayal” means any visual depiction as defined in § 11-9-1.3, including, but not limited to, any photograph, film, video, picture, or computer-generated image or picture whether made or produced by electronic, mechanical, or other means.
(b)
Any person age eighteen (18) or over who knowingly and voluntarily, without threat or coercion, produces, possesses, displays, or distributes, in any form, any visual portrayals of minors who are partially clothed, where the visual portrayals are used for the specific purpose of sexual gratification or sexual arousal from viewing the visual portrayals, is guilty of a misdemeanor and, upon conviction, shall be confined in jail for not more than one year, or fined not more than one thousand dollars ($1,000), or both.
(c)
Affirmative defenses.
(1)
It shall be an affirmative defense to a charge of violating this section that:
(i)
The alleged child erotica was produced using an actual person or persons who was an adult at the time the material was produced;
(ii)
The defendant promptly and in good faith and without retaining or allowing any person, other than a law enforcement agency, to access any visual portrayal or copy of it:
(A)
Took reasonable steps to destroy each such visual portrayal; or
(B)
Reported the matter to a law enforcement agency and afforded that agency access to each such image.
(iii)
That the possessor, displayer, or distributor of child erotica is the parent or legal guardian of the child depicted in the visual portrayals and there is no competent evidence to prove an intent to use the visual portrayals for sexual gratification or sexual arousal from viewing the visual portrayals.
(d)
Severability.
If any provision or provisions of this section, or the application of this section to any person or circumstance is held invalid by a court of competent authority, that invalidity does not affect the other provisions or applications of this section which can be given effect without that invalid provision or provisions or application of the provision or provisions, and to this end the provisions of this section are declared to be separable and severable.
History of Section.
P.L. 2021, ch. 354, § 1, effective July 12, 2021; P.L. 2021, ch. 355, § 1, effective July 12, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-1. - Exploitation for commercial or immoral purposes.

§ 11-9-1. Exploitation for commercial or immoral purposes.
(a)
Every person having the custody or control of any child under the age of sixteen (16) years who shall exhibit, use, or employ, or shall in any manner or under pretense sell, give away, let out or otherwise dispose of any child under the age of sixteen (16) years to any person for or in the vocation, occupation, service, or purpose of rope or wire walking, or as a gymnast, wrestler, contortionist, equestrian performer, acrobat, or rider upon any bicycle or mechanical contrivance, or in any dancing, theatrical, or musical exhibition unless it is in connection with churches, school or private instruction in dancing or music, or unless it is under the auspices of a Rhode Island society incorporated, or organized without incorporation for a purpose authorized by § 7-6-4; or for or in gathering or picking rags, or collecting cigar stumps, bones or refuse from markets, or in begging, or in any mendicant or wandering occupation, or in peddling in places injurious to the morals of the child; or for or in the exhibition of any child with a disability, or in any illegal, obscene, indecent, or immoral purpose, exhibition, or vocation, injurious to the health or morals or dangerous to the life or limb of the child, or who shall cause, procure or encourage any child under the age of sixteen (16) years to engage in that activity, or who, after being notified by an officer mentioned in § 11-9-3 to restrain the child from engaging in that activity, shall neglect or refuse to do so, shall be held guilty of a misdemeanor and shall, for every such offense, be imprisoned not exceeding one year, or be fined not exceeding two hundred fifty dollars ($250), or both, and shall forfeit any right which he or she may have to the custody of the child; provided, that the provisions of this section shall not apply to any child, not a resident of this state, who is engaged in any dancing, theatrical, or musical performance in this state and is accompanied by a parent, guardian, or tutor, when a permit for the appearance of the child is granted by the mayor of the city or the president of the town council of the town, where the performance is to be given; provided, further, that the provisions of this section shall not apply to any child, a resident of this state, who is engaged in any dancing, theatrical, or musical performance in this state on a day when the public schools are not in session in the town or city where the dancing, theatrical or musical performance shall be given (not however on Sunday) if the child is accompanied by a parent, guardian or tutor, when a permit for the appearance of the child is granted by the mayor of the city or the

president of the town council of the town where the performance is to be given.
(b)
Any person who shall in any manner or under any pretense sell, distribute, let out or otherwise permit any child under eighteen (18) years of age to be used in any book, magazine, pamphlet, or other publication, or in any motion picture film, photograph or pictorial representation, in a setting which taken as a whole suggests to the average person that the child has engaged in, or is about to engage in any sexual act, which shall include, but not be limited to, sodomy, oral copulation, sexual intercourse, masturbation, or bestiality, shall, upon conviction for the first offense be punished by imprisonment for not more than ten (10) years, or a fine of not more than ten thousand dollars ($10,000), or both; upon conviction of a subsequent offense, be punished by imprisonment for not more than fifteen (15) years, a fine of not more than fifteen thousand dollars ($15,000), or both.
(c)
Every person who shall exhibit, use, employ or shall in any manner or under pretense so exhibit, use, or employ any child under the age of eighteen (18) years to any person for the purpose of prostitution or for any other lewd or indecent act shall be imprisoned not exceeding twenty (20) years, or be fined not exceeding twenty thousand dollars ($20,000), or both.
History of Section.
G.L. 1896, ch. 115, § 4; P.L. 1897, ch. 475, § 1; G.L. 1909, ch. 139, § 4; G.L. 1923, ch. 142, § 4; P.L. 1926, ch. 845, § 1; P.L. 1931, ch. 1756, § 1; G.L. 1938, ch. 425, § 1; G.L. 1956, § 11-9-1; P.L. 1977, ch. 131, § 1; P.L. 1978, ch. 130, § 1; P.L. 1978, ch. 210, § 1; P.L. 1984, ch. 380, § 3; P.L. 1984, ch. 444, § 1; P.L. 1999, ch. 83, § 12; P.L. 1999, ch. 130, § 12.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-10. - Abandonment of refrigerator in place accessible to children.

§ 11-9-10. Abandonment of refrigerator in place accessible to children.
Whoever, having been the owner of any refrigerator, icebox, chest, or other similar article, abandons that refrigerator, icebox, chest, or other similar article in any place accessible to children if the abandoned unit has an attached lid or door which cannot be opened easily from the inside, and who fails to remove the door or doors from it before abandoning the unit, unless the unit may be easily opened from the inside, shall upon conviction be punished by a fine of not more than one hundred dollars ($100).
History of Section.
P.L. 1955, ch. 3523, § 1; G.L. 1956, § 11-9-10.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-11. - Designation of curfew streets.

§ 11-9-11. Designation of curfew streets.
The police commissioners of any city or town having a police commission, and the chief of police of any other city or town, may designate certain streets in the city or town as curfew streets. No minor under sixteen (16) years of age shall be allowed to loiter on any curfew street after 9 o’clock (9:00) p.m., unless accompanied by some adult person.
History of Section.
P.L. 1911, ch. 718, § 1; G.L. 1923, ch. 399, § 43; G.L. 1938, ch. 610, § 43; G.L. 1956, § 11-9-11.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-12. - Penalty for loitering on curfew street.

§ 11-9-12. Penalty for loitering on curfew street.
Any minor under sixteen (16) years of age, not accompanied by an adult person, who shall loiter on any curfew street after being directed by any police constable to cease loitering, shall be fined not exceeding five dollars ($5.00).
History of Section.
P.L. 1911, ch. 718, § 2; G.L. 1923, ch. 399, § 44; G.L. 1938, ch. 610, § 44; G.L. 1956, § 11-9-12.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.1. - Cigarette and tobacco vending machines.

§ 11-9-13.1. Cigarette and tobacco vending machines.
(a)
No cigarettes, nor any other tobacco product, nor electronic nicotine-delivery system product shall be sold from any device or vending machine that is in an area not continuously supervised and in direct line of sight of an authorized person employed by the person, firm, or corporation that owns the business occupying the premises in which the device or vending machine is located, nor shall any tobacco product, nor electronic nicotine-delivery system product be sold from any device or vending machine that is in an area supervised by such an authorized person unless the device or vending machine is equipped with an electronic locking device that will not allow the device or vending machine to dispense a pack of cigarettes, or any other tobacco product, or electronic nicotine-delivery system product unless it is electronically unlocked from a secured position inaccessible to the public and under the supervision of an authorized person employed by the person, firm, or corporation that owns the business occupying the premises in which the device or vending machine is located. “Direct line of sight” means that the vending machine and the purchaser of

cigarettes or electronic nicotine-delivery system product must be visible to the authorized person pressing the unlock button while the unlock button is being activated. Provided, a locking device shall not be required in an establishment licensed to sell alcoholic beverages that limits access to persons over the age of twenty-one (21) years.
(b)
No cigarettes, nor any other tobacco product, nor electronic nicotine-delivery system product shall be sold from any device or vending machine from which non-tobacco products are sold.
(c)
No cigarettes shall be sold in packs that contain less than twenty (20) cigarettes.
(d)
Any person, firm, or corporation who or that owns a business occupying the premises in which a device or vending machine that dispenses cigarettes, or any other tobacco product or electronic nicotine-delivery system product is located who or that shall violate any of the provisions of subsections (a) and (b) of this section shall for the first offense be subject to a fine of seventy-five dollars ($75.00), for the second offense, be subject to a fine of one hundred fifty dollars ($150), and for the third and any subsequent offense, be subject to a fine of five hundred dollars ($500); provided, that in the event that there are no offenses in three (3) successive years from the date of the last offense, then the next offense shall be treated as the first offense.
(e)
Any person, firm, or corporation who or that shall violate subsection (c) of this section shall, for the first offense, be subject to a fine of seventy-five dollars ($75.00), for the second offense, be subject to a fine of one hundred fifty dollars ($150), and for the third and any subsequent offense, be subject to a fine of five hundred dollars ($500); provided, that in the event that there are no offenses in three (3) successive years from the date of the last offense, then the next offense shall be treated as the first offense.
(f)
One-half (½) of all the fines collected pursuant to this section shall be transferred to the municipalities in which the citations originated. One-half (½) of all the fines collected pursuant to this section shall be transferred to the general fund.
(g) Severability.
If any provision of this section or the application of it to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this section, which can be given effect without the invalid provision or application, and to this end the provisions of this section are declared to be severable.
History of Section.
P.L. 1995, ch. 77, § 1; P.L. 2001, ch. 120, § 1; P.L. 2014, ch. 182, § 1; P.L. 2014, ch. 223, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.10. - Prohibition on the distribution of free tobacco products, including electronic nicotine-delivery system products.

§ 11-9-13.10. Prohibition on the distribution of free tobacco products, including electronic nicotine-delivery system products.
The distribution and/or redemption of free tobacco products, including electronic nicotine-delivery system products or coupons or vouchers redeemable for free or discounted tobacco products, including electronic nicotine-delivery system products, to any individual under twenty-one (21) years of age shall be prohibited. Further, the distribution and/or redemption of free tobacco products, including electronic nicotine-delivery system products or coupons or vouchers redeemable for free or discounted tobacco products, including electronic nicotine-delivery system products, shall be prohibited, regardless of the age of the individual to whom the products, coupons, or vouchers are distributed, within five hundred feet (500′) of any school. The attorney general, or any local or state of Rhode Island police department, or their officers or agents, shall bring an action for any violation of this section. Every separate, free or discounted tobacco product, including an electronic nicotine-delivery system product or coupon or voucher redeemable for a free or discounted tobacco product, including an electronic nicotine-delivery system or product, in violation of this section shall constitute a separate offense subject to a fine of five hundred dollars ($500). The penalty shall be assessed against the person or individual responsible for initiating the Rhode Island distribution of the free or discounted tobacco products, including electronic nicotine-delivery system products or coupons or vouchers redeemable for free or discounted tobacco products, including electronic nicotine-delivery system products, and/or against the person or individual responsible for the redemption of such coupons or vouchers.
History of Section.
P.L. 1996, ch. 321, § 1; P.L. 2014, ch. 182, § 1; P.L. 2014, ch. 223, § 1; P.L. 2017, ch. 409, § 2; P.L. 2017, ch. 426, § 2; P.L. 2021, ch. 204, § 1, effective July 7, 2021; P.L. 2021, ch. 205, § 1, effective July 7, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.11. - Prohibition on the sale or distribution of tobacco products, including electronic nicotine-delivery system products, through the mail — Conveyance of tobacco products, including electronic nicotine-delivery system products, through the mail to individuals under twenty-one (21) — Proof of age of purchaser required — General rule.

§ 11-9-13.11. Prohibition on the sale or distribution of tobacco products, including electronic nicotine-delivery system products, through the mail — Conveyance of tobacco products, including electronic nicotine-delivery system products, through the mail to individuals under twenty-one (21) — Proof of age of purchaser required — General rule.
(a)

The distribution, or sale or conveyance of tobacco products, including electronic nicotine-delivery system products, to individuals under the age of twenty-one (21) via the United States Postal Service, or by any other public or private postal or package delivery service, shall be prohibited.

(b)

Any person, including, but not limited to, on-line retailers, selling or distributing tobacco products in the form of little cigars as defined in § 44-20.2-1, snuff, any and all products defined in § 44-20-1, or electronic nicotine-delivery system products directly to a purchaser via the United States Postal Service, or by any other public or private postal or package delivery service, including orders placed by mail, telephone, facsimile, or internet, shall: (1) before distributing or selling the tobacco product, including electronic nicotine-delivery system products, through any of these means, receive both a copy of a valid form of government identification showing date of birth to verify the purchaser is age twenty-one (21) years or over and an attestation from the purchaser certifying that the information on the government identification truly and correctly identifies the purchaser and the purchaser's current address, and (2) deliver the tobacco product, including electronic nicotine-delivery system products, to the address of the purchaser given on the valid form of government identification and by a postal or package delivery service method that either limits delivery to that purchaser and requires the purchaser to sign personally to receive the delivery or requires a signature of an individual age twenty-one (21) or over at the purchaser's address to deliver the package.

(c)

The attorney general shall bring an action for any violation of this chapter. Any distribution, or sale or conveyance of a tobacco product, including electronic nicotine-delivery system products, to an individual under twenty-one (21) years of age via the United States Postal Service, or by any other public or private postal or package delivery service, shall be subject to an action against the distributor, or seller or conveyor by the attorney general of the state of Rhode Island. A minimum fine of one thousand dollars ($1,000) shall be assessed against any distributor, or seller or conveyor convicted of distributing, or selling or conveying tobacco products, including electronic nicotine-delivery system products, via the United States postal service, or by any other public or private postal or package delivery service, for each delivery, or sale or conveyance of a tobacco product, including electronic nicotine-delivery system products, to an individual under twenty-one (21) years of age.

(d)

For the purpose of this section, "distribution," "distributing," "selling" and "sale" do not include the acts of the United States Postal Service or other common carrier when engaged in the business of transporting and delivering packages for others or the acts of a person, whether compensated or not, who transports or delivers a package for another person without any reason to know of the package's contents.

(e)

Any delivery sale of cigarettes shall be made pursuant to the provisions of chapter 20.1 of title 44. The provisions of this section shall apply to each tobacco product listed in subsection (b) herein, which include electronic nicotine-delivery system products, but shall not apply to any delivery sale of cigarettes.

History of Section.

P.L. 1996, ch. 321, § 1; P.L. 2000, ch. 210, § 1; P.L. 2005, ch. 346, § 1; P.L. 2005, ch. 392, § 1; P.L. 2021, ch. 204, § 1, effective July 7, 2021; P.L. 2021, ch. 205, § 1, effective July 7, 2021; P.L. 2024, ch. 117, art. 6, § 3, effective June 17, 2024.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.12. - Enforcement and penalties — Citation for violation.

§ 11-9-13.12. Enforcement and penalties — Citation for violation.

(a)

Any local or state of Rhode Island police department or the attorney general, their officers or agents, shall issue a citation for any violation of the requirements or prohibitions of this chapter.

(b)

The license holder receiving the citation may elect to plead guilty to the violation(s) and pay the fine(s) through the mail within ten (10) days, or appear in court to answer to the citation.

(c)

All recipients of third and subsequent citations within any thirty-six (36) month period shall appear in court for a hearing on the citation.

(d)

The failure of a license holder to either pay the citation through the mail within ten (10) days, where permitted under this section, or to appear in court on the date specified shall be cause for the court to hold the license holder in contempt of court with the penalty assessed a suspension of license for six (6) months and a five hundred dollar ($500) fine.

(e)

The court shall impose court costs and any other court fee(s) on anyone convicted in court of a violation of this section.

History of Section.

P.L. 1996, ch. 321, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.13. - Nature and size of

penalties.

§ 11-9-13.13. Nature and size of penalties.

(a)

Any license holder who violates a requirement of § 11-9-13.6(2) or § 11-9-13.7, display of specific signage, shall be subject to a fine in court of not less than thirty-five dollars ($35.00), nor more than five hundred dollars ($500), per civil violation.

(b)

The license holder is responsible for all violations of this section that occur at the location for which the license is issued. Any license holder who or that violates the prohibition of § 11-9-13.8(1) or § 11-9-13.20 shall be subject to civil fines as follows:

(1)

A fine of two hundred fifty dollars ($250) for the first violation within any thirty-six-month (36) period;

(2)

A fine of five hundred dollars ($500) for the second violation within any thirty-six-month (36) period;

(3)

A fine of one thousand dollars ($1,000) and a fourteen-day (14) suspension of the license to sell tobacco products or electronic nicotine-delivery systems for the third violation within any thirty-six-month (36) period;

(4)

A fine of one thousand five hundred dollars ($1,500) and a ninety-day (90) suspension of the license to sell tobacco products or electronic nicotine-delivery systems for each violation in excess of three (3).

(c)

Any person who or that violates a prohibition of § 11-9-13.8(3), sale of single cigarettes; or § 11-9-13.8(2), regarding factory-wrapped packs as sealed and certified by the manufacturer; shall be subject to a penalty of five hundred dollars ($500) for each violation.

(d)

The department of taxation shall not issue a license to any individual, business, firm, fiduciary, partnership, trust, association, or corporation, the license of which has been revoked or suspended; to any corporation, an officer of which has had his or her license revoked or suspended; or to any individual who is, or has been, an officer of a corporation the license of which has been revoked or suspended so long as such revocations or suspensions are in effect.

(e)

The court may suspend the imposition of a license suspension of the license secured from the Rhode Island tax administrator or department of health for a violation of subsections (b)(3) and (b)(4) of this section if the court finds that the license holder has taken measures to prevent the sale of tobacco products, including electronic nicotine-delivery system products, to an underage individual and the license holder can demonstrate to the court that those measures have been taken and that employees have received training. No person or individual shall sell tobacco products, including electronic nicotine-delivery system products, at retail without first being trained in the legal sale of tobacco products, including electronic nicotine-delivery system products. Training shall teach employees what constitutes a tobacco product, including an electronic nicotine-delivery system product; legal age of sale; acceptable identification; how to refuse a direct sale to an underage individual or secondary sale to an individual twenty-one (21) years or older; and all applicable laws on tobacco sales and distribution. Dealers shall maintain records indicating that the provisions of this section were reviewed with all employees who conduct, or will conduct, tobacco product sales, including electronic nicotine-delivery system product sales. Each employee who sells or will sell tobacco products, including electronic nicotine-delivery system products, shall sign an acknowledgement form attesting that the provisions of this section were reviewed with him or her. Each form shall be maintained by the retailer for as long as the employee is so employed and for no less than one year after termination of employment. The measures to prevent the sale of tobacco products, including electronic nicotine-delivery system products, to underage individuals shall be defined by the department of behavioral healthcare, developmental disabilities and hospitals in rules and regulations.

History of Section.

P.L. 1996, ch. 321, § 1; P.L. 2000, ch. 103, § 1; P.L. 2000, ch. 366, § 1; P.L. 2001, ch. 391, § 1; P.L. 2005, ch. 336, § 1; P.L. 2005, ch. 386, § 1; P.L. 2014, ch. 182, § 1; P.L. 2014, ch. 223, § 1; P.L. 2017, ch. 409, § 2; P.L. 2017, ch. 426, § 2; P.L. 2018, ch. 346, § 18; P.L. 2021, ch. 204, § 1, effective July 7, 2021; P.L. 2021, ch. 205, § 1, effective July 7, 2021; P.L. 2024, ch. 117, art. 6, § 3, effective June 17, 2024.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.14. - Notification to the Department of Taxation of fines imposed.

§ 11-9-13.14. Notification to the Department of Taxation of fines imposed.

The court shall maintain records of any penalty, fine or suspension imposed under this chapter and notify within sixty (60) days the tax administrator of the penalty, fine or suspension imposed.

History of Section.

P.L. 1996, ch. 321, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.15. - Penalty for

operating without a dealer license.

§ 11-9-13.15. Penalty for operating without a dealer license.
(a)
Any individual or business who or that violates this chapter by selling or conveying a tobacco product without a retail tobacco products dealer license shall be cited for that violation and shall be required to appear in court for a hearing on the citation.
(b)
Any individual or business cited for a violation under this section of this chapter shall:
(1)
Either post a two-thousand-five-hundred-dollar ($2,500) bond with the court within ten (10) days of the citation; or
(2)
Sign and accept the citation indicating a promise to appear in court.
(c)
An individual or business who or that has accepted the citation may:
(1)
Pay a ten-thousand-dollar ($10,000) fine, either by mail or in person, within ten (10) days after receiving the citation; or
(2)
If that individual or business has posted a bond, forfeit the bond by not appearing at the scheduled hearing. If the individual or business cited pays the ten-thousand-dollar ($10,000) fine or forfeits the bond, that individual or business is deemed to have admitted the cited violation and to have waived the right to a hearing on the issue of commission on the violation.
(d)
The court after a hearing on a citation shall make a determination as to whether a violation has been committed. If it is established that the violation did occur, the court shall impose a ten-thousand-dollar ($10,000) fine, in addition to any court costs or other court fees.
History of Section.
P.L. 1996, ch. 321, § 1; P.L. 2014, ch. 151, § 2; P.L. 2014, ch. 168, § 2; P.L. 2016, ch. 512, art. 1, § 4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.16. - Rules and regulations.

§ 11-9-13.16. Rules and regulations.
The department of behavioral healthcare, developmental disabilities and hospitals shall promulgate the rules and regulations necessary to fulfill the intent of §§ 11-9-13.2 — 11-9-13.20.
History of Section.
P.L. 1996, ch. 321, § 1; P.L. 2000, ch. 109, § 5; P.L. 2001, ch. 391, § 1; P.L. 2017, ch. 409, § 2; P.L. 2017, ch. 426, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.17. - Fines collected.

§ 11-9-13.17. Fines collected.
(a)
One-half (½) of all the fines collected pursuant to §§ 11-9-13.2 — 11-9-13.20 shall be transferred to the municipalities in which the citation originated.
(b)
One-half (½) of all the fines collected pursuant to §§ 11-9-13.2 — 11-9-13.20 shall be transferred to the general fund.
History of Section.
P.L. 1996, ch. 321, § 1; P.L. 2017, ch. 409, § 2; P.L. 2017, ch. 426, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.18. - Prohibition on the sale or distribution of certain excise tax stamps.

§ 11-9-13.18. Prohibition on the sale or distribution of certain excise tax stamps.
The division of taxation shall not sell or distribute cigarette excise tax stamps, or permit the use of a metering machine as described in § 44-20-20 for any cigarette product packaged with less than twenty (20) cigarettes per package. The sale or distribution of cigarettes in packages of less than twenty (20) is prohibited.
History of Section.
P.L. 1996, ch. 321, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.19. - Severability.

§ 11-9-13.19. Severability.
If any provision of this chapter or the application of it to any individual or circumstances is held invalid in a court test, that invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

History of Section.
P.L. 1996, ch. 321, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.2. - Short title.

§ 11-9-13.2. Short title.
§§ 11-9-13.2 — 11-9-13.19 shall be cited as “An Act to Stop the Illegal Sale of Tobacco Products to Individuals Under Twenty-One (21) Years of Age.”
History of Section.
P.L. 1996, ch. 321, § 1; P.L. 2021, ch. 204, § 1, effective July 7, 2021; P.L. 2021, ch. 205, § 1, effective July 7, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.20. - Packaging of electronic nicotine-delivery system liquid.

§ 11-9-13.20. Packaging of electronic nicotine-delivery system liquid.
(a)
No liquid, whether or not such liquid contains nicotine, that is intended for human consumption and used in an electronic nicotine-delivery system, as defined in § 11-9-13.4, shall be sold unless the liquid is contained in child-resistant packaging.
(b)
Any liquid nicotine container that is sold at retail in this state must satisfy the child-resistant effectiveness standards set forth in 16 C.F.R. § 1700.15(b), when tested in accordance with the method described in 16 C.F.R. § 1700.20. All licensees under § 44-20-2 shall ensure that any liquid sold by the licensee intended for human consumption and used in an electronic-nicotine delivery system, as defined in § 11-9-13.4, is sold in a liquid nicotine container that meets the requirements described and referenced in this subsection.
(c)
For the purposes of this section, “liquid nicotine container” means a bottle or other container of a liquid or other substance where the liquid or substance is sold, marketed, or intended for use in a vapor product. A “liquid nicotine container” does not include a liquid or other substance in a cartridge that is sold, marketed, or intended for use in a vapor product, provided that such cartridge is prefilled and sealed by the manufacturer and not intended to be opened by the purchaser.
(d)
Any licensee or any person required to be licensed under § 44-20-2 who or that fails to comply with this section shall be subject to the penalties provided in § 11-9-13.13.
(e)
The licensee is responsible for all violations of this section that occur at the location for which the license is issued.
(f)
No licensee or person shall be found in violation of this section if the licensee or person relied in good faith on documentation provided by or attributed to the manufacturer of the packaging of the aforementioned liquid that such packaging meets the requirements of this section.
(g)
On or after January 1, 2025, any product found to be in violation of this chapter shall be considered contraband and subject to the confiscation provisions outlined in § 44-20-15.
History of Section.
P.L. 2017, ch. 409, § 1; P.L. 2017, ch. 426, § 1; P.L. 2024, ch. 117, art. 6, § 3, effective June 17, 2024.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.3. - Legislative intent — Purpose.

§ 11-9-13.3. Legislative intent — Purpose.
The use of tobacco by Rhode Island children is a health and substance abuse problem of the utmost severity. The legislature finds that tobacco product usage by children in Rhode Island is rampant and increasing with over thirty percent (30%) of high school students smoking. The present law prohibiting the sale of tobacco to children is being ignored by many retailers. Rhode Island tobacco retailers illegally sell four million eight hundred thousand (4,800,000) packs, over eleven million dollars ($11,000,000) in tobacco product sales, to children annually. Tobacco industry advertising targets children as the replacement smokers for the one thousand one hundred forty-five (1,145) adults who die daily from tobacco product usage. Approximately seventy percent (70%) of the Rhode Island high school seniors who are smoking today will be the addicted adult smokers of tomorrow. According to the federal Centers for Disease Control and Prevention (CDC), smoking-related direct medical costs in Rhode Island in 1990 climbed to one hundred eighty-six million dollars ($186,000,000). This is an ongoing, escalating financial burden borne by every business, large and small, and every person, smoker and nonsmoker, in Rhode Island. This is a health and economic drain created by each new generation of children who begin using tobacco products and become addicted to nicotine. It is the intent of this legislation to preserve and protect the health of children by: (1) stopping the illegal sale of tobacco to children, and (2) by severely punishing those who disregard the laws relating to the illegal sale of tobacco products to children.
History of Section.

P.L. 1996, ch. 321, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.4. - Definitions.

§ 11-9-13.4. Definitions.

For the purposes of this chapter:

(1)

“Bidi cigarette” means any product that (i) Contains tobacco that is wrapped in temburni or tender leaf, or that is wrapped in any other material identified by rules of the department of health that is similar in appearance or characteristics to the temburni or tender leaf, and (ii) Does not contain a smoke filtering device.

(2)

“Court” means any appropriate district court of the state of Rhode Island.

(3)

“Dealer” is synonymous with the term “retail tobacco products dealer.”

(4)

“Department of behavioral healthcare, developmental disabilities and hospitals” means the state of Rhode Island behavioral healthcare, developmental disabilities and hospitals department, its employees, agents, or assigns.

(5)

“Department of taxation” means the state of Rhode Island taxation division, its employees, agents, or assigns.

(6)

“Electronic nicotine-delivery system” means an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic little cigars, electronic pipe, electronic hookah, e-liquids, e-liquid products, or any related device and any cartridge or other component of such device.

(7)

“Electronic nicotine-delivery system product” means any combination of electronic nicotine-delivery system and/or e-liquid and/or any derivative thereof, and/or any e-liquid container. Electronic nicotine-delivery system products shall not include hemp-derived consumable cannabidiol (CBD) products as defined in § 2-26-3.

(8)

“E-liquid” and “e-liquid products” means any liquid or substance placed in or sold for use in an electronic nicotine-delivery system that generally utilizes a heating element that aerosolizes, vaporizes, or combusts a liquid or other substance containing nicotine or nicotine derivative:

(i)

Whether the liquid or substance contains nicotine or a nicotine derivative; or

(ii)

Whether sold separately or sold in combination with a personal vaporizer, electronic nicotine-delivery system, or an electronic inhaler.

(9)

“License” is synonymous with the term “retail tobacco products dealer license” or “electronic nicotine-delivery system license” or any license issued under chapter 20 of title 44.

(10)

“License holder” is synonymous with the term “retail tobacco products dealer” or “electronic nicotine-delivery system license” or any licenses issued under chapter 20 of title 44.

(11)

“Little cigars” means and includes any roll, made wholly or in part of tobacco, irrespective of size or shape, and irrespective of whether the tobacco is flavored, adulterated, or mixed with any other ingredient, where such roll has a wrapper or cover made of tobacco wrapped in leaf tobacco or any substance containing tobacco paper or any other material and where such roll has an integrated filter, except where such wrapper is wholly or in greater part made of tobacco and where such roll has an integrated filter and weighs over four (4) pounds per thousand (1,000).

(12)

“Person” means any individual person, firm, fiduciary, partnership, trust, association, or corporation licensed as a retail dealer to sell tobacco products within the state.

(13)

“Retail tobacco products dealer” means the holder of a license to sell tobacco products at retail and shall include holders of all other licenses issued under chapter 20 of title 44.

(14)

“Retail tobacco products dealer license” means a license to sell tobacco products and/or electronic nicotine-delivery system products as defined in § 44-20-1(6) at retail as issued by the department of taxation.

(15)

“Spitting tobacco” also means snuff, powdered tobacco, chewing tobacco, dipping tobacco, pouch tobacco, or smokeless tobacco.

(16)
“Tobacco product(s)” means any product(s) containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including, but not limited to, a cigarette, a little cigar as defined in § 44-20.2-1, and any and all products as defined in § 44-20-1, electronic nicotine-delivery system products, or any added substance that may be aerosolized, vaporized, or otherwise delivered by such an electronic nicotine-delivery system device, whether or not that substance contains nicotine.
(i)
“Tobacco product(s)” does not include drugs, devices, or combination products intended to treat tobacco or nicotine dependence that are authorized by the United States Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act. Nor does it include such authorized drugs, devices, or combination products with such treatment purpose by individuals under age twenty-one (21) if prescribed by a licensed prescriber such as a physician, nurse practitioner, or physician assistant.
(17)
“Underage individual” or “underage individuals” means any individual under the age of twenty-one (21).
History of Section.
P.L. 1996, ch. 321, § 1; P.L. 2001, ch. 124, § 1; P.L. 2001, ch. 149, § 1; P.L. 2001, ch. 391, § 1; P.L. 2008, ch. 104, § 3; P.L. 2014, ch. 182, § 1; P.L. 2014, ch. 223, § 1; P.L. 2021, ch. 204, § 1, effective July 7, 2021; P.L. 2021, ch. 205, § 1, effective July 7, 2021; P.L. 2024, ch. 117, art. 6, § 3, effective June 17, 2024.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.5. - Responsibility for tobacco or health issues.

§ 11-9-13.5. Responsibility for tobacco or health issues.
The Rhode Island department of behavioral healthcare, developmental disabilities and hospitals shall develop, monitor, and aggressively enforce health rules and regulations pertaining to stopping the illegal sale of tobacco products which include electronic nicotine-delivery system products to individuals under twenty-one (21) years of age.
History of Section.
P.L. 1996, ch. 321, § 1; P.L. 2001, ch. 391, § 1; P.L. 2021, ch. 204, § 1, effective July 7, 2021; P.L. 2021, ch. 205, § 1, effective July 7, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.6. - Duties of the department of behavioral healthcare, developmental disabilities and hospitals.

§ 11-9-13.6. Duties of the department of behavioral healthcare, developmental disabilities and hospitals.
The department of behavioral healthcare, developmental disabilities and hospitals shall:
(1)
Coordinate and promote the enforcement of the provisions of this chapter and serve as the primary liaison from this department to other state or local agencies, departments, or divisions on issues pertaining to stopping individuals’ under twenty-one (21) years of age access to tobacco products, which include electronic nicotine-delivery system products.
(2)
Provide retail tobacco products dealers and electronic nicotine-delivery system products dealers signs concerning the prohibition of sales to individuals under twenty-one (21) years of age. The signs, conforming to the requirements of this chapter, shall be sold at cost. This sign, or an exact duplicate of it made privately, shall be displayed in all locations where tobacco products, including electronic nicotine-delivery system products, are sold.
(3)
Investigate concurrently with other state and local officials violations of this chapter.
(4)(i)
Utilize unannounced statewide compliance checks of tobacco product sales, including electronic nicotine-delivery system product sales; retail tobacco product over-the-counter sales, which include electronic nicotine-delivery system product over-the-counter sales; mail-order sales initiated via mail, facsimile, telephone, or internet ordering or other types of electronic communications; and tobacco product, including electronic nicotine-delivery system product vending machine sales, as part of investigating compliance with the provisions of this chapter. Underage individuals, acting as agents for the department of behavioral healthcare, developmental disabilities and hospitals and with the written permission of a parent or guardian for individuals under eighteen (18) years of age, may purchase, with impunity from prosecution, tobacco products, including electronic nicotine-delivery system products, for the purposes of law enforcement or government research involving monitoring compliance with this chapter, provided that the underage individuals are supervised by an adult law enforcement official. Any individual participating in an unannounced compliance check of over-the-counter or vending machine sales must state his or her accurate age if asked by the sales representative of the retail establishment being checked.
(ii)
In fulfilling the requirement of unannounced statewide compliance checks, the department of behavioral healthcare, developmental disabilities and hospitals shall maintain complete records of the unannounced compliance checks, detailing, at least, the date of the

compliance check; the name and address of the retail establishment checked or the mail order company; the results of the compliance check (sale/no sale); whether the sale was made as an over-the-counter sale, a mail-order purchase or a tobacco product, including an electronic nicotine-delivery system product vending machine sale; and if a citation was issued for any violation found. The records shall be subject to public disclosure. Further, the department of behavioral healthcare, developmental disabilities and hospitals shall report to the owner of each retail establishment checked or mail-order company the results of any compliance check (sale/no sale) whether the sale was made as an over-the-counter sale, a mail-order purchase, or a tobacco and/or electronic nicotine-delivery system product vending machine sale, and if a citation was issued for any violation found.
(5)
Seek enforcement, concurrently with other state and local officials, of the penalties as detailed in this chapter.
(6)
Develop and disseminate community health education information and materials relating to this chapter.
History of Section.
P.L. 1996, ch. 321, § 1; P.L. 2000, ch. 210, § 1; P.L. 2001, ch. 391, § 1; P.L. 2014, ch. 182, § 1; P.L. 2014, ch. 223, § 1; P.L. 2021, ch. 204, § 1, effective July 7, 2021; P.L. 2021, ch. 205, § 1, effective July 7, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.7. - Signs concerning sales to individuals under age twenty-one (21).

§ 11-9-13.7. Signs concerning sales to individuals under age twenty-one (21).
Signs provided by the department of behavioral healthcare, developmental disabilities and hospitals, or an exact duplicate of it made privately, shall:
(1)
Contain in red bold lettering a minimum of three-eighths inch (
3
/
8
″) high on a white background the following wording in both English and Spanish:
THE SALE OF TOBACCO PRODUCTS,
INCLUDING CIGARETTES AND
ELECTRONIC NICOTINE-DELIVERY SYSTEM
PRODUCTS
TO INDIVIDUALS UNDER THE AGE OF 21
IS AGAINST RHODE ISLAND LAW
(§ 11-9-13.8(1), Rhode Island Statutes)
PHOTO ID FOR PROOF OF AGE IS
REQUIRED FOR PURCHASE.
(2)
Contain the phone number at the department of behavioral healthcare, developmental disabilities and hospitals, where violations of §§ 11-9-13.2 — 11-9-13.19 can be reported, in addition to any other information required by the department of behavioral healthcare, developmental disabilities and hospitals.
(3)
Be displayed prominently for public view, wherever tobacco products, including electronic nicotine-delivery system products, are sold at each cash register, each tobacco product vending machine, including each electronic nicotine-delivery system product vending machine, or any other place from which tobacco products, including electronic nicotine-delivery system products, are sold. The signs shall be electronically available in both English and Spanish online at the department of behavioral healthcare, developmental disabilities and hospitals' website.
History of Section.
P.L. 1996, ch. 321, § 1; P.L. 2001, ch. 391, § 1; P.L. 2013, ch. 336, § 1; P.L. 2013, ch. 429, § 1; P.L. 2014, ch. 182, § 1; P.L. 2014, ch. 223, § 1; P.L. 2021, ch. 204, § 1, effective July 7, 2021; P.L. 2021, ch. 205, § 1, effective July 7, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.8. - Prohibitions applicable to license holders and their employees and agents.

§ 11-9-13.8. Prohibitions applicable to license holders and their employees and agents.
A person holding a license issued under chapter 20 of title 44 and/or § 23-1-56, or an employee or agent of that person, is prohibited from selling, distributing, or delivering a tobacco product, including an electronic nicotine-delivery system product:
(1)
To any individual who is under twenty-one (21) years of age; or
(2)
In any form other than an original, factory-wrapped package as sealed and certified by the manufacturer; or
(3)

As a single-cigarette sale (§ 44-20-31) or as a sale of cigarettes by the individual piece known as “loosies.”
History of Section.
P.L. 1996, ch. 321, § 1; P.L. 2014, ch. 182, § 1; P.L. 2014, ch. 223, § 1; P.L. 2021, ch. 204, § 1, effective July 7, 2021; P.L. 2021, ch. 205, § 1, effective July 7, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13.9. - Multiple citations prohibited.

§ 11-9-13.9. Multiple citations prohibited.
No person shall be liable under this chapter for more than one citation on any one day. However, a single citation may list one or more violations of this chapter.
History of Section.
P.L. 1996, ch. 321, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-13. - Sale or delivery of tobacco products, including electronic nicotine-delivery system products to individuals under twenty-one (21) — Posting notice of law.

§ 11-9-13. Sale or delivery of tobacco products, including electronic nicotine-delivery system products to individuals under twenty-one (21) — Posting notice of law.
No person shall sell, give, or deliver to any individual under twenty-one (21) years of age, any tobacco product in the form of cigarettes, bidi cigarettes, cigars, little cigars, flavored cigars known as “blunts,” unflavored “blunts,” flavored and unflavored blunt wraps, cigarette rolling papers of any size or composition, cigarillos and tiparillos, pipe tobacco, chewing tobacco, snuff, electronic nicotine-delivery system products, or any and all products as defined in § 44-20-1. Any person, firm, or corporation that owns, manages, or operates a place of business in which tobacco products are sold, including sales through tobacco product vending machines, shall post notice of this law conspicuously in the place of business in letters at least three-eighths of an inch (■″) high.
History of Section.
G.L. 1896, ch. 281, § 28; G.L. 1909, ch. 347, § 29; G.L. 1923, ch. 399, § 28; G.L. 1938, ch. 610, § 28; G.L. 1956, § 11-9-13; P.L. 1987, ch. 84, § 1; P.L. 1988, ch. 159, § 1; P.L. 1996, ch. 321, § 2; P.L. 2001, ch. 124, § 1; P.L. 2001, ch. 149, § 1; P.L. 2011, ch. 88, § 1; P.L. 2011, ch. 98, § 1; P.L. 2014, ch. 182, § 1; P.L. 2014, ch. 223, § 1; P.L. 2021, ch. 204, § 1, effective July 7, 2021; P.L. 2021, ch. 205, § 1, effective July 7, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-14.1. - Compliance with federal statutes and regulations.

§ 11-9-14.1. Compliance with federal statutes and regulations.
The provisions of §§ 11-9-13, 11-9-13.1, 11-9-13.4, 11-9-13.6, 11-9-13.7, 11-9-13.8, 11-9-13.10, 11-9-13.11, and 11-9-13.12 shall be interpreted so as not to be less restrictive than the Federal Food, Drug and Cosmetic Act, 21 U.S.C. § 387 et seq., including 21 U.S.C. § 387f(d), or than Section 1926 of the federal Public Health Service Act, 42 U.S.C. § 300x-26, or than any regulation promulgated or updated by the United States Food and Drug Administration or the United States Secretary of Health and Human Services arising from the acts; so as to comply with the provisions of the acts and related regulations in regard to prohibiting the sale of tobacco products, including electronic nicotine-delivery system products to individuals under the age of twenty-one (21) years; and so that the state may maintain qualification for federal funding regarding tobacco, the use and cessation of tobacco, including electronic nicotine-delivery system products. Nothing herein shall prohibit the state from enacting a statute or promulgating a regulation that is more restrictive than any provision of 21 U.S.C. § 387 et seq., or any provision of 42 U.S.C. § 300x-26.
History of Section.
P.L. 2021, ch. 204, § 2, effective July 7, 2021; P.L. 2021, ch. 205, § 2, effective July 7, 2021.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-15. - Tattooing of minors.

§ 11-9-15. Tattooing of minors.
(a)
Every person who shall tattoo any minor under the age of eighteen (18), except in accordance with subsection (b) for medical purposes, shall be guilty of a misdemeanor and, upon conviction, shall be imprisoned not exceeding one year or be fined not exceeding three hundred dollars ($300). For the purposes of this section, “tattooing” means the practice of marking the skin with indelible patterns or pictures by making punctures and inserting pigments. Nothing in this section shall be construed as prohibiting the removal of tattoo markings from the body of any person of whatsoever age.
(b)
Every person who shall tattoo the body of a minor under the age of eighteen (18), for medical purposes, the following shall apply:
(1)
The minor child shall be accompanied by his or her parent or legal guardian;
(2)

The minor child and his or her parent or legal guardian shall each submit proof of his or her identity by producing a government-issued photo identification;
(3)
The parent or legal guardian shall submit his or her written notarized consent in the format prescribed by the department;
(4)
The parent or legal guardian shall submit proof that he or she is the parent or legal guardian of the minor child;
(5)
The parent or legal guardian shall submit notarized consent by a physician licensed in accordance with chapter 5-37, authorizing the tattooing of a minor child for medical purposes;
(6)
The tattooing is performed by a tattoo artist licensed in accordance with § 23-1-39; and
(7)
The tattoo artist shall maintain all necessary records in a manner specified by the department.
(c)
Every person who tattoos the body of a minor child younger than eighteen (18) years of age may not violate the provisions of this section, if:
(1)
The person carefully inspects what appears to be a government-issued photo identification that represents that the minor child is eighteen (18) years of age or older.
(2)
The minor child falsely represents himself or herself as being eighteen (18) years of age or older and presents a fraudulent identification.
(3)
The person demonstrates clear and convincing standards in reviewing the authenticity of the documents, notarized consent and identification submitted in accordance with subsection (b).
(d)
Any person who violates the provisions of this chapter shall, upon a first conviction, be deemed guilty of a violation and fined not more than three hundred dollars ($300), and upon a second or subsequent conviction, shall be deemed guilty of a petty misdemeanor and fined not more than five hundred dollars ($500).
(e)
The director of the department of health shall have the following powers and duties:
(1)
To promulgate regulations relative to administering this section; and
(2)
To create all necessary applications and certificates necessary to implement the provisions of this section.
(f)
If any provision of this chapter or its application to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.
History of Section.
G.L. 1923, ch. 399, § 45; P.L. 1932, ch. 1922, § 1; G.L. 1938, ch. 610, § 45; P.L. 1956, ch. 3713, § 1; G.L. 1956, § 11-9-15; P.L. 2013, ch. 148, § 1; P.L. 2013, ch. 197, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-16. - Plastic bags — Labeling.

§ 11-9-16. Plastic bags — Labeling.
(a)
“Plastic bag” means a polyethylene bag, other than one used for food products weighing not more than five (5) pounds, intended for household use or for packaging articles intended for household use, which is larger than five inches (5″) in diameter at the opened end, and is made of thin film less than one mil (0.001 inch) in thickness (according to standards established under the commodity standards division of the United States Department of Commerce).
(b)
No person shall package, deliver or sell any article for use in or around the household in a plastic bag, or shall sell or distribute any plastic bag for use in or around the household, unless the bag bears a warning against the hazard of suffocation by children in the following or substantially equivalent wording:
“Keep from children — may cause suffocation”
“WARNING: Keep this bag away from babies and children. Do not use in cribs, beds, carriages, or playpens. The thin film may cling to nose and mouth and prevent breathing.”
(c)

The warning shall be printed on, attached to, or accompany each bag; provided, that it shall be permissible to print the warning on the outside wrapper of packages of bags intended only for home processing use, such as freezer bags and garbage disposal bags, in lieu of on each individual bag. The warning shall be conspicuously displayed in bold face type, in accordance with the following table:

Total of the length and width of the bag, combined	Font Size
60 inches or more	24 points
40 inches, but less than 60 inches	18 points
30 inches, but less than 40 inches	14 points
Less than 30 inches	10 points

(d)
Any person who shall violate the provisions of this section shall upon conviction be fined not exceeding one hundred dollars ($100).
History of Section.
P.L. 1959, ch. 82, § 1; P.L. 1960, ch. 171, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-17. - Sterilization.

§ 11-9-17. Sterilization.
Every person who performs or aids and abets in the performance of a sterilization procedure on any person under the age of eighteen (18), unless the sterilization is incidental to, or is rendered necessary or unavoidable by, some other medical treatment or procedure required to preserve the life or health of that person, shall be guilty of a felony punishable by up to five (5) years imprisonment and a fine of up to five thousand dollars ($5,000), or both.
History of Section.
P.L. 1974, ch. 187, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-18. - Care of babies born alive during attempted abortions.

§ 11-9-18. Care of babies born alive during attempted abortions.
Any physician, nurse, or other licensed medical person who knowingly and intentionally fails to provide reasonable medical care and treatment to an infant born alive in the course of an abortion shall be guilty of a felony and upon conviction shall be fined not exceeding five thousand dollars ($5,000), or imprisoned not exceeding five (5) years, or both. Any physician, nurse, or other licensed medical person who knowingly and intentionally fails to provide reasonable medical care and treatment to an infant born alive in the course of an abortion, and, as a result of that failure, the infant dies, shall be guilty of the crime of manslaughter.
History of Section.
P.L. 1981, ch. 280, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-19.1. - Possession of spray paint by a minor.

§ 11-9-19.1. Possession of spray paint by a minor.
(a)
No person under the age of eighteen (18) years shall have in his or her possession or under his or her control any aerosol container of spray paint. Any person violating the provisions of this section shall be subject to a requirement of up to fifty (50) hours of community restitution work.
(b)
Subsection (a) of this section shall not apply to possession or use of aerosol spray paint containers on property owned or rented by the minor or his or her parent(s) or guardian(s).
History of Section.
P.L. 1993, ch. 361, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-19. - Sale of spray paint to minors.

§ 11-9-19. Sale of spray paint to minors.
(a)
No person shall knowingly sell to any child under eighteen (18) years of age any aerosol container of paint capable of defacing property.

(b)
For purposes of this section, bona fide evidence of majority, identity of majority and identity of the person is a document issued by a federal, state, county, or municipal government, or subdivision or agency of them, including, but not limited to, a motor vehicle operator's license, a registration certificate issued under the federal Selective Service Act, 50 App. U.S.C. § 451 et seq., or an identification card issued to a member of the armed forces.
(c)
Proof that the defendant, or his employee or agent, demanded, was shown and acted in reliance upon bona fide evidence in any sale transaction forbidden by subsection (a) of this section, shall be a defense to any criminal prosecution for that violation.
(d)
Any person who owns, manages or operates a place of business where aerosol containers of paint capable of defacing property are sold shall conspicuously post notice of this law in the place of business in letters at least three-eighths of an inch (■") high.
(e)
Any person violating the provisions of this section shall be fined not more than one hundred dollars ($100) for each offense.
History of Section.
P.L. 1981, ch. 394, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-2. - Employment of children for unlawful purposes.

§ 11-9-2. Employment of children for unlawful purposes.
Every person who shall take, receive, hire, employ, exhibit, or have in custody, or who shall cause to be taken, hired, employed, exhibited, or held in custody, any child under the age of sixteen (16) years, for any of the purposes prohibited in § 11-9-1, shall be held guilty of a misdemeanor, and shall be punished for every such offense in the manner provided in that section.
History of Section.
G.L. 1896, ch. 15, § 5; P.L. 1897, ch. 475, § 2; G.L. 1909, ch. 139, § 5; G.L. 1923, ch. 142, § 5; P.L. 1926, ch. 844, § 1; G.L. 1938, ch. 425, § 2; G.L. 1956, § 11-9-2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-20. - Sale of matches.

§ 11-9-20. Sale of matches.
(a)
No person, firm or corporation that owns, manages or operates a place of business including vending machines shall knowingly sell, give or deliver matches to any child under the age of twelve (12) years. The owner, operator or manager of a place of business where matches are sold shall post a notice of this law conspicuously in the place of business in letters at least three-eighths of an inch (■") high. Signs required by this section may be provided, at cost, by the department of health.
(b)
Any person violating the provisions of this section shall be fined one hundred dollars ($100) for each offense.
History of Section.
P.L. 1988, ch. 159, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-21. - Prohibition of sale of certain dietary supplements to minors.

§ 11-9-21. Prohibition of sale of certain dietary supplements to minors.
(a)
It shall be a misdemeanor for any manufacturer, wholesaler, retailer, or other person, to sell, transfer, or otherwise furnish any of the following to a person under 18 years of age:
(1)
A dietary supplement containing an ephedrine group alkaloid.
(2)
A dietary supplement containing any of the following:
(A)
Androstanedoil.
(B)
Androstanedione.
(C)
Androstenedione.
(D)
Noradrostenediol.
(E)
Norandrostenedione.
(F)

Dehydroepiandrosterone.
(b)
The seller shall request valid identification from any individual who attempts to purchase a dietary supplement set forth in subsection (a) if that individual reasonably appears to the seller to be under 18 years of age.
(c)
Notwithstanding subsections (a) and (b), a retail clerk who fails to request identification pursuant to subsection (b) of this section shall not be guilty of a misdemeanor, subject to any civil penalties, or subject to any disciplinary action or discharge by his or her employer.
History of Section.
P.L. 2005, ch. 244, § 2; P.L. 2005, ch. 246, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-3. - Seizure and custody of exploited child — Proceedings as against neglected child.

§ 11-9-3. Seizure and custody of exploited child — Proceedings as against neglected child.
The town sergeant of any town, the chief of police of any city, or any agent of the director of children, youth and families may enter any place where any child may be held, detained or employed in violation of §§ 11-9-1 — 11-9-8, and, without process of law, seize and detain the child and hold him or her as a witness to testify upon the trial of any person charged with violating the provisions of §§ 11-9-1 — 11-9-8; and if prior to or upon conviction of the offender, no person shall appear who is entitled to the custody of the child, the officer having the child in custody may bring proceedings against the child as a neglected child under the provisions of chapter 1 of title 14.
History of Section.
G.L. 1896, ch. 115, § 6; P.L. 1897, ch. 475, § 3; G.L. 1909, ch. 139, § 6; G.L. 1923, ch. 142, § 6; P.L. 1926, ch. 844, § 1; G.L. 1938, ch. 425, § 3; P.L. 1950, ch. 2416, § 3; G.L. 1956, § 11-9-3; P.L. 1969, ch. 242, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-4. - Contributing to delinquency.

§ 11-9-4. Contributing to delinquency.
Every person who knowingly or willfully encourages, aids, contributes to, or in any way causes any child under the age of sixteen (16) years to violate any law of this state, or the ordinances of any town or city in this state, or who knowingly or willfully encourages, aids, contributes to, or in any way causes any child under the age of sixteen (16) years to be guilty of any vicious or immoral conduct, or who, being the parent, parents, legal guardian, or person having the custody or the control of any such child, permits or suffers the child to habitually associate with vicious, immoral, or criminal persons, or to grow up in ignorance, idleness, or crime, or to wander about the streets of any city or town in the nighttime without being in any lawful business or occupation, or to enter any house of ill fame, policy shop, or place where any gambling is carried on or gaming device is operated, or to enter any place where intoxicating liquors are sold, shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding five hundred dollars ($500) or be imprisoned not exceeding one year.
History of Section.
P.L. 1908, ch. 1544, § 1; G.L. 1909, ch. 139, § 9; G.L. 1923, ch. 142, § 9; P.L. 1926, ch. 844, § 1; G.L. 1938, ch. 425, § 6; G.L. 1956, § 11-9-4.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-5.1. - Investigation upon report of cruelty or neglect.

§ 11-9-5.1. Investigation upon report of cruelty or neglect.
In order to protect a child from cruelty or neglect, where any person has reasonable cause to believe that any child is being neglected or cruelly treated as defined in § 14-1-3 and reports such incident to the department of children, youth, and families, the department must cause an immediate investigation.
History of Section.
P.L. 1975, ch. 199, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-5.2. - Immunity from liability.

§ 11-9-5.2. Immunity from liability.
Any person participating in good faith in the making of a report pursuant to this chapter shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any judicial proceeding resulting from a report.
History of Section.
P.L. 1975, ch. 199, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-5.3. - Child abuse —

Brendan's Law.

§ 11-9-5.3. Child abuse — Brendan's Law.

(a)

This section shall be known and may be referred to as "Brendan's Law."

(b)

Whenever a person having care of a child, as defined by § 40-11-2(2), whether assumed voluntarily or because of a legal obligation, including any instance where a child has been placed by his or her parents, caretaker, or licensed or governmental child placement agency for care or treatment, knowingly or intentionally:

(1)

Inflicts upon a child serious bodily injury, shall be guilty of first degree child abuse.

(2)

Inflicts upon a child any other physical injury, shall be guilty of second degree child abuse.

(c)

For the purposes of this section, "serious bodily injury" means physical injury that:

(1)

Creates a substantial risk of death;

(2)

Causes protracted loss or impairment of the function of any bodily parts, member or organ, including any fractures of any bones;

(3)

Causes serious disfigurement; or

(4)

Evidences subdural hematoma, intercranial hemorrhage and/or retinal hemorrhages as signs of "shaken baby syndrome" and/or "abusive head trauma."

(d)

For the purpose of this section, "other physical injury" is defined as any injury, other than a serious bodily injury, which arises other than from the imposition of nonexcessive corporal punishment.

(e)

Any person who commits first degree child abuse shall be imprisoned for not more than twenty (20) years, nor less than ten (10) years and fined not more than ten thousand dollars ($10,000). Any person who is convicted of second degree child abuse shall be imprisoned for not more than ten (10) years, nor less than five (5) years and fined not more than five thousand dollars ($5,000).

(f)

Any person who commits first degree child abuse on a child age five (5) or under shall not on the first ten (10) years of his or her sentence be afforded the benefit of suspension or deferment of sentence nor of probation for penalties provided in this section; and provided further, that the court shall order the defendant to serve a minimum of eight and one-half (8½) years or more of the sentence before he or she becomes eligible for parole.

(g)

Any person who has been previously convicted of first or second degree child abuse under this section and thereafter commits first degree child abuse shall be imprisoned for not more than forty (40) years, nor less than twenty (20) years and fined not more than twenty thousand ($20,000) dollars and shall be subject to subsection (f) of this section if applicable. Any person who has been previously convicted of first or second degree child abuse under this section and thereafter commits second degree child abuse shall be imprisoned for not more than twenty (20) years, nor less than ten (10) years and fined not more than ten thousand ($10,000) dollars.

History of Section.

P.L. 1995, ch. 211, § 1; P.L. 1996, ch. 130, § 1; P.L. 1996, ch. 134, § 1; P.L. 1997, ch. 139, § 1; P.L. 2001, ch. 109, § 1; P.L. 2011, ch. 271, § 1; P.L. 2011, ch. 318, § 1.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-5.4. - Child endangerment.

§ 11-9-5.4. Child endangerment.

(a)

When used in this section, the following words and phrases are construed as follows:

(1)

"Child" means any person under eighteen (18) years of age.

(2)

"Serious bodily injury" shall have the same definition as contained in § 11-5-2(c).

(3)

"Sexual abuse" means any sexual contact or penetration prohibited by chapter 37 of this title.

(b)

A person is guilty of endangering the welfare of a child when being a parent, guardian, or any other person who has custody or control of a child, the person:
(1)
Wantonly or recklessly engages in conduct that creates a substantial risk of serious bodily injury to the child or sexual abuse of the child; or
(2)
Wantonly or recklessly fails to take reasonable steps to alleviate such risk to the child where there is a duty to act.
(c)
For purposes of this section, such wanton and reckless behavior occurs when a person is aware of and consciously disregards a substantial and unjustifiable risk that their acts, or omissions where there is a duty to act, would result in a substantial risk of serious bodily injury to the child or sexual abuse of the child for whom they have custody or control. The risk must be of such nature and degree that disregard of the risk constitutes a gross deviation from the standard of conduct that a reasonable person would observe in the situation.
(d)
Any person who shall violate this section shall be guilty of a felony, and for the first offense, be imprisoned up to three (3) years or be fined not exceeding one thousand dollars ($1,000), or both.
(e)
Any person who has been previously convicted of child endangerment under this section and thereafter commits child endangerment shall be imprisoned up to ten (10) years or be fined not exceeding five thousand dollars ($5,000), or both.
History of Section.
P.L. 2022, ch. 161, § 1, effective June 27, 2022; P.L. 2022, ch. 162, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-5. - Cruelty to or neglect of child.

§ 11-9-5. Cruelty to or neglect of child.
(a)
Every person having the custody or control of any child under the age of eighteen (18) years who shall abandon that child, or who shall treat the child with gross or habitual cruelty, or who shall wrongfully cause or permit that child to be an habitual sufferer for want of food, clothing, proper care, or oversight, or who shall use or permit the use of that child for any wanton, cruel, or improper purpose, or who shall compel, cause, or permit that child to do any wanton or wrongful act, or who shall cause or permit the home of that child to be the resort of lewd, drunken, wanton, or dissolute persons, or who by reason of neglect, cruelty, drunkenness, or depravity, shall render the home of that child a place in which it is unfit for that child to live, or who shall neglect or refuse to pay the reasonable charges for the support of that child, whenever the child shall be placed by him or her in the custody of, or be assigned by any court to, any individual, association, or corporation, shall be guilty of a felony and shall for every such offense be imprisoned for not less than one year nor more than three (3) years, or be fined not exceeding one thousand dollars ($1,000), or both, and the child may be proceeded against as a neglected child under the provisions of chapter 1 of title 14.
(b)
In addition to any penalty provided in this section, any person convicted or placed on probation for this offense may be required to receive psychosociological counseling in child growth, care and development as a part of that sentence or probation. For purposes of this section, and in accordance with § 40-11-15, a parent or guardian practicing his or her religious beliefs which differ from general community standards who does not provide specified medical treatment for a child shall not, for that reason alone, be considered an abusive or negligent parent or guardian; provided, the provisions of this section shall not: (1) exempt a parent or guardian from having committed the offense of cruelty or neglect if the child is harmed under the provisions of (a) above; (2) exempt the department from the provisions of § 40-11-5; or (3) prohibit the department from filing a petition, pursuant to the provisions of § 40-11-15, for medical services for a child, where his or her health requires it.
History of Section.
G.L. 1909, ch. 139, § 10; P.L. 1910, ch. 550, § 1; P.L. 1922, ch. 2214, § 1; G.L. 1923, ch. 142, § 10; P.L. 1926, ch. 844, § 1; G.L. 1938, ch. 425, § 7; G.L. 1956, § 11-9-5; P.L. 1977, ch. 128, § 1; P.L. 1979, ch. 129, § 1; P.L. 1996, ch. 155, § 1; P.L. 1998, ch. 439, § 1; P.L. 2004, ch. 270, § 2; P.L. 2004, ch. 599, § 2.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-6. - Proceedings against parents of delinquent children unaffected.

§ 11-9-6. Proceedings against parents of delinquent children unaffected.
No proceedings instituted under any of the provisions of §§ 11-9-1 — 11-9-8 shall in any manner affect or be affected by any proceedings which may be instituted under any of the provisions of chapter 9 of title 15.
History of Section.
G.L. 1909, ch. 139, § 11; P.L. 1910, ch. 550, § 1; G.L. 1923, ch. 142, § 11; P.L. 1926, ch. 844, § 1; G.L. 1938, ch. 425, § 8; G.L. 1956, § 11-9-6.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-7. - Children's Friend and Service excused from costs.

§ 11-9-7. Children's Friend and Service excused from costs.
Whenever any agent of the Children's Friend and Service shall make complaint against any person for any of the offenses mentioned in §§ 11-9-1 — 11-9-8, the agent shall not be required to enter into any recognizance for costs. All costs and expenses attending the making of any complaint by any agent of the service and the proceedings on it under the provisions of §§ 11-9-1 — 11-9-8, or under the provisions of chapter 1 of title 14, shall be paid by the state.
History of Section.
G.L. 1896, ch. 115, § 7; P.L. 1897, ch. 475, § 4; P.L. 1908, ch. 1540, § 4; G.L. 1909, ch. 139, § 7; G.L. 1923, ch. 142, § 7; P.L. 1926, ch. 844, § 1; G.L. 1938, ch. 425, § 4; P.L. 1950, ch. 2416, § 3; G.L. 1956, § 11-9-7.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-8. - Appropriations for prevention of cruelty to children.

§ 11-9-8. Appropriations for prevention of cruelty to children.
The general assembly shall annually appropriate any sum that it may deem necessary, out of any money in the treasury not otherwise appropriated, to be expended by the department of children, youth and families for the purpose of preventing cruelty to children, and the department may, in its discretion, pay the sum to the Children's Friend and Service for that purpose, and the state controller is authorized and directed to draw his or her orders upon the general treasurer for the payment of the sum or so much of it as may be required upon receipt by the state controller of proper vouchers approved by the director of the department.
History of Section.
G.L. 1896, ch. 115, § 8; G.L. 1909, ch. 139, § 8; G.L. 1923, ch. 142, § 8; P.L. 1923, ch. 431, § 2; P.L. 1926, ch. 844, § 1; P.L. 1929, ch. 1374, § 4; G.L. 1938, ch. 425, § 5; impl. am. P.L. 1939, ch. 660, §§ 65, 80; P.L. 1950, ch. 2416, § 3; G.L. 1956, § 11-9-8.

2024 Rhode Island General LawsTitle 11 - Criminal OffensesChapter 11-9 - ChildrenSection 11-9-9. - Powers of family court.

§ 11-9-9. Powers of family court.
Where in §§ 11-9-1 — 11-9-8 any authority is vested in any court, the authority vested in the court or courts mentioned is transferred to the family court. The family court shall have exclusive original jurisdiction over any and all complaints and offenses set forth in §§ 11-9-2, 11-9-4, 11-9-8, 11-9-12, 11-9-14 [repealed], and 11-9-15, and shall have the authority to impose sentence as set forth in chapter 1 of title 14. Notwithstanding the provisions of this section, jurisdiction for violations of §§ 11-9-1, 11-9-1.1, 11-9-1.2, 11-9-1.3, 11-9-1.5, 11-9-5, 11-9-5.3, and 11-9-5.4 shall be vested in the superior court.
History of Section.
P.L. 1944, ch. 1441, § 36; G.L. 1956, § 11-9-9; P.L. 1961, ch. 73, § 4; P.L. 2004, ch. 586, § 2; P.L. 2004, ch. 612, § 2; P.L. 2006, ch. 260, § 1; P.L. 2006, ch. 290, § 1; P.L. 2017, ch. 157, § 1; P.L. 2017, ch. 163, § 1; P.L. 2018, ch. 40, § 1; P.L. 2018, ch. 44, § 1; P.L. 2023, ch. 67, § 1, effective June 14, 2023; P.L. 2023, ch. 68, § 1, effective June 14, 2023.

Title: title-12

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.1 - State Crime Laboratory CommissionSection 12-1.1-1. - Short title.

§ 12-1.1-1. Short title.
This chapter shall be known and may be cited as the "State Crime Laboratory Commission."
History of Section.
P.L. 1978, ch. 206, § 2; G.L., § 12-1.2-1; P.L. 1981, ch. 300, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.1 - State Crime Laboratory CommissionSection 12-1.1-10. - Cooperation of departments — Using facilities of the University of Rhode Island.

§ 12-1.1-10. Cooperation of departments — Using facilities of the University of Rhode Island.
All other departments, agencies, and bodies of state government are authorized and directed to cooperate with and furnish any information that the commission shall require. The commission is directed in carrying out the provisions and purposes of this chapter and chapter 1.2 to confer with the University of Rhode Island as to the continued utilization of facilities, scientific equipment, and personnel available.
History of Section.
P.L. 1978, ch. 206, § 2: G.L. § 12-1.2-12; P.L. 1981, ch. 300, § 1: G.L. § 12-1.1-10.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.1 - State Crime Laboratory CommissionSection 12-1.1-11. - Termination or modification of commission — Report to governor.

§ 12-1.1-11. Termination or modification of commission — Report to governor.

(a)
For good cause, the commission, with the approval of the governor, shall determine a termination or modification date, and, upon that determination, the commission shall submit a report to the governor that will outline a plan for the orderly termination or modification of the commission.
(b)(1)
The report will be submitted at least four (4) months prior to the termination or modification date and will include, but not be limited to, a review of the performance and effectiveness of the commission.
(2)
The report will include a recommendation that the purpose of this chapter or chapter 1.2 be reviewed or amended, that the commission be reorganized, or that this chapter or chapter 1.2 be repealed.
History of Section.
P.L. 1978, ch. 206, § 2: G.L. § 12-1.2-13; P.L. 1981, ch. 300, § 1: G.L. § 12-1.1-11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.1 - State Crime Laboratory CommissionSection 12-1.1-2. - Legislative findings and purpose.

§ 12-1.1-2. Legislative findings and purpose.
The general assembly recognizes and declares that:
(1)
Examining crime scenes for evidence is essentially a state and local problem;
(2)
The establishment of appropriate goals, objectives, and standards for the examination of crime scenes and the training of appropriate personnel in such techniques must be a priority concern;
(3)
The functions of a state crime lab must be coordinated in an efficient and effective manner;
(4)
The full and effective use of resources affecting state and local crime scene investigations requires the complete cooperation of state and local law enforcement agencies; and
(5)
Training, research, evaluation, and technical assistance activities must be encouraged and focused on the improvement of scientific criminal investigation in Rhode Island.
History of Section.
P.L. 1978, ch. 206, § 2; G.L. § 12-1.2-2; P.L. 1981, ch. 300, § 1; G.L. § 12-1.1-2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.1 - State Crime Laboratory CommissionSection 12-1.1-3. - Creation.

§ 12-1.1-3. Creation.
There is established the state laboratories for scientific criminal investigation commission, called throughout this chapter the state crime laboratory commission.
History of Section.
P.L. 1978, ch. 206, § 2; G.L. § 12-1.2-3; P.L. 1981, ch. 300, § 1; G.L. § 12-1.1-3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.1 - State Crime Laboratory CommissionSection 12-1.1-4. - Membership.

§ 12-1.1-4. Membership.
(a)
The commission shall consist of five (5) members: the attorney general; the superintendent of state police; and a representative of the Rhode Island Police Chiefs Association appointed by the governor with the advice and consent of the senate; and two (2) public members appointed by the governor with the advice and consent of the senate. Appointed public members shall serve two (2) year terms and shall be eligible to succeed themselves.
(b)
Members shall serve until their successors are appointed and qualified. Each member of the board may designate a subordinate within his or her department or agency to represent him or her at all meetings of the board. Three (3) members of the board shall constitute a quorum and the vote of a majority of those present and voting shall be required for action.
(c)
Members of the commission shall be removable by the governor pursuant to the provisions of § 36-1-7 of the general laws and for cause only, and removal solely for partisan or personal reasons unrelated to capacity or fitness for the office shall be unlawful.
History of Section.
P.L. 1978, ch. 206, § 2: G.L. § 12-1.2-3; P.L. 1981, ch. 300, § 1: G.L. § 12-1.1-4; P.L. 2006, ch. 54, § 1; P.L. 2006, ch. 70, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.1 - State Crime Laboratory CommissionSection 12-1.1-5. - Chairperson.

§ 12-1.1-5. Chairperson.
The attorney general shall be the chairperson of the commission. The board may elect from among its members such other officers as it deems necessary.
History of Section.
P.L. 1978, ch. 206, § 2: G.L. § 12-1.2-3; P.L. 1981, ch. 300, § 1: G.L. § 12-1.1-5; P.L. 2006, ch. 54, § 1; P.L. 2006, ch. 70, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.1 - State Crime Laboratory CommissionSection 12-1.1-6. - Executive secretary.

§ 12-1.1-6. Executive secretary.
The dean of the College of Pharmacy at the University of Rhode Island shall serve as the executive secretary of the commission. The executive secretary shall oversee the administration of the state crime laboratory, including all budgetary and personnel matters, and shall provide timely reports to the commission regarding all matters pertaining to the state crime laboratory.
History of Section.
P.L. 1978, ch. 206, § 2: G.L. § 12-1.2-3; P.L. 1981, ch. 300, § 1: G.L. § 12-1.1-6; P.L. 1994, ch. 50, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.1 - State Crime Laboratory CommissionSection 12-1.1-7. - Meetings.

§ 12-1.1-7. Meetings.
The commission shall meet at the call of its chairperson and at least four (4) times each year, the time and place for the meetings to be fixed by the chairperson.
History of Section.
P.L. 1978, ch. 206, § 2: G.L. § 12-1.2-6; P.L. 1981, ch. 300, § 1: G.L. § 12-1.1-7.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.1 - State Crime Laboratory CommissionSection 12-1.1-8. - Powers and duties of commission.

§ 12-1.1-8. Powers and duties of commission.
The commission shall have the following powers and duties:
(1)
Establish goals, priorities, standards, policies, plans, programs, and budgets for the operation of the state crime laboratory;
(2)
Monitor the general operation of the state crime laboratory and evaluate its effectiveness;
(3)
Apply for, contract for, receive, and expend for its purposes any appropriations or grants from the state and/or its political subdivisions, the federal government, or any other source, public or private, in accordance with the appropriations process;
(4)(i)
Accept funds appropriated by the general assembly out of any money in the treasury not otherwise appropriated for effectuating the daily operation of the state crime laboratory;
(ii)
Accept any moneys made available through direct grants for its function and operation;
(iii)
Expend these sums of money for the purchase of equipment, payment of salaries, purchase of material, office supplies, and laboratory supplies, and for labor for publishing, for the benefit of law enforcement officers in the state of Rhode Island, for scientific advances in the field of criminalistics, and any other essentials that may be deemed necessary and expedient to the scientific criminal investigation and training of law enforcement officers and firefighters in modern scientific investigative techniques and research in the field of scientific criminal investigation;
(5)
Recommend legislation to the governor and legislature in the field of scientific criminal investigation;
(6)
Provide suitable badges and appropriate commissions to laboratory personnel in evidence of their authority;
(7)
Establish any and all committees it deems necessary to carry out the mission of the state crime laboratory;
(8)
Perform any other duties that may be necessary to carry out the purposes of this chapter and chapter 1.2.
(9)
Within ninety (90) days after the end of each fiscal year, the commission shall approve and submit an annual report to the governor, the speaker of the house of representatives, the president of the senate, and the secretary of state, of its activities during that fiscal

year. The report shall provide: an operating statement summarizing meetings or hearings held, including meeting minutes, subjects addressed, decisions rendered, rules or regulations promulgated, studies conducted, policies and plans developed, approved, or modified, and programs administered or initiated; a consolidated financial statement of all funds received and expended including the source of the funds, a listing of any staff supported by these funds, and a summary of any clerical, administrative or technical support received; a summary of performance during the previous fiscal year including accomplishments, shortcomings and remedies; a synopsis of hearings, complaints, suspensions, or other legal matters related to the commission; a summary of any training courses held pursuant to this chapter; a briefing on anticipated activities in the upcoming fiscal year; and findings and recommendations for improvements. The report shall be posted electronically on the websites of the general assembly and the secretary of state pursuant to the provisions of § 42-20-8.2. The director of the department of administration shall be responsible for the enforcement of the provisions of this subsection;

(10)

To approve or disapprove the director and all other positions of the state crime laboratory appointed by the University of Rhode Island.

(11)

To conduct a training course for newly appointed and qualified members within six (6) months of their qualification or designation. The course shall be developed by the chair of the commission, be approved by the commission, and be conducted by the chair of the commission. The commission may approve the use of any commission and/or staff members and/or individuals to assist with training. The training course shall include instruction in the following areas: the provisions of chapters 42-46, 36-14 and 38-2; and the commission's rules and regulations. The director of the department of administration shall, within ninety (90) days of the effective date of this act [June 7, 2006], prepare and disseminate training materials relating to the provisions of chapters 42-46, 36-14, and 38-2.

History of Section.

P.L. 1978, ch. 206, § 2: G.L. §§ 12-1.2-4, 12-1.2-5, 12-1.2-7, 12-1.2-8; P.L. 1981, ch. 300, § 1: G.L. § 12-1.1-8; P.L. 1994, ch. 50, § 1; P.L. 2006, ch. 54, § 1; P.L. 2006, ch. 70, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.2 - State Crime LaboratorySection 12-1.2-1. - Creation.

§ 12-1.2-1. Creation.

There shall be a state crime laboratory located at the University of Rhode Island.

History of Section.

P.L. 1978, ch. 205, art. VIII, § 1: G.L. § 12-1.1-1; P.L. 1981, ch. 300, § 1: G.L. § 12-1.2-1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.2 - State Crime LaboratorySection 12-1.2-2. - Jurisdiction.

§ 12-1.2-2. Jurisdiction.

The state crime laboratory shall have the authority to investigate any and all evidence relating to state or local crimes when requested by appropriate agencies.

History of Section.

P.L. 1978, ch. 205, art. VIII, § 1: G.L. § 12-1.1-3; P.L. 1978, ch. 206, § 2: G.L. § 12-1.2-11; P.L. 1981, ch. 300, § 1: G.L. § 12-1.2-2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.2 - State Crime LaboratorySection 12-1.2-3. - Functions of the state crime laboratory.

§ 12-1.2-3. Functions of the state crime laboratory.

The state crime laboratory shall be responsible for:

(1) Technical services.

(i)

To examine and evaluate physical evidence collected at the scene of a crime or related to a crime. The examinations will be conducted in areas such as forensic serology, firearms, analyses of accelerants, explosives, scientific methodology in microscopy, including fiber, hair, blood, and plant microscopy, spectroscopy, ion emission, glass examination, tool impressions, fingerprint techniques, tire impressions, and other similar technology;

(ii)

To examine evidence upon submission by state and local fire departments and law enforcement agencies;

(iii)

To assure the safe custody of that evidence;

(iv)

To submit written reports of the results of examinations of evidence to the agency;

(v)

To request the services of qualified consultants when deemed necessary;

(vi)
To render expert court testimony when requested;
(vii)
To assist in the processing of a crime scene upon request to the director. Transportation as needed for this function should be provided by the agency requesting assistance.
(2) Training.
(i)
To offer a training course in scientific criminal investigation each year to all enforcement divisions both state and local;
(ii)
To offer refresher or in-service courses in specialty areas of scientific criminal investigation;
(iii)
To conduct training dealing with police science, when requested, for each of the Rhode Island State Municipal Police Training Academy classes, the Providence Police Academy classes, and the Rhode Island State Police Academy classes.
(3) Research.
To conduct ongoing research in areas of the forensic sciences.
History of Section.
P.L. 1978, ch. 205, art. VIII, § 1: G.L. § 12-1.1-2; P.L. 1978, ch. 206, § 2: G.L. § 12-1.2-10; P.L. 1981, ch. 300, § 1: G.L. § 12-1.2-3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.2 - State Crime LaboratorySection 12-1.2-4. - Funding.

§ 12-1.2-4. Funding.
The state crime laboratory shall be funded through the budget of the University of Rhode Island.
History of Section.
P.L. 1985, ch. 120, art. 4, § 2; P.L. 2009, ch. 68, art. 5, § 4; P.L. 2011, ch. 151, art. 9, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.2 - State Crime LaboratorySection 12-1.2-5. - Director of state crime laboratory — Term.

§ 12-1.2-5. Director of state crime laboratory — Term.
(a)
The crime laboratory shall be under the immediate supervision of a director, who shall be known as the “director — state crime laboratory” and who shall possess a Ph.D. degree or an equivalent combination of a M.S. degree and experience in an appropriate field and who has had forensic training or experience.
(b)
The director shall serve for a period of five (5) years and may be reappointed by the commission thereafter to subsequent five (5) year terms.
History of Section.
P.L. 1978, ch. 206, § 2: G.L. § 12-1.2-9; P.L. 1981, ch. 300, § 1: G.L. § 12-1.2-5; P.L. 1994, ch. 50, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.2 - State Crime LaboratorySection 12-1.2-6. - Candidates for director and other positions — Selection — Appointment — Dismissals.

§ 12-1.2-6. Candidates for director and other positions — Selection — Appointment — Dismissals.
(a)
Candidates for the position of director and all other positions of the crime laboratory may be recommended to the commission by the executive secretary and/or other members of the commission as well as from all other sources.
(b)
The director and all other positions of the state crime laboratory shall be considered employees of the council on postsecondary education and shall be subject to all employment policies, practices, and procedures of the council on postsecondary education and the University of Rhode Island.
(c)
The appointive authority for the University of Rhode Island shall also be the appointing authority for the position of director and all other positions of the state crime laboratory subject to approval or disapproval by the commission.
History of Section.
P.L. 1978, ch. 206, § 2: G.L. § 12-1.2-9; P.L. 1981, ch. 300, § 1: G.L. § 12-1.2-6; P.L. 1994, ch. 50, § 2; P.L. 2017, ch. 52, § 1; P.L. 2017, ch. 61, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.2 - State Crime LaboratorySection 12-1.2-7. - Powers and duties of director.

§ 12-1.2-7. Powers and duties of director.
(a)
The director shall have general supervision over the administration of and shall enforce the provisions of this chapter. He or she shall recommend to the commission any rules and regulations that he or she may deem necessary to effectuate the provisions of this chapter and shall be responsible for the administration of the policies established by the commission.
(b)
The director shall be responsible for preparing an annual operating budget and submitting it to the dean of the College of Pharmacy at the University of Rhode Island, who will in turn submit it to the commission.
(c)
The director shall collect, develop, and maintain statistical information, records, and reports as the executive secretary or as the commission may determine relevant to its functions and transmit quarterly to the executive secretary or the commission a report of the operations of the state crime laboratory for the preceding quarter.
(d)
The director shall exercise all powers and perform all duties necessary and proper in carrying out his or her responsibilities that may be directed by the executive secretary or the commission.
(e)
The director shall timely provide records, reports or other information pertaining to the operation of the crime laboratory whenever requested by the executive secretary or the commission.
History of Section.
P.L. 1978, ch. 206, § 2: G.L. § 12-1.2-9; P.L. 1981, ch. 300, § 1: G.L. § 12-1.2-7; P.L. 1994, ch. 50, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.2 - State Crime LaboratorySection 12-1.2-8 - — 12-1.2-14. [Transferred.]

§ 12-1.2-8 — 12-1.2-14. [Transferred.]

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.3 - Expungement of Criminal RecordsSection 12-1.3-1. - Definitions.

§ 12-1.3-1. Definitions.
For purposes of this chapter only, the following definitions apply:
(1)
“Crime of violence” includes murder, manslaughter, first-degree arson, kidnapping with intent to extort, robbery, larceny from the person, first-degree sexual assault, second-degree sexual assault, first- and second-degree child molestation, assault with intent to murder, assault with intent to rob, assault with intent to commit first-degree sexual assault, burglary, and entering a dwelling house with intent to commit murder, robbery, sexual assault, or larceny.
(2)
“Expungement of records and records of conviction” means the sealing and retention of all records of a conviction and/or probation and the removal from active files of all records and information relating to conviction and/or probation.
(3)
“First offender” means a person who has been convicted of a felony offense or a misdemeanor offense, and who has not been previously convicted of or placed on probation for a felony or a misdemeanor and against whom there is no criminal proceeding pending in any court.
(4)
“Law enforcement agency” means a state police organization of this or any other state; the enforcement division of the department of environmental management; the office of the state fire marshal; the capitol police; a law enforcement agency of the federal government; and any agency, department, or bureau of the United States government that has as one of its functions the gathering of intelligence data.
(5)
“Misdemeanor” includes, but is not limited to, those crimes previously classified as felonies under law at the time the original sentence was imposed but reclassified by the general assembly as a misdemeanor in the interim, prior to the time the motion to expunge is brought.
(6)
“Records” and “records of conviction and/or probation” include all court records, all records in the possession of any state or local police department, the bureau of criminal identification, and the probation department, including, but not limited to, any fingerprints, photographs, physical measurements, or other records of identification. The terms “records” and “records of conviction and/or probation” do not include the records and files of the department of attorney general which are not kept by the bureau of criminal identification in the ordinary course of the bureau’s business.
History of Section.
P.L. 1983, ch. 224, § 3; P.L. 1984, ch. 341, § 1; P.L. 1993, ch. 153, § 1; P.L. 1996, ch. 158, § 1; P.L. 1997, ch. 30, art. 28, § 4; P.L. 2024, ch. 386, § 1, effective June 26, 2024; P.L. 2024, ch. 387, § 1, effective June 26, 2024.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.3 - Expungement of Criminal RecordsSection 12-1.3-2. - Motion for expungement.

§ 12-1.3-2. Motion for expungement.

(a)

Any person who is a first offender may file a motion for the expungement of all records and records of conviction for a felony or misdemeanor by filing a motion in the court in which the conviction took place; provided, that no person who has been convicted of a crime of violence shall have his or her records and records of conviction expunged; and provided, that all outstanding court-imposed or court-related fees, fines, costs, assessments, charges, and/or any other monetary obligations have been paid, unless such amounts are reduced or waived by order of the court.

(b)

Notwithstanding § 12-1.3-1(3) ("first offender"), any person who has been convicted of more than one misdemeanor, but fewer than six (6) misdemeanors, and has not been convicted of a felony may file a motion for the expungement of any or all of those misdemeanors by filing a motion in the court in which the convictions took place; provided that convictions for offenses under chapter 29 of title 12, § 31-27-2 or § 31-27-2.1 are not eligible for and may not be expunged under this subsection.

(c)

Subject to subsection (a), a person may file a motion for the expungement of records relating to a misdemeanor conviction after five (5) years from the date of the completion of his or her sentence.

(d)

Subject to subsection (a), a person may file a motion for the expungement of records relating to a felony conviction after ten (10) years from the date of the completion of his or her sentence.

(e)

Subject to § 12-19-19(c), and without regard to subsections (a) through (c) of this section, a person may file a motion for the expungement of records relating to a deferred sentence upon its completion, after which the court will hold a hearing on the motion.

(f)

Subject to subsection (b) of this section, a person may file a motion for the expungement of records relating to misdemeanor convictions after ten (10) years from the date of the completion of their last sentence.

(g)

Notwithstanding the provisions of subsections (a) through (f) of this section, a person may file a motion for the expungement of records related to an offense that has been decriminalized subsequent to the date of their conviction, after which the court will hold a hearing on the motion in the court in which the original conviction took place.

History of Section.

P.L. 1983, ch. 224, § 3; P.L. 1988, ch. 638, § 3; P.L. 1993, ch. 153, § 1; P.L. 2015, ch. 97, § 3; P.L. 2015, ch. 109, § 3; P.L. 2016, ch. 202, § 1; P.L. 2016, ch. 204, § 1; P.L. 2017, ch. 234, § 1; P.L. 2017, ch. 316, § 1; P.L. 2018, ch. 188, § 1; P.L. 2018, ch. 247, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.3 - Expungement of Criminal RecordsSection 12-1.3-3. - Motion for expungement — Notice — Hearing — Criteria for granting.

§ 12-1.3-3. Motion for expungement — Notice — Hearing — Criteria for granting.

(a)

Any person filing a motion for expungement of the records of his or her conviction pursuant to § 12-1.3-2 shall give notice of the hearing date set by the court to the department of the attorney general and the police department that originally brought the charge against the person at least ten (10) days prior to that date.

(b)

The court, after the hearing at which all relevant testimony and information shall be considered, may, in its discretion, order the expungement of the records of conviction of the person filing the motion if it finds:

(1)(i)

That in the five (5) years preceding the filing of the motion, if the conviction was for a misdemeanor, or in the ten (10) years preceding the filing of the motion, if the conviction was for a felony, the petitioner has not been convicted nor arrested for any felony or misdemeanor; there are no criminal proceedings pending against the person; that the person does not owe any outstanding court-imposed or court-related fees, fines, costs, assessments, or charges, unless such amounts are reduced or waived by order of the court; and he or she has exhibited good moral character;

(ii)

That after a hearing held under the provisions of § 12-19-19(c), the court finds that the person has complied with all of the terms and conditions of the deferral agreement including, but not limited to, the payment in full of any court-ordered fines, fees, costs, assessments, and restitution to victims of crimes; there are no criminal proceedings pending against the person; and he or she has established good moral character. Provided, that no person who has been convicted of a crime of violence shall have their records relating to a deferred sentence expunged; or

(iii)

Subject only to §§ 12-1.3-2(b) and (f), that in the ten (10) years preceding the filing of the motion, if the convictions were for

multiple misdemeanors, the petitioner has not been convicted nor arrested for any felony or misdemeanor; there are no criminal proceedings pending against the person; and they have exhibited good moral character; and, provided that convictions for offenses under chapter 29 of title 12, § 31-27-2 or § 31-27-2.1 are not eligible and may not be expunged under this subsection.
(2)
That the petitioner's rehabilitation has been attained to the court's satisfaction and the expungement of the records of his or her conviction is consistent with the public interest.
(c)
If the court grants the motion, it shall order all records and records of conviction relating to the conviction expunged and all index and other references to it removed from public inspection. A copy of the order of the court shall be sent to any law enforcement agency and other agency known by either the petitioner, the department of the attorney general, or the court to have possession of the records. Compliance with the order shall be according to the terms specified by the court.
(d)
The defendant shall be advised at the hearing that any and all bail money relating to a case that remains on deposit and is not claimed at the time of expungement shall be escheated to the state's general treasury in accordance with chapter 12 of title 8.
(e)
In cases of expungement sought pursuant to § 12-1.3-2(g), the court shall, after a hearing at which it finds that all conditions of the original criminal sentence have been completed, and any and all fines, fees, and costs related to the conviction have been paid in full, order the expungement without cost to the petitioner. At the hearing, the court may require the petitioner to demonstrate that the prior criminal conviction would qualify as a decriminalized offense under current law. The demonstration may include, but is not limited to, an affidavit signed by the petitioner attesting to the fact that the prior conviction qualifies as a decriminalized offense under current Rhode Island law.
History of Section.
P.L. 1983, ch. 224, § 3; P.L. 1988, ch. 638, § 3; P.L. 1993, ch. 153, § 1; P.L. 2009, ch. 68, art. 11, § 1; P.L. 2015, ch. 97, § 3; P.L. 2015, ch. 109, § 3; P.L. 2016, ch. 202, § 1; P.L. 2016, ch. 204, § 1; P.L. 2017, ch. 234, § 1; P.L. 2017, ch. 316, § 1; P.L. 2018, ch. 188, § 1; P.L. 2018, ch. 247, § 1; P.L. 2021, ch. 141, § 2, effective July 3, 2021; P.L. 2021, ch. 142, § 2, effective July 3, 2021.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.3 - Expungement of Criminal RecordsSection 12-1.3-4. - Effect of expungement of records — Access to expunged records — Wrongful disclosure.

§ 12-1.3-4. Effect of expungement of records — Access to expunged records — Wrongful disclosure.
(a)
Any person having his or her record expunged shall be released from all penalties and disabilities resulting from the crime of which he or she had been convicted, except, upon conviction of any subsequent crime, the expunged conviction may be considered as a prior conviction in determining the sentence to be imposed.
(b)
In any application for employment, license, or other civil right or privilege, or any appearance as a witness, a person whose conviction of a crime has been expunged pursuant to this chapter may state that he or she has never been convicted of the crime; provided, that if the person is an applicant for a law enforcement agency position, for admission to the bar of any court, an applicant for a teaching certificate, under chapter 11 of title 16, a coaching certificate under § 16-11.1-1, or the operator or employee of an early childhood education facility pursuant to chapter 48.1 of title 16, the person shall disclose the fact of a conviction.
(c)
Whenever the records of any conviction and/or probation of an individual for the commission of a crime have been expunged under the provisions of this chapter, any custodian of the records of conviction relating to that crime shall not disclose the existence of the records upon inquiry from any source unless the inquiry is that of the individual whose record was expunged, that of a sentencing court following the conviction of the individual for the commission of a crime, or that of a bar admission, character and fitness, or disciplinary committee, board, or agency, or court which is considering a bar admission, character and fitness, or disciplinary matter, or that of the commissioner of elementary and secondary education, or that of any law enforcement agency when the nature and character of the offense with which an individual is to be charged would be affected by virtue of the person having been previously convicted of the same offense.
(d)
The custodian of any records which have been expunged pursuant to the provisions of this chapter shall only release or allow access to those records for the purposes specified in subsections (b) or (c) of this section or by order of a court. Any agency and/or person who willfully refuses to carry out the expungement of the records of conviction pursuant to § 12-1.3-2, or this section or willfully releases or willfully allows access to records of conviction, knowing them to have been expunged, shall be civilly liable.
History of Section.
P.L. 1983, ch. 224, § 3; P.L. 1984, ch. 341, § 1; P.L. 1986, ch. 198, § 7; P.L. 1990, ch. 249, § 1; P.L. 1993, ch. 153, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.3 - Expungement of Criminal RecordsSection 12-1.3-5. - Expungement of marijuana records.

§ 12-1.3-5. Expungement of marijuana records.

(a)
Any person with a prior civil violation, misdemeanor or felony conviction for possession only of a marijuana offense that has been decriminalized subsequent to the date of conviction shall be entitled to have the civil violation or criminal conviction automatically expunged, notwithstanding the provisions of chapter 1.3 of title 12. For purposes of this section, “conviction” means, in addition to judgments of conviction entered by a court subsequent to a finding of guilty, or plea of guilty, those instances where the defendant has entered a plea of nolo contendere and has received a jail sentence or a suspended jail sentence, or those instances wherein the defendant has entered into a deferred sentence agreement with the Rhode Island attorney general and the period of deferment has not been completed.
(b)
Records shall be expunged pursuant to procedures and a timeline to be determined by the chief justice; provided however, that all eligible records shall be expunged before July 1, 2024.
(c)
The chief justice may provide for an expedited procedure for expungement of a prior misdemeanor or felony conviction for possession only of a marijuana offense that has been decriminalized subsequent to the date of conviction. Any such expedited procedure shall require a written request by the person requesting expungement, and any expedited expungement shall be granted in accordance with a timeline to be determined by the chief justice.
(d)
If the amount of marijuana is not stated in the record of conviction or any related record, report or document, then the court shall presume the amount to have been two ounces (2 oz.) or less.
(e)
Any person who has been incarcerated for misdemeanor or felony possession of marijuana shall have all court costs waived with respect to expungement of his or her criminal record under this section.
(f)
If the court determines a record is to be expunged in accordance with the provisions of this section, it shall order all records and records of conviction or civil adjudication relating to the conviction or civil adjudication expunged and all index and other references to it removed from public inspection. Within a reasonable time, the court shall send a copy of the order to the department of the attorney general, the police department that originally brought the charge against the person, and any other agency known by the petitioner to have possession of the records of conviction or adjudication.
(g)
Eligible expungement of convictions and civil adjudications pursuant to this section shall be granted notwithstanding the existence of:
(1)
Prior arrests, convictions, or civil adjudications including convictions for crimes of violence as defined by § 12-1.3-1;
(2)
Pending criminal proceedings; and
(3)
Outstanding court-imposed or court-related fees, fines, costs, assessments or charges. Any outstanding fees, fines, costs, assessments or charges related to the eligible conviction or civil adjudication shall be waived.
(h)
Nothing in this section shall be construed to restrict or modify a person’s right to have their records expunged, except as otherwise may be provided in this chapter, or diminish or abrogate any rights or remedies otherwise available to the individual.
(i)
The existence of convictions in other counts within the same case that are not eligible for expungement pursuant to this section or other applicable laws shall not prevent any conviction otherwise eligible for expungement under this section from being expunged pursuant to this section. In such circumstances, the court shall make clear in its order what counts are expunged and what counts are not expunged and/or remain convictions. In such circumstances, notwithstanding subsection (e) of this section, any expungement pursuant to this subsection shall not affect the records related to any count or conviction in the same case that are not eligible for expungement.
(j)
Nothing in this section shall be construed to require the court or any other private or public agency to reimburse any petitioner for fines, fees, and costs previously incurred, paid or collected in association with the eligible conviction or civil adjudication.
(k)
Any conviction or civil adjudication ordered expunged pursuant to this section shall not be considered as a prior conviction or civil adjudication when determining the sentence to be imposed for any subsequent crime or civil violation.
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In any application for employment, license, or other civil right or privilege, or any appearance as a witness, a person whose conviction of a crime or civil adjudication has been expunged pursuant to this chapter may state that he or she has never been

convicted of the crime or found to be a civil violator; provided, that, if the person is an applicant for a law enforcement agency position, for admission to the bar of any court, an applicant for a teaching certificate, under chapter 11 of title 16, a coaching certificate under § 16-11.1-1, or the operator or employee of an early childhood education facility pursuant to chapter 48.1 of title 16, the person shall disclose the fact of a conviction or civil adjudication.

(m)

Whenever the records of any conviction or civil adjudication of an individual have been expunged under the provisions of this section, any custodian of the records of conviction or civil adjudication relating to that crime or violation shall not disclose the existence of the records upon inquiry from any source, unless the inquiry is that of the individual whose record was expunged, that of a bar admission, character and fitness, or disciplinary committee, board, or agency, or court which is considering a bar admission, character and fitness, or disciplinary matter, or that of the commissioner of elementary and secondary education, or that of any law enforcement agency when the nature and character of the offense in which an individual is to be charged would be affected by virtue of the person having been previously convicted or adjudicated of the same offense. The custodian of any records which have been expunged pursuant to the provisions of this section shall only release or allow access to those records for the purposes specified in this subsection or by order of a court.

(n)

The judiciary and its employees and agents are immune from any civil liability for any act of commission or omission, taken in good faith, arising out of and in the course of participation in, or assistance with the expungement procedures set forth in this section. This immunity shall be in addition to and not in limitation of any other immunity provided by law.

History of Section.

P.L. 2022, ch. 31, § 8, effective May 25, 2022; P.L. 2022, ch. 32, § 8, effective May 25, 2022; P.L. 2022, ch. 234, art. 2, § 4, effective June 28, 2022.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.4 - Commission for the Safety and Care of the ElderlySection 12-1.4-1. - Short title.

§ 12-1.4-1. Short title.

This chapter shall be known and may be cited as the “Commission for the Safety and Care of the Elderly.”

History of Section.

P.L. 1986, ch. 407, § 1; P.L. 2023, ch. 148, § 2, effective June 20, 2023; P.L. 2023, ch. 149, § 2, effective June 20, 2023.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.4 - Commission for the Safety and Care of the ElderlySection 12-1.4-10. - Appropriation.

§ 12-1.4-10. Appropriation.

The sum of one thousand dollars ($1,000) shall be annually appropriated, out of any money in the treasury not otherwise appropriated, to carry out the purposes of this chapter; and the state controller is authorized and directed to draw his or her orders upon the general treasurer for the payment of that sum, or as much of that sum as may be deemed necessary, from time to time, upon receipt by him or her of properly authenticated vouchers.

History of Section.

P.L. 1986, ch. 407, § 1; P.L. 1991, ch. 44, art. 13, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.4 - Commission for the Safety and Care of the ElderlySection 12-1.4-2. - Creation.

§ 12-1.4-2. Creation.

There is established within the office of healthy aging the commission for the safety and care of the elderly.

History of Section.

P.L. 1986, ch. 407, § 1; 1996, ch. 100, art. 45, § 1; P.L. 2023, ch. 148, § 2, effective June 20, 2023; P.L. 2023, ch. 149, § 2, effective June 20, 2023.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.4 - Commission for the Safety and Care of the ElderlySection 12-1.4-3. - Purpose.

§ 12-1.4-3. Purpose.

The purpose of the commission shall be to act as a liaison between the legislature, public safety officials, the office of healthy aging, and the older population of Rhode Island in the area of crime against the elderly, injury and fire safety, and protective service options available to the elderly. The commission shall also outline suggested responsibilities for and facilitate training requirements of older adults, police, and fire advocates.

History of Section.

P.L. 1986, ch. 407, § 1; P.L. 2005, ch. 275, § 1; P.L. 2023, ch. 148, § 2, effective June 20, 2023; P.L. 2023, ch. 149, § 2, effective June 20, 2023.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.4 - Commission for the Safety and Care of the

ElderlySection 12-1.4-4. - Membership.

§ 12-1.4-4. Membership.
(a)
The commission shall consist of twenty-two (22) members, three (3) of whom shall be older adults appointed by the speaker and three (3) of whom shall be older adults appointed by the president of the senate; one of whom shall be an older adult appointed by the governor's office; all seven (7) of whom shall be appointed for a term of two (2) years. Appointments shall be made for terms of three (3) years commencing on February 1 in the year of appointment and ending on January 31 in the third year after the appointment. Commission members may remain in their position beyond the three-year (3) term until new members are duly appointed. Any vacancy among the members shall be filled by the appointing authority for the remainder of the unexpired term.
(b)
The remaining fifteen (15) members of the commission shall be the president of the Police Chiefs' Association or the president's designee; the attorney general or the attorney general's designee; the director of the office of healthy aging or the director's designee; a representative of the state police appointed by the superintendent of the state police; the president of the fire chief's association, or the president's designee; and the state fire marshal or the state fire marshal's designee; and up to nine (9) representatives to be decided by the commission to include representatives of agencies and organizations who work directly with older adults. Such members and organizations represented may include, but not be limited to, individuals residing in elder housing and/or elder shelters, medical providers, legal services, community organizations, and senior centers.
(c)
The members of the commission shall meet at the call of the director and organize and shall select a chairperson from among themselves. Vacancies on the commission shall be filled in the same manner as the original appointment.
History of Section.
P.L. 1986, ch. 407, § 1; P.L. 2000, ch. 109, § 12; P.L. 2001, ch. 180, § 10; P.L. 2005, ch. 275, § 1; P.L. 2023, ch. 148, § 2, effective June 20, 2023; P.L. 2023, ch. 149, § 2, effective June 20, 2023.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.4 - Commission for the Safety and Care of the ElderlySection 12-1.4-5. - Compensation and expenses.

§ 12-1.4-5. Compensation and expenses.
The membership of the commission shall receive no compensation for their services but shall be allowed their travel and necessary expenses.
History of Section.
P.L. 1986, ch. 407, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.4 - Commission for the Safety and Care of the ElderlySection 12-1.4-6. - Staff.

§ 12-1.4-6. Staff.
The commission may engage any clerical, technical, and other assistance that it may deem necessary, and spend any other funds necessary to accomplish its purpose.
History of Section.
P.L. 1986, ch. 407, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.4 - Commission for the Safety and Care of the ElderlySection 12-1.4-7. - Cooperation of departments.

§ 12-1.4-7. Cooperation of departments.
(a)
All departments and agencies of the state shall furnish any advice and information, documentary and otherwise, to the commission and its agents deemed necessary or desirable by the commission to facilitate the purposes of this chapter.
(b)
Each local police and fire chief shall designate at least one sworn police department representative or sworn fire department representative to serve as the department's "older adults police safety advocate" to work as a liaison between the department and the elderly community to help address elderly safety and protection issues.
History of Section.
P.L. 1986, ch. 407, § 1; P.L. 2005, ch. 275, § 1; P.L. 2023, ch. 148, § 2, effective June 20, 2023; P.L. 2023, ch. 149, § 2, effective June 20, 2023.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.4 - Commission for the Safety and Care of the ElderlySection 12-1.4-8. - Quarters.

§ 12-1.4-8. Quarters.
The speaker of the house is authorized and directed to provide suitable quarters for the commission.

History of Section.
P.L. 1986, ch. 407, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.4 - Commission for the Safety and Care of the ElderlySection 12-1.4-9. - Reports to general assembly.

§ 12-1.4-9. Reports to general assembly.
The commission shall report its findings and recommendations regarding the improvement of elder safety issues to the general assembly, the governor's office, and the office of healthy aging on or before January 25 of each year.
History of Section.
P.L. 1986, ch. 407, § 1; P.L. 2005, ch. 275, § 1; P.L. 2023, ch. 148, § 2, effective June 20, 2023; P.L. 2023, ch. 149, § 2, effective June 20, 2023.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-1. - Policy. [Contingent amendment; see other version.]

§ 12-1.5-1. Policy. [Contingent amendment; see other version.]
The general assembly finds and declares that DNA databanks and DNA databases are important tools in criminal investigations, in the exclusion of individuals who are the subject of criminal investigations or prosecutions, and in deterring and detecting recidivism. Many states have enacted laws requiring persons arrested for, or convicted of, a crime of violence, or persons convicted of any felony, to provide genetic samples for DNA profiling. Moreover, it is the policy of this state to assist federal, state, and local criminal justice and law enforcement agencies in the identification and detection of individuals in criminal investigations. It is therefore in the best interest of the state to establish a DNA databank and a DNA database containing DNA samples and DNA records of individuals arrested for any crime of violence as defined in § 12-1.5-2, or convicted of certain sexual and violent offenses, or convicted of any felony as defined in the general laws of Rhode Island, and missing persons.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1; P.L. 2004, ch. 391, § 1; P.L. 2004, ch. 455, § 1; P.L. 2014, ch. 176, § 1; P.L. 2014, ch. 192, § 1.
§ 12-1.5-1. Policy. [Contingent effective date; see note.]
The general assembly finds and declares that DNA databanks and DNA databases are important tools in criminal investigations, in the exclusion of individuals who are the subject of criminal investigations or prosecutions, and in deterring and detecting recidivism. Many states have enacted laws requiring persons arrested for, or convicted of, a crime of violence as defined in § 12-1.5-2 to provide genetic samples for DNA profiling. Moreover, it is the policy of this state to assist federal, state, and local criminal justice and law enforcement agencies in the identification and detection of individuals in criminal investigations. It is in the best interest of the state to establish a DNA databank and a DNA database containing DNA samples and DNA records of individuals arrested for any crime of violence as defined in § 12-1.5-2 or convicted of a crime of violence as defined in § 11-47-2, or convicted of any felony as defined in the general laws of Rhode Island, and missing persons.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1; P.L. 2001, ch. 42, § 2; P.L. 2001, ch. 76, § 2; P.L. 2004, ch. 391, § 1; P.L. 2004, ch. 455, § 1; P.L. 2014, ch. 176, § 1; P.L. 2014, ch. 192, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-10. - Procedures for conduct, disposition and use of DNA analysis.

§ 12-1.5-10. Procedures for conduct, disposition and use of DNA analysis.
The department of health shall promulgate procedures to be used in the collection, submission, identification, analysis, storage and disposition of DNA samples and typing results of DNA samples submitted under this chapter. These procedures shall meet or exceed the current standards for quality assurance and proficiency testing for DNA analysis issued by the F.B.I. All DNA sample typing results, all DNA records and all DNA samples shall be securely stored in the state of Rhode Island DNA database and DNA databank respectively, in the following manner:
(1)
All DNA sample typing results and the DNA records shall be stored in a computer database after all personal identifiers have been removed. Further, these records shall be accessed only through the use of an encryption code. The encryption code shall be confidential and only those persons authorized by the department of health and charged with responsibilities under this chapter shall have access to these records and shall be given the encryption code.
(2)
All DNA samples shall be securely locked, with a coded locking system, in a DNA databank at the department of health and only the director of the department of health and the head of the DNA laboratory shall have access to these DNA samples to carry out the provisions of this chapter.
(3)
The department of health is authorized to contract with third parties for purposes of creating a DNA record only. Any third party contracting to carry out the functions of this chapter shall be subject to the same restrictions and requirements of this chapter, and

DNA samples provided to third parties pursuant to this section shall have all personal identification removed.
(4)
Except as otherwise provided in § 12-1.5-11, DNA samples and DNA records collected under this chapter shall be used only for law enforcement identification purposes or to assist in the recovery of identification of human remains from disasters or for other humanitarian identification purposes, including identification of missing persons; and
(5)
DNA samples and DNA records collected under this chapter shall never be used under the provisions of this chapter for the purpose of obtaining information about physical characteristics, traits or predispositions for disease.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1; P.L. 2000, ch. 109, § 13.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-11. - DNA database exchange.

§ 12-1.5-11. DNA database exchange.
It shall be the duty of the department of health to collect DNA samples, to receive, store, and to perform analysis or to contract for DNA typing analysis with a qualified DNA laboratory that meets the regulations as established by the department of health, to classify and to file the DNA record of identification characteristic profiles of DNA samples submitted under this chapter and to make the information available as provided in this section. Access to the DNA databank shall be for identification analysis only and shall be limited upon a showing of need to duly constituted federal, state and local law enforcement agencies and their servicing forensic DNA laboratories and by court order to the defendant or his or her attorney in a criminal case. The contents of the DNA record of individuals in the state DNA database shall be made available:
(1)
To criminal justice agencies or approved DNA forensic laboratories which serve these agencies; or
(2)
Upon written or electronic request and in furtherance of an official investigation by a criminal justice agency or its designated forensic laboratory of a criminal offense or offender or suspected offender;
(3)
To prosecuting attorneys who are actively involved in a case in which the DNA record of an individual is relevant; to grand juries and courts when such records are subpoenaed; to defense attorneys when the DNA record is relevant to a pending case.
(4)
The department of health shall consistent with the provisions of this chapter promulgate regulations governing the methods of obtaining information from the state DNA database and CODIS and procedures for verification of the identity and authority of the requester; and
(5)
The department of health may create a separate population database comprised of DNA samples obtained under this chapter after all personal identification is removed. The department of health may share or disseminate the population database with other criminal justice agencies or forensic DNA laboratories that serve to assist the department of health with statistical databases. The population database may be made available to and searched by other agencies participating in the CODIS system.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-12. - Cancellation of authority to access or exchange DNA records.

§ 12-1.5-12. Cancellation of authority to access or exchange DNA records.
The department of health shall be authorized, for good cause shown, to revoke or suspend the right of a forensic DNA laboratory within this state to access or exchange DNA identification records with criminal justice agencies.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-13. - Expungement.

§ 12-1.5-13. Expungement.
(a)
A person whose DNA record or profile has been included in the databank pursuant to this act may request expungement on the grounds that the conviction on which authority for including that person’s DNA record or profile was based has been reversed. The department of health shall purge all records and identifiable information in the database pertaining to the person and destroy all samples from the person upon receipt of a written request for expungement pursuant to this section and a certified copy of the final court order reversing the conviction. The department of health shall purge and destroy all records and identifiable information in its database and all DNA samples taken pursuant to this chapter from convicted persons upon official proof that the person has been

deceased for a period of at least three (3) years. Official proof shall include, but not be limited to, a certified copy of a death certificate.
(b)
If the offense for which a DNA sample has been taken pursuant to § 12-1.5-8(b) does not result in a charge through information or indictment; or leads to voluntary dismissal of the charge by the state, or dismissal by a court; or by a not guilty verdict after trial; or upon the vacating or the reversal of a conviction in which the state does not retry the defendant or appeal the decision; or loses such appeal upon hearing; or upon any plea or conviction of a lesser offense that would not give rise to the mandatory sampling of the individual's DNA; the record or profile shall be expunged from the state DNA identification database, regardless of any prior record for which DNA sampling would not have been authorized, except pursuant to subsection (e) herein.
(1)
The prosecuting authority shall, within thirty (30) days of an event listed in this subsection, notify the department of health of such event for purposes of expunging the person's DNA record and any samples, analyses, or other documents relating to the DNA testing of such individual in connection with the investigation, arrest, and/or prosecution of the crime that resulted in the arrest of the person. The department shall, within thirty (30) days of receiving such notification, destroy and expunge the person's DNA record and any samples, analyses, or other documents relating to the DNA testing of such individual and shall notify the individual of such action.
(c)
Upon receipt of a written request for expungement from the person whose DNA record or profile has been included in the database pursuant to this chapter and notification of the completion of a program of diversion or the completion of the term of a sentence of deferment, or of the granting of a pardon, the record or profile shall be expunged from the state DNA identification database, regardless of any prior record for which DNA sampling would not have been authorized, except pursuant to subsection (e) herein, and such individual may apply to the court for an order directing the expungement of their DNA record and any samples, analyses, or other documents relating to the DNA testing of such individual in connection with the investigation, arrest, and/or prosecution of the crime that resulted in the arrest of the person.
(d)
A copy of the expungement motion shall be served on the attorney general and the arresting police department with ten (10) days' notice prior to hearing, and an order directing expungement shall be granted if the court finds any of the appropriate conditions of the prior subsection are satisfied.
(e)
The department of health shall, by rule or regulation, prescribe procedures to ensure that the DNA record in the state DNA identification database, and any samples, analyses, or other documents relating to such record, whether in the possession of the division, or any law enforcement or police agency, or any forensic DNA laboratory, including any duplicates or copies thereof are destroyed, including any records from CODIS. The director of health shall also adopt, by rule and regulation, a procedure for the expungement in other appropriate circumstances of DNA records contained in the database.
(f)
No expungement shall be granted where an individual has a prior conviction requiring a DNA sample, or a pending charge for which collection of a sample was authorized pursuant to the provisions of this chapter.
(g)
The detention, arrest, or conviction of a person based upon a database match or database information is not invalidated if it is determined that the sample was obtained or placed in the database by mistake. Any identification, warrant, or probable cause to arrest based upon a database match is not invalidated due to a failure to expunge or a delay in expunging records.
(h)
At the time of collection of the DNA sample upon arrest of any crime of violence as defined in § 12-1.5-2, the individual from whom a sample is collected shall be given written notice that the DNA record may be expunged and the DNA sample destroyed in accordance with this section. In addition, the department of health, the office of the attorney general, and the office of the public defender shall post on their websites the expungement provisions of this section.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1; P.L. 2014, ch. 176, § 1; P.L. 2014, ch. 192, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-14. - Prohibition and disclosure.

§ 12-1.5-14. Prohibition and disclosure.
(a)
Any person who, by virtue of employment or official position, or any person contracting to carry out any functions under this chapter, including any officers, employees and agents of a contractor, who has possession of or access to individually identifiable DNA information contained in the state DNA database or in the state DNA databank, shall not disclose it in any manner to any person or agency not authorized to receive it knowing that the person or agency is not authorized to receive it.
(b)
No person shall obtain individually identifiable DNA information from the state DNA database or the state DNA databank without

authorization pursuant to this chapter to do so.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-15. - Criminal penalties — Civil remedies.

§ 12-1.5-15. Criminal penalties — Civil remedies.
(a)
Any person who, by virtue of employment or official position, or any person contracting to carry out any functions under this chapter, including any officers, employees and agents of a contractor, having possession of or access to individually identifiable DNA information contained in the state DNA database or in the state DNA databank and discloses it in any manner to any person or agency not authorized to receive it, commits a misdemeanor punishable by a fine of not more than one thousand dollars ($1,000), or imprisonment for not more than one year, or both.
(b)
Except as authorized by law, any person who, for purposes of having DNA analysis performed, obtains or attempts to obtain any DNA sample, or tampers or attempts to tamper with any DNA sample, commits a felony punishable by a fine not more than five thousand dollars ($5,000), or imprisonment for not more than five (5) years, or both.
(c)
Any person aggrieved by a violation of § 12-1.5-14 may, in addition, bring a civil action for damages, injunctive relief, and reasonable attorneys' fees.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-16. - Confidentiality of records.

§ 12-1.5-16. Confidentiality of records.
All DNA profiles and samples submitted to the department of health pursuant to this chapter shall be treated as confidential and exempt from the provisions of chapter 2 of title 38 except as otherwise provided in this chapter.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-17. - Bailed and convicted persons — Refusal to give DNA sample.

§ 12-1.5-17. Bailed and convicted persons — Refusal to give DNA sample.
Any person who is required to have a DNA sample taken after having been arrested and charged with any crime of violence as defined in § 12-1.5-2 or convicted of any felony, who refuses to do so, and who knowingly, violently resists the taking of a DNA sample duly authorized by medical personnel, shall be in violation of the terms of his or her release, regardless of whether or not the term was a special condition of his or her bail, release on probation, parole, or home confinement, or other form of supervised release.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1; P.L. 2014, ch. 176, § 1; P.L. 2014, ch. 192, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-18. - Interpretation and severability.

§ 12-1.5-18. Interpretation and severability.
The provisions of this chapter shall be liberally construed and shall be held to be in addition to, and not in substitution for or a limitation of, the provisions of any other law. If any provision or part of this chapter or its application to any person or circumstances is held unconstitutional or otherwise invalid, the remainder of the chapter and the application of the provisions to any other persons or circumstances other than those to which it is held invalid shall not be affected.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-19. - DNA offender audit.

§ 12-1.5-19. DNA offender audit.
(a)
The crime laboratory pursuant to chapter 1.2 of this title shall conduct an audit of offender DNA profiles included on the state DNA databank pursuant to this chapter in order to identify the number of DNA profiles that are missing from the databank which should

have been collected pursuant to this chapter. The crime laboratory shall support this effort as necessary to comply with report deadlines.
(b)
The audit shall initiate with offender DNA samples that were required to be collected under this chapter, and shall include all samples required pursuant to § 12-1.5-7.
(c)
A preliminary report including the overall number of estimated owed DNA samples shall be reported to the general assembly promptly upon completion of the initial audit, due to the significant risk to public safety of any failed collections. The preliminary report shall be provided by January 1, 2024.
(d)
A final report to further include additional details on types of offenses for which DNA samples are owed, and an overview of where collection failures occurred shall be submitted no later than December 31, 2024. Thereafter, an annual audit shall be completed and reported to the general assembly no later than December 31 of each year.
History of Section.
P.L. 2023, ch. 354, § 1, effective June 26, 2023; P.L. 2023, ch. 355, § 1, effective June 26, 2023.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-2. - Definitions.

§ 12-1.5-2. Definitions.
For the purposes of this chapter:
(1)
“CODIS” is derived from combined DNA index system, the Federal Bureau of Investigation’s national DNA identification index system that allows the storage and exchange of DNA records submitted by state and local forensic DNA laboratories;
(2)
“DNA” means deooxyribonucleic acid, which is located in the cells of the body and provides an individual’s personal genetic blueprint. DNA encodes genetic information that is the basis of human hereditary and forensic identification;
(3)
“DNA record” means DNA identification information only, which is stored in the state DNA database or the combined DNA index system for the purpose of generating investigative leads or supporting statistical interpretation of DNA test results. The DNA record is the result obtained from the DNA typing tests. The DNA record is comprised of the characteristics of a DNA sample that are of value only in establishing the identity of individuals. The DNA record, however, does not include the DNA sample, and the DNA record may never include the results of tests of any structural genes. The results of all DNA identification tests on an individual’s DNA sample are also collectively referred to as the DNA profile of an individual;
(4)
“DNA sample” means a blood or tissue sample provided by any person with respect to offenses covered by this chapter, or submitted to the department of health laboratory pursuant to this chapter for DNA analysis or storage, or both;
(5)
“F.B.I.” means the Federal Bureau of Investigation;
(6)
“State DNA databank” means the repository of DNA samples collected under this chapter, that is administered by the department of health; and
(7)
“State DNA database” means the state-level DNA identification record system to support law enforcement that is administered by the department of health and that provides DNA records to the F.B.I. for storage and maintenance in CODIS. It is the collective capability to store and maintain DNA records related to forensic casework, the DNA records of those arrested for crimes of violence as defined in § 12-1.5-2 and/or convicted offenders required to provide a DNA sample under state law, and anonymous DNA records used for research, quality control, and other DNA analysis support systems.
(8)
“Crimes of violence” include murder, manslaughter, first-degree arson, kidnapping with intent to extort, robbery, larceny from the person, first-degree sexual assault, second-degree sexual assault, first-and-second degree child molestation, assault with intent to murder, assault with intent to rob, assault with intent to commit first-degree sexual assault, burglary, and entering a dwelling house with intent to commit murder, robbery, sexual assault, or larceny.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1; P.L. 2014, ch. 176, § 1; P.L. 2014, ch. 192, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-3. - Powers and duties of the department of health.

§ 12-1.5-3. Powers and duties of the department of health.
In addition to any other powers and duties conferred by this chapter, the department of health shall:

(1)
Be responsible for the policy management and administration of the state DNA database and state DNA databank;
(2)
Promulgate rules and regulations, within one hundred and eighty (180) days of June 29, 1998, to carry out the provisions of this chapter; and
(3)
Provide for liaison with the F.B.I. and other criminal justice agencies in regard to the state's participation in CODIS or in any DNA database designated by the department of health.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-4. - State DNA database.

§ 12-1.5-4. State DNA database.
There is established the state DNA database. It shall be administered by the department of health and provide DNA records for the F.B.I. for storage and maintenance by CODIS. The state DNA database shall have the capability provided by computer software and procedures administered by the department of health to store and maintain DNA records related to:
(1)
Forensic casework, including the identification of missing persons;
(2)
Individuals arrested for any crime of violence as defined in § 12-1.5-2 and convicted felony offenders required to provide a DNA sample under this chapter; and
(3)
Anonymous DNA records used for research on identification technologies or quality control.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1; P.L. 2014, ch. 176, § 1; P.L. 2014, ch. 192, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-5. - State DNA databank.

§ 12-1.5-5. State DNA databank.
There is established the state DNA databank. It shall serve as the repository of DNA samples collected under this chapter and shall be administered by the department of health.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-6. - Procedural compatibility with F.B.I.

§ 12-1.5-6. Procedural compatibility with F.B.I.
The DNA database system as established by this chapter shall be compatible with the procedures specified by the F.B.I., including use of comparable test procedures, laboratory equipment, supplies and computer software.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-7. - Scope and applicability. [Contingent amendment; see other version.]

§ 12-1.5-7. Scope and applicability. [Contingent amendment; see other version.]
For law enforcement purposes, this chapter is applicable to adult persons arrested for crimes of violence as defined in § 12-1.5-2 and/or convicted of any felony as defined in this chapter.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1; P.L. 2004, ch. 391, § 1; P.L. 2004, ch. 455, § 1; P.L. 2014, ch. 176, § 1; P.L. 2014, ch. 192, § 1.
§ 12-1.5-7. Scope and applicability. [Contingent effective date; see note.]
For law enforcement purposes, this chapter is applicable to adult persons arrested for any crime of violence as defined in § 12-1.5-2 and/or convicted of, or sentenced for, any felony.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1; P.L. 2001, ch. 42, § 2; P.L. 2001, ch. 76, § 2; P.L. 2004, ch. 391, § 1; P.L. 2004, ch. 455, § 1; P.L. 2014, ch. 176, § 1; P.L. 2014, ch. 192, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent

OffendersSection 12-1.5-8. - DNA sample required upon arrest or conviction for any crime of violence.

§ 12-1.5-8. DNA sample required upon arrest or conviction for any crime of violence.

(a)

Every person arrested for a crime of violence as defined in § 12-1.5-2, who pleads guilty or nolo contendere, or is convicted of any felony shall have a DNA sample taken for analysis as follows:

(1)

Every person who is sentenced to a term of confinement to prison, for any crime of violence as defined in § 12-1.5-2, or any felony shall not be released prior to the expiration of his or her maximum term of confinement unless and until a DNA sample has been taken;

(2)

Every person convicted of any crime of violence as defined in § 12-1.5-2, or any felony, or who is sentenced thereon to any term of probation, or upon whose case sentencing is deferred shall have a DNA sample taken for analysis by the department of the health as a condition of any sentence which disposition will not involve an intake into prison.

(b)

Every person arrested for any crime of violence as defined in § 12-1.5-2 shall, at the time of booking, have a DNA sample taken for analysis and included in the Rhode Island DNA database and DNA databank respectively as required by this chapter and every such person shall be notified of his or her expungement rights under § 12-1.5-13 at or near the time the DNA sample is taken.

(1)

The DNA sample shall be submitted by the arresting authority to the department of health. The department of health shall not test or place the sample in the statewide DNA database prior to arraignment unless one of the following conditions has been met:

(i)

The arrestee appeared before any judicial officer for an arraignment and the judicial officer made a finding that there was probable cause for the arrest; or

(ii)

The defendant was released and then failed to appear for the initial hearing, or escaped custody prior to appearing before a judicial officer.

(2)

If all qualifying criminal charges are determined to be unsupported by probable cause:

(i)

The DNA sample shall be immediately destroyed; and

(ii)

Notice shall be sent by the prosecuting authority to the defendant and counsel of record for the defendant that the sample was destroyed.

(3)

The arrestee requests or consents to having their DNA sample processed prior to arraignment for the sole purpose of having the sample checked against a sample that has been processed from the crime scene or the hospital, and is related to the charges against the person.

(4)

A second DNA sample shall be taken if needed to obtain sufficient DNA for the statewide DNA database system or if ordered by the court for good cause shown.

(c)

All DNA samples taken pursuant to this section shall be taken in accordance with regulations promulgated by the department of health.

(d)

The director of the department of health shall promulgate rules and regulations governing the periodic review of the DNA identification database to determine whether or not the database contains DNA profiles that should not be in the database, including the steps necessary to expunge any profiles that the department determines should not be in the database.

(e)

The requirements of this chapter are mandatory. In the event that an arrestee’s DNA sample is not adequate for any reason, the arrestee shall provide another DNA sample for analysis.

(f)

A sample does not need to be collected if the person has previously provided a sample sufficient for DNA testing pursuant to the provisions of this section.

History of Section.

P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1; P.L. 2000, ch. 109, § 13; P.L. 2014, ch. 176, § 1; P.L. 2014, ch. 192, § 1; P.L. 2022, ch. 210, § 1, effective June 27, 2022; P.L. 2022, ch. 211, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.5 - DNA Detection of Sexual and Violent OffendersSection 12-1.5-9. - Procedures for withdrawal, collection and transmission of DNA samples.

§ 12-1.5-9. Procedures for withdrawal, collection and transmission of DNA samples.
(a)
Only those individuals qualified to withdraw DNA samples in a medically approved manner shall withdraw a DNA sample to be submitted for DNA analysis.
(b)
Persons authorized to withdraw DNA samples under this section shall not be civilly or criminally liable for withdrawing a DNA sample and transmitting test results if they act in good faith and pursuant to this chapter.
(c)
It shall be a complete defense to a civil or criminal action if the law enforcement and correction officials who physically restrain a person for the taking of a DNA sample, acted in good faith and under the instruction and supervision of medical personnel under this statute to withdraw DNA samples.
History of Section.
P.L. 1998, ch. 33, § 1; P.L. 1998, ch. 120, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.6 - National Criminal Records Check SystemSection 12-1.6-1. - Automated fingerprint identification system database.

§ 12-1.6-1. Automated fingerprint identification system database.
The department of attorney general may establish and maintain an automated fingerprint identification system database that would allow the department to store and maintain all fingerprints submitted in accordance with the national criminal records check system. The automated fingerprint identification system database would provide for an automatic notification if, and when, a subsequent criminal arrest fingerprint card is submitted to the system that matches a set of fingerprints previously submitted in accordance with a national criminal records check. If the aforementioned arrest results in a conviction, the department shall immediately notify those individuals and entities with which that individual is associated and who are required to be notified of disqualifying information concerning national criminal records checks as provided in chapters 17, 17.4, 17.7.1 of title 23 or § 23-1-52 and chapter 7.2 of title 42 or §§ 42-7.2-18.2 and 42-7.2-18.4. The information in the database established under this section is confidential and not subject to disclosure under chapter 2 of title 38.
History of Section.
P.L. 2014, ch. 347, § 1; P.L. 2014, ch. 399, § 1; P.L. 2022, ch. 231, art. 12, § 1, effective July 1, 2022.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.6 - National Criminal Records Check SystemSection 12-1.6-2. - Long-term healthcare workers — High-risk Medicaid providers and personal care attendants.

§ 12-1.6-2. Long-term healthcare workers — High-risk Medicaid providers and personal care attendants.
The department of attorney general shall maintain an electronic web-based system to assist facilities, licensed under chapters 17, 17.4, 17.7.1 of title 23 or § 23-1-52, and the executive office of health and human services under §§ 42-7.2-18.1 and 42-7.2-18.3, required to check relevant registries and conduct national criminal records checks of routine contact patient employees, personal care attendants, and high-risk providers. The department of attorney general shall provide for an automated notice, as authorized in § 12-1.6-1, to those facilities or to the executive office of health and human services if a routine-contact patient employee, personal care attendant, or high-risk provider is subsequently convicted of a disqualifying offense, as described in the relevant licensing statute or in §§ 42-7.2-18.2 and 42-7.2-18.4. The department of attorney general may charge a facility a one-time, set-up fee of up to one hundred dollars ($100) for access to the electronic web-based system under this section.
History of Section.
P.L. 2014, ch. 347, § 1; P.L. 2014, ch. 399, § 1; P.L. 2022, ch. 231, art. 12, § 1, effective July 1, 2022.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.6 - National Criminal Records Check SystemSection 12-1.6-3. - Immunity from liability.

§ 12-1.6-3. Immunity from liability.
The department of attorney general; the department of health; or an employer who disqualifies an applicant from employment or continued employment; on the basis of a disqualification notice as described in § 12-1.6-2, or of a national criminal records check relating to disqualifying information, shall not be liable for civil damages or subject to any claim, demand, cause of action, or proceeding of any nature as a result of the disqualification.
History of Section.
P.L. 2014, ch. 347, § 1; P.L. 2014, ch. 399, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1.6 - National Criminal Records Check SystemSection 12-1.6-4. - Rules and regulations.

§ 12-1.6-4. Rules and regulations.
The department of attorney general may promulgate rules and regulations to carry out the intent of this chapter.
History of Section.

P.L. 2014, ch. 347, § 1; P.L. 2014, ch. 399, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-1. - Rewards offered by governor.

§ 12-1-1. Rewards offered by governor.
Whenever any murder, attempt at murder, robbery, or other high crime, shall be committed in the state, and the perpetrator shall escape detection, or shall escape from custody or imprisonment, either before or after conviction, the governor may issue his or her proclamation offering a suitable reward, not exceeding one thousand dollars ($1,000), for the apprehension of the offender.
History of Section.
G.L. 1896, ch. 15, § 3; G.L. 1909, ch. 21, § 3; G.L. 1923, ch. 20, § 3; G.L. 1938, ch. 6, § 3; G.L. 1956, § 12-1-1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-10.1. - Photographs and descriptive information.

§ 12-1-10.1. Photographs and descriptive information.
In the case of every offense for which an indictment has been returned or an information filed, the person for which an indictment or information has been filed, if not previously fingerprinted by the arresting police department for the offense, shall report to the bureau of criminal identification of the department of attorney general to submit to fingerprinting, a photograph and the collection of descriptive information. In the event the individual indicted or informed against has not previously been fingerprinted for the offense is in the custody of the department of corrections or detained at a similar detention facility, the investigating police department shall obtain fingerprints and a photograph from the individual charged and submit a set of said fingerprints to the department of attorney general's bureau of criminal identification within twenty-one (21) days of arraignment on the indictment or information.
History of Section.
P.L. 2002, ch. 417, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-11. - Photographs and descriptive information as to persons convicted.

§ 12-1-11. Photographs and descriptive information as to persons convicted.
In the case of every offense for which an indictment has been found or an information filed and in which the offender has been found guilty and sentenced, or has pleaded guilty or nolo contendere, the attorney general shall cause to be taken: (1) a photograph, (2) the name, age, weight, height, and a general description of the offender, and (3) his or her fingerprints in accordance with the fingerprint system of identification of criminals and a history of the offender as shown upon trial. In the case of all offenses triable in the superior court for the counties of Providence and Bristol, the attorney general shall cause the fingerprints, photograph, and other information to be taken by his or her department, and in the case of all offenses triable in any other county he or she may make any arrangements for the taking of fingerprints, photographs, and information that may to him or her seem most desirable. In the case of offenses other than those that are indictable, for which an offender is committed under a sentence of imprisonment for a period of six (6) months or more, the warden or keeper of a place of detention or penal institution other than institutions designed primarily for the detention of juveniles, to which an offender is committed, shall cause to be taken, unless the court otherwise orders, a like description, photograph, fingerprints, and history of the person. The description, photographs, fingerprints, and history shall be taken by persons in the service of the state appointed by the attorney general for that purpose. All descriptions, photographs, fingerprints, and identifying matter shall be immediately transmitted to the attorney general.
History of Section.
G.L. 1923, ch. 135, § 6; P.L. 1927, ch. 977, § 1; P.L. 1928, ch. 1191, § 1; G.L. 1938, ch. 620, § 6; impl. am. P.L. 1939, ch. 660, § 40; G.L. 1956, § 12-1-11; P.L. 1974, ch. 118, § 9.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-12.1. - Sealing of records of persons acquitted or otherwise exonerated by operation of law or by motion.

§ 12-1-12.1. Sealing of records of persons acquitted or otherwise exonerated by operation of law or by motion.
(a)
By operation of law, the court shall automatically seal the records of any criminal case that was dismissed pursuant to the district court rule of criminal procedure 48(a), including all records of the division of criminal identification established by § 12-1-4 without the requirement of filing a motion under the following circumstances:
(1)
Cases dismissed pursuant to the district court rule of criminal procedure 48(a) on or after January 1, 2023, shall be automatically sealed not less than ten (10) days and not more than twenty (20) days after the dismissal; or
(2)
Cases dismissed pursuant to the district court rule of criminal procedure 48(a) prior to January 1, 2023, shall be sealed administratively by the court clerk at the request of the defendant and any sealing order of the district court entered as a result shall

be sent electronically by the clerk of the court to the bureau of criminal identification established by § 12-1-4 within five (5) days of the entry of the order and shall be carried out within ninety (90) days of the receipt of the order.
(b)
Any person who is acquitted or otherwise exonerated of all counts in a criminal case, including, but not limited to, dismissals not described in subsection (a) of this section or filing of a no true bill or no information, may file a motion for the sealing of his or her court records in the case.
(1)
Any person filing a motion for sealing his or her court records pursuant to this section shall give notice of the hearing date set by the court to the department of the attorney general and the police department that originally brought the charge against the person at least ten (10) days prior to the hearing.
(2)
If the court, after the hearing at which all relevant testimony and information shall be considered, finds that the person is entitled to the sealing of the records, it shall order the sealing of the court records of the person in that case.
(3)
The clerk of the court shall, within forty-five (45) days of the order of the court granting the motion, place under seal the court records in the case in which the acquittal, dismissal, no true bill, no information, or other exoneration has been entered.
(c)
Notwithstanding any other provision of this section, in all cases involving a filing subsequent to a plea of not guilty, guilty, or nolo contendere to a charge of a crime involving domestic violence, the court having jurisdiction over the case shall retain the records of the case for a period of three (3) years from the date of filing. The records shall not be expunged or sealed for a period of three (3) years from the date of the filing.
(d)
The defendant shall be advised at the hearing that any and all bail money relating to a case that remains on deposit and is not claimed at the time of sealing shall be escheated to the state's general treasury in accordance with chapter 12 of title 8.
History of Section.
P.L. 1988, ch. 638, § 2; P.L. 1996, ch. 386, § 1; P.L. 2001, ch. 303, § 3; P.L. 2013, ch. 301, § 1; P.L. 2013, ch. 416, § 1; P.L. 2015, ch. 97, § 2; P.L. 2015, ch. 109, § 2; P.L. 2021, ch. 141, § 1, effective July 3, 2021; P.L. 2021, ch. 142, § 1, effective July 3, 2021; P.L. 2022, ch. 253, § 1, effective June 28, 2022; P.L. 2022, ch. 254, § 1, effective June 28, 2022; P.L. 2023, ch. 154, § 1, effective June 20, 2023; P.L. 2023, ch. 155, § 1, effective June 20, 2023.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-12.2. - Sealing of arrest records for wrongful arrest due to mistaken identity or any other reason — Notification.

§ 12-1-12.2. Sealing of arrest records for wrongful arrest due to mistaken identity or any other reason — Notification.
(a) Definitions.
(1)
"Law enforcement agency" means the department of attorney general; the superintendent of the state police, or his or her designee; the member, or members, of the police department of any city or town; a state or local police organization of this or any other state; the enforcement division of the department of environmental management; the office of the state fire marshal; the capitol police; a law enforcement agency of the federal government; and any agency, department, or bureau of the United States government that has, as one of its functions, the gathering of intelligence data.
(2)
"Destruction or sealing of records" means, and includes, any fingerprint, photograph, physical measurements, or other record of identification, heretofore or hereafter taken by, or under the direction of, the attorney general; the superintendent or his or her designees of state police; the member, or members, of the police department of any city or town; the enforcement division of the department of environmental management; the office of the state fire marshal; the capitol police; a law enforcement agency of the federal government; any agency, department, or bureau of the United States government that has as one of its functions the gathering of intelligence data; or any other officer authorized by this chapter to take them, of a person under arrest.
(b)
Any law enforcement agency, subsequent to the arrest of any person, that determines that such person was wrongfully or incorrectly arrested as a result of mistaken identity or any other reason, or wrongfully fingerprinted, photographed, or otherwise has generated any record of arrest for investigatory purposes and, as a result of such wrongful arrest, no charges have been filed in any court of this state, shall, within sixty (60) days of such determination that the arrest was wrongful or without probable cause, seal all such arrest records and destroy all identifying information and indices of arrest, including, but not limited to, photographs and fingerprints. DNA samples obtained from such person shall be handled in accordance with the provisions of chapter 1.5 of title 12, "DNA detection of sexual and violent offenders" during, and related to, the investigation.
(c)
Any law enforcement agency that arrests and reports such arrest to any other law enforcement agency shall, within sixty (60) days of making the determination that the arrest was wrongful or without probable cause, also notify all other agencies to which it has

transmitted such identifying information and including, but not limited to, the state's bureau of criminal identification (BCI), the National Crime Information Identity Center (NCIC), and/or any other state or federal agency that compiles, retains, or collects any arrest or identifying information of arrestees, that the arrest was wrongful and that any and all records transmitted or generated shall be sealed and/or destroyed as provided herein.

(d)

Any such person arrested and not charged shall be entitled to have all records and indices of arrest sealed and/or destroyed as provided herein regardless of any prior record of arrest or conviction that may otherwise not be eligible for expungement, pursuant to § 12-1.3-1 et seq., or sealing, pursuant to § 12-1-12 et seq.

(e)

Any law enforcement agency, upon making such determination that such an arrest was wrongful or without probable cause as provided herein, shall notify the person arrested that the charge was dismissed or that no charges have been filed and that all arrest records and indices of arrest have been sealed and/or destroyed consistent with this chapter.

(f)

Any person arrested, detained, or otherwise identified as a suspect, and who is thereafter exonerated consistent with the provisions contained herein, may deny, for any purpose, that the arrest ever occurred and under no circumstances shall such an arrestee be required to disclose the arrest for any purpose including, but not limited to, any application for employment, professional license, concealed-weapons permit, or the purchase of a firearm or other weapon.

History of Section.

P.L. 2016, ch. 425, § 1; P.L. 2016, ch. 426, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-12. - Destruction or sealing of records of persons acquitted or otherwise exonerated.

§ 12-1-12. Destruction or sealing of records of persons acquitted or otherwise exonerated.

(a)(1)

Any fingerprint, photograph, physical measurements, or other record of identification, heretofore or hereafter taken by or under the direction of the attorney general, the superintendent of state police, the member or members of the police department of any city or town, or any other officer authorized by this chapter to take them, of a person under arrest, prior to the final conviction of the person for the offense then charged, shall be destroyed by all offices or departments having the custody or possession within sixty (60) days after there has been an acquittal, dismissal, no true bill, no information, or the person has been otherwise exonerated from the offense with which he or she is charged, and the clerk of court where the exoneration has taken place shall, consistent with § 12-1-12.1, place under seal all records of the person in the case including all records of the division of criminal identification established by § 12-1-4.

(2)

[Deleted by P.L. 2021, ch. 141, § 1 and P.L. 2021, ch. 142, § 1.]

(3)

Any person who shall violate any provision of this section shall be fined not exceeding one hundred dollars ($100).

(b)

Requirements of this section shall also apply to persons detained by police, but not arrested or charged with an offense, or to persons against whom charges have been filed by the court, and the period of such filing has expired.

(c)

Notwithstanding any other provision of this section, any person who has been charged with a complaint for a crime involving domestic violence where the complaint was filed upon a plea of not guilty, guilty, or nolo contendere pursuant to § 12-10-12, must wait a period of three (3) years from the date of filing before the records associated with the charge can be expunged, sealed, or otherwise destroyed.

History of Section.

P.L. 1984, ch. 341, § 2; P.L. 1987, ch. 390, § 1; P.L. 1988, ch. 638, § 1; P.L. 1996, ch. 386, § 1; P.L. 1998, ch. 438, § 1; P.L. 2001, ch. 303, § 3; P.L. 2013, ch. 301, § 1; P.L. 2013, ch. 416, § 1; P.L. 2021, ch. 141, § 1, effective July 3, 2021; P.L. 2021, ch. 142, § 1, effective July 3, 2021.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-14. - Body attachment — Nonsupport of children.

§ 12-1-14. Body attachment — Nonsupport of children.

(a)

Any body attachment issued by the family court in a case involving the bureau of family support relating to the nonsupport of children shall be entered into the state and police telecommunications system known as the Rhode Island Law Enforcement Telecommunications System, "RILETS." The family court shall be responsible for transmitting all body attachments and cancellations of them to the attorney general's bureau of criminal identification for distributing the body attachment information into RILETS. Within the body attachment, the information entered in RILETS shall include date of birth and social security number when available. The family court shall be responsible for transmitting information regarding all body attachments and cancellations

to the attorney general's bureau of criminal identification for entering the body attachment information into RILETS. The family court shall transmit the original body attachment to the attorney general's bureau of criminal identification.
(b)
Any peace officer as defined in § 12-7-21 or certified constable authorized pursuant to § 9-5-10.1 shall have the authority to execute a body attachment as issued by the family court pursuant to § 8-10-3.1.
History of Section.
P.L. 1995, ch. 370, art. 29, § 12; P.L. 1995, ch. 374, § 12; P.L. 1996, ch. 241, § 1; P.L. 2015, ch. 260, § 19; P.L. 2015, ch. 275, § 19.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-15. - Retaliation prohibited.

§ 12-1-15. Retaliation prohibited.
No employer shall discharge or take any disciplinary action against an employee based on the employer's notification or obligation provisions contained in Chapter 370, Article 29 and Chapter 374 of the 1995 Public Laws.
History of Section.
P.L. 1995, ch. 370, art. 29, § 14; P.L. 1995, ch. 374, § 14.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-16. - Improvement of lineup procedures task force.

§ 12-1-16. Improvement of lineup procedures task force.
(a)
In order to: (1) Prevent the injustice of a wrongful conviction caused by mistaken eyewitness identification; (2) Improve lineup procedures during criminal investigations; and (3) Further improve the already high quality of criminal justice in our state, the general assembly creates a taskforce to identify and recommend policies and procedures to improve the accuracy of eyewitness identifications.
(b)
The task force shall be comprised of the following or their designees:
(1)
Attorney general;
(2)
Public defender;
(3)
Superintendent of the Rhode Island state police;
(4)
President of the Rhode Island police chiefs' association;
(5)
Head of the municipal police training academy;
(6)
President of the Rhode Island bar association;
(7)
President of the Rhode Island association of criminal defense lawyers;
(8)
A representative from a Rhode Island university with expertise in the relevant social sciences as demonstrated by teaching, publication and other scholarly applications; and
(9)
Executive director of the Rhode Island commission for Human Rights.
(c)
The task force, in consultation with eyewitness identification practitioners and experts, shall develop guidelines for policies, procedures and training with respect to the collection and handling of eyewitness evidence in criminal investigations by law enforcement agencies in Rhode Island. The purpose of the guidelines is to provide law enforcement agencies with information regarding policies and procedures proven to increase the accuracy of the crime investigation process, thus also reducing the possibility of wrongful convictions.
(d)
Guidelines for policies, procedures and training that may be considered and recommended by the task force include, but are not limited to:
(1)
Use of blind administration of lineups;
(2)
Specific instructions to be given to the eyewitness before and during the lineup to increase the accuracy of any identification, including that the purpose of the identification procedure is to exculpate the innocent as well as to identify the actual perpetrator;

(3)
Number and selection of fillers to be in lineups;
(4)
Use of sequential lineups versus nonsequential lineups;
(5)
Inclusion of only one suspect in any lineup;
(6)
Value of refraining from providing any confirmatory information to the eyewitness;
(7)
Standards and protocols to be used in the administration and conduct of an identification procedure;
(8)
Training, if any, should be made available to law enforcement personnel in the use of these procedures; and
(9)
Taking a confidence statement from the person viewing the lineup.
(e)
The task force shall submit a report on the guidelines developed and recommendations concerning their use. Minority reports may also be issued. These reports shall be presented to the governor, the chief justice of the Rhode Island supreme court, the speaker of the house of representatives, the president of the senate, and the chairpersons of the judiciary committees of both the house of representatives and the senate no later than January 1, 2011. The task force shall meet periodically thereafter in order to assess the impact of the recommendations made in the report; to conduct further research in the area of eyewitness identification; to specifically assess the use of sequential and simultaneous lineups by Rhode Island law enforcement agencies; and to consider whether, in light of that experience, the use of sequential lineups should be recommended as a "best practice." Said meetings shall be called by agreement of the attorney general and public defender. A supplemental report from the task force shall be delivered in the same manner as its initial report and not later than April 30, 2012.
History of Section.
P.L. 2010, ch. 165, § 1; P.L. 2010, ch. 169, § 1; P.L. 2011, ch. 104, § 1; P.L. 2011, ch. 110, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-17. - Background checks for employees of religious organizations.

§ 12-1-17. Background checks for employees of religious organizations.
(a)
In order to assist Rhode Island's religious organizations and houses of worship (hereinafter religious organization) with the ability to ensure that their staff, teachers, and employees are of good moral character, all persons eighteen (18) years of age or older seeking to work or volunteer for any religious organization shall, at the specific request of the religious organization, be required to undergo a national criminal background check for the purpose of determining whether the prospective employee or volunteer has been convicted of any crime.
(1)
Participation of any religious organization with the system of background checks created by this section is voluntary and any decision to request a national background check for any person may be made at the sole discretion of the religious organization.
(2)
"Disqualifying information" for purposes of this section shall mean those offenses included in §§ 23-17-37, 11-37-1 — 11-37-8.4, and §§ 11-9-1 — 11-9-5.3.
(b)
Any religious organization may require any applicant for employment or volunteer activity, if that employment or activity involves routine contact with minors, to apply to the bureau of criminal identification (BCI), the department of the attorney general, the state police, or the local police department for a nationwide criminal records check. The check shall conform to the applicable federal standards, including the requirement that the applicant provide a set of fingerprints to facilitate the background check.
(1)
It shall be the responsibility of the BCI to conduct the national criminal identification check within fourteen (14) days of the applicant's request.
(c)
If any disqualifying information is discovered with respect to the applicant, the BCI shall inform the religious organization in writing, without disclosing the nature of the disqualifying information, that an item of disqualifying nature has been discovered. In addition, the BCI shall inform the applicant, in writing, of the nature of the disqualifying information.
(1)
Upon receipt of the disqualifying information from the BCI, the applicant may, within twenty (20) days of receipt thereof, request that the BCI provide a copy of the information to the religious organization which will have the discretion to determine whether the applicant is eligible for employment or volunteer status.
(d)

If no disqualifying information is found upon completion of the background check, the BCI shall notify both the applicant and the religious organization, in writing, of this fact.
(e)
Upon completion of the background check, and after the twenty-day (20) period referenced in subsection (c)(1) of this section, the BCI shall promptly destroy the fingerprints provided by the applicant.
(f)
No religious organization that disqualifies an individual from employment or volunteer activity as a result of its receipt of disqualifying information, shall be liable for civil damages or subject to any claim, cause of action, or proceeding of any nature, as a result of such disqualification.
(g)
The applicant shall be responsible for the costs of conducting the nationwide criminal records check.
History of Section.
P.L. 2017, ch. 51, § 1; P.L. 2017, ch. 60, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-2. - Appropriations for expenses authorized by governor.

§ 12-1-2. Appropriations for expenses authorized by governor.
The general assembly shall annually appropriate any sums that it may deem necessary for the payment of any services that may be authorized by the governor in the execution of the laws, the detection of crime and the apprehension of offenders, not including in the appropriation the sum to be paid under § 12-1-1 as a reward for the apprehension of offenders.
History of Section.
G.L. 1896, ch. 15, § 5; P.L. 1898, ch. 572, § 1; G.L. 1909, ch. 21, § 5; P.L. 1918, ch. 1645, § 2; G.L. 1923, ch. 20, § 5; P.L. 1935, ch. 2250, § 149; G.L. 1938, ch. 6, § 5; G.L. 1956, § 12-1-2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-3. - Rewards offered by towns and cities.

§ 12-1-3. Rewards offered by towns and cities.
Every town council of any town, or mayor of any city acting with the advice of the city council, may offer a suitable reward, not exceeding five hundred dollars ($500) in any one case, for the detention, apprehension and conviction of any offender committing a high crime or misdemeanor within the limits of the town or city, to be paid by the town treasurer or city treasurer upon the order of the town council, or mayor and city council, out of any funds of the town or city not otherwise specifically appropriated.
History of Section.
G.L. 1896, ch. 40, § 20; G.L. 1909, ch. 50, § 20; G.L. 1923, ch. 51, § 20; G.L. 1938, ch. 333, § 20; G.L. 1956, § 12-1-3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-4. - Division of criminal identification — Chief and assistants.

§ 12-1-4. Division of criminal identification — Chief and assistants.
There shall be a division of criminal identification in the department of the attorney general to be in charge of a chief who shall be appointed by the attorney general to serve at the pleasure of the attorney general, and who shall devote all of his or her time to the duties of his or her office. The chief with the approval of the attorney general may appoint any assistants that he or she may deem necessary to carry out the work of the division, within the limits of any appropriation made for that purpose, and may with the approval of the attorney general discontinue the employment of any assistants at any time. The chief shall perform the functions required by the provisions of this chapter. In addition to availability of records to law enforcement agencies and officers, the records shall be made available to any attorney of record in any criminal action, and any officials of businesses which are required by federal or state law or regulation to effectuate a criminal background check of potential or prospective employees. The information shall be confidential and shall be used only by the employer for the employee’s application of employment.
History of Section.
G.L. 1923, ch. 135, § 1; P.L. 1927, ch. 977, § 1; P.L. 1935, ch. 2250, § 31; G.L. 1938, ch. 620, § 1; impl. am. P.L. 1939, ch. 660, § 40; G.L. 1956, § 12-1-4; P.L. 1977, ch. 239, § 1; P.L. 2004, ch. 6, § 9.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-7. - Criminal identification records — Stolen property reports.

§ 12-1-7. Criminal identification records — Stolen property reports.
It shall be the duty of the attorney general to procure and file for record in the office of his or her department so far as the same can be procured, fingerprints, plates, photos, outline pictures, descriptions, information, and measurements of all persons who shall be or shall have been convicted of felony, or imprisoned for violating any of the military, naval, or criminal laws of the United States or of any state, and of all well-known and habitual criminals from wherever procurable. The attorney general shall procure and keep on file in the office of the department, so far as they can be procured, fingerprints, measurements, processes, operations, signalletic

cards, plates, photographs, outline pictures, measurements, and descriptions of any person who shall have been or shall be confined in any penal institution of this state, taken in accordance with the system of identification in use in any penal institution of this state. The attorney general shall also keep on file in the office the reports of lost, stolen, found, pledged, or pawned property required to be furnished to him or her.
History of Section.
G.L. 1923, ch. 135, § 2; P.L. 1927, ch. 977, § 1; G.L. 1938, ch. 620, § 2; impl. am. P.L. 1939, ch. 660, § 40; G.L. 1956, § 12-1-7; P.L. 2004, ch. 6, § 9.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-8.1. - Method of identification.

§ 12-1-8.1. Method of identification.
The bureau of criminal identification in the department of attorney general shall use fingerprints as the exclusive method of positive identification.
History of Section.
P.L. 2002, ch. 417, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-1 - Identification and Apprehension of CriminalsSection 12-1-9.1. - Duty of police officials to furnish fingerprints.

§ 12-1-9.1. Duty of police officials to furnish fingerprints.
It shall be the duty of the superintendent of the state police and the chiefs of police or town sergeants to furnish the bureau of criminal identification of the department of attorney general within ten (10) days of arrest, the fingerprints and physical description of all persons arrested and all persons who are wanted for serious crimes or who are fugitives from justice. This section is not intended to include violations of city or town ordinances or of persons arrested for minor offenses.
History of Section.
P.L. 2002, ch. 417, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-10 - Preliminary Proceedings in District CourtsSection 12-10-1. - Court open at all times.

§ 12-10-1. Court open at all times.
The district court shall be open at all times for the transaction of criminal business.
History of Section.
C.P.A. 1905, § 149; G.L. 1909, ch. 281, § 1; G.L. 1923, ch. 331, § 1; G.L. 1938, ch. 501, § 1; G.L. 1956, § 12-10-1; P.L. 1969, ch. 239, § 19.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-10 - Preliminary Proceedings in District CourtsSection 12-10-10. - Commitment or recognizance on adjournment.

§ 12-10-10. Commitment or recognizance on adjournment.
In case of an adjournment, if the accused is charged with any offense not bailable by the district court, he or she shall, in the meantime, be committed to the adult correctional institutions; but if bailable, the accused may give recognizance in a sum and with surety or sureties to the satisfaction of the court for his or her appearance for further examination, and for want of recognizance may be committed to the institutions.
History of Section.
C.P.A. 1905, § 168; G.L. 1909, ch. 281, § 21; G.L. 1923, ch. 331, § 21; G.L. 1938, ch. 501, § 21; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 12-10-10.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-10 - Preliminary Proceedings in District CourtsSection 12-10-11. - Default on recognizance.

§ 12-10-11. Default on recognizance.
If the person recognized shall not appear according to the condition of the recognizance, the district court shall record the default and certify the recognizance with the record of the default to the superior court for the same county.
History of Section.
C.P.A. 1905, § 169; G.L. 1909, ch. 281, § 22; G.L. 1923, ch. 331, § 22; G.L. 1938, ch. 501, § 22; G.L. 1956, § 12-10-11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-10 - Preliminary Proceedings in District CourtsSection 12-10-12. - Filing of complaints.

§ 12-10-12. Filing of complaints.
(a)
Subject to any other provisions of law relative to the filing of complaints for particular crimes, any judge of the district court or

superior court may place on file any complaint in a criminal case other than a complaint for the commission of a felony or a complaint against a person who has been convicted of a felony or a private complaint. The court may, in its discretion, determine the length of time in which the case will be on file but in no event shall it be longer than the maximum jail sentence allowed by law. The court may in its discretion require, as a condition of the filing, the performance of services for the public good or may attach any other conditions to it that the court shall determine; provided, in cases where the court ordered restitution totals less than two hundred dollars ($200) to an injured party pursuant to this section or § 12-19-34, the court shall require that full restitution be made at the time of sentencing if the court determines that the defendant has the present ability to make the restitution.

(b)

Express conditions of any filing in accordance with this section shall be that the defendant at all times during the period of filing keep the peace and be of good behavior and shall have paid all outstanding court-imposed or court-related fees, fines, costs, assessments, charges, and/or any other monetary obligations unless reduced or waived by order of the court. A violation of any condition set by the court may be deemed a violation of the filing and the matter that was filed may be resurrected by the court, or the court may impose a sanction. A determination of whether a violation has occurred shall be made by the court in accordance with the procedures relating to a violation of probation, §§ 12-19-9 and 12-19-14.

(c)

In the event the complaint was originally filed under this section subsequent to the defendant's plea of guilty or nolo contendere to the charges, the court, if it finds there to have been a violation but does not impose a sanction, may sentence the defendant. In the event the court filed the complaint under this section while the defendant maintained a plea of not guilty, if the court finds there to have been a violation but does not impose a sanction, it may proceed to the further disposition of the complaint according to law. If no action is taken on the complaint during the period of filing, the complaint shall be automatically expunged. No criminal record shall result; provided, that in any civil action for a tort, a plea of guilty or a finding of guilty should be admissible notwithstanding the fact that the complaint has been filed.

(d)

Notwithstanding the foregoing provisions of this section, in the event a complaint for a crime involving domestic violence was originally filed under this section subsequent to the defendant's plea of guilty or nolo contendere to the charges, the court, if it finds there to have been a violation, may sentence the defendant. In the event the court filed the complaint for a crime involving domestic violence under this section while the defendant maintained a plea of not guilty, if the court finds there to have been a violation, it may proceed to the further disposition of the complaint for a crime involving domestic violence according to law. If, during the period of filing, the defendant is not charged with a violation pursuant to subsection (b) of this section, the filed complaint for the crime involving domestic violence shall be automatically quashed and shall not be resurrected. If, for a period of three (3) years after the date of filing, the defendant is not charged with a crime involving domestic violence, or if so charged, is acquitted or the complaint is dismissed, all records relating to the filed complaint for a crime involving domestic violence shall be expunged without the requirement of filing a motion pursuant to chapter 1.3 of title 12. No criminal records shall result, unless in any civil action for a tort, in which a plea of guilty or a finding of guilty is admissible notwithstanding the fact that the complaint has been filed. Provided, however, that in sentencing a defendant for a crime involving domestic violence of which the defendant was charged within three (3) years after the filing of a prior crime involving domestic violence to which the defendant pleaded guilty or nolo contendere, the court may take the plea into consideration.

(e)

The defendant shall be advised that any and all bail money relating to a case that remains on deposit and is not claimed at the time of expungement shall be escheated to the state's general treasury in accordance with chapter 12 of title 8.

History of Section.

P.L. 1971, ch. 193, § 1; P.L. 1978, ch. 296, § 1; P.L. 1983, ch. 224, § 2; P.L. 1990, ch. 251, § 1; P.L. 1992, ch. 285, § 1; P.L. 1994, ch. 98, § 2; P.L. 1994, ch. 434, § 1; P.L. 2001, ch. 303, § 2; P.L. 2015, ch. 97, § 4; P.L. 2015, ch. 109, § 4; P.L. 2016, ch. 511, art. 1, § 6; P.L. 2017, ch. 342, § 3; P.L. 2017, ch. 353, § 3; P.L. 2023, ch. 231, § 1, effective June 23, 2023; P.L. 2023, ch. 232, § 1, effective June 23, 2023.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-10 - Preliminary Proceedings in District CourtsSection 12-10-2. - Powers of justices of the peace.

§ 12-10-2. Powers of justices of the peace.

(a)(1)

The chief judge of the district court shall, from time to time, appoint, with power to revoke the appointments, from those qualified justices of the peace who shall be members of the bar of the state of Rhode Island within the cities and towns and divisions of the district court, as many justices of the peace as he or she may deem necessary, who shall be authorized to set and take bail in all complaints bailable before a division of the district court, except those offenses punishable by life imprisonment and, in default of bail, to commit to the adult correctional institutions all respondents arrested on those complaints. The chief judge shall authorize the justices of the peace, so appointed by him or her, to issue warrants and complaints returnable to the division of the district court for any offense for which, by law, a judge of the district court may issue a warrant and complaint, and all warrants so issued, and all warrants and complaints upon which bail is taken or commitments are made, shall be immediately returned to the divisions; provided, that the justices of the peace shall not in any case, or for any purpose, have the power to issue search warrants. The

justices of the peace may also set and take bail, as provided in this section, and commit and issue warrants (except search warrants), in any division where the defendant is being held by the state police, the metropolitan park police, conservation officers of the department of environmental management, a sheriff or deputy sheriff, the capitol police, the campus security forces of the state colleges and universities, or city or town police forces.

(2)

Whenever probable cause exists that a defendant is a violator of bail and/or probation in the district court or superior court, upon being presented with a violation report by the attorney general or the attorney general's transmission of a violation report to the arresting agency or place of presentment, and upon making a finding that the defendant is subject to violation of bail and/or probation and that probable cause exists on the new charge being brought, the justice of the peace shall issue his or her writ of mittimus confining the defendant without bail and issue a writ of habeas corpus returnable to the next sitting of the district court and make a finding of probable violation in writing. If the attorney general transmits the violation report to the arresting agency or place of presentment, the law enforcement agency shall ensure that the defendant is presented with the violation report and the justice of the peace shall ensure the violation report is attached to his or her writs and other documentation of a district court violation or a superior court violation. The justice of the peace shall proceed to arraign the defendant on the new charge pursuant to subdivision (1). The justice of the peace shall return his or her writs and other documentation of a district court violation to the clerk of the district court; regarding any superior court violation, the attorney for the state shall notify the clerk of the superior court for the county where the case originated, for which a finding of probable violation was made, of the finding of probable violation and the attorney for the state shall, on the same date, request a judge or magistrate of the superior court to issue a writ of habeas corpus for the purpose of a violation presentation before the superior court returnable to the next sitting of the superior court in the county.

(b)

In misdemeanor cases, a justice of the peace may accept pleas of not guilty, in which case the justice of the peace may schedule a pre-trial conference date before a judge of the district court.

(c)

In non-capital felony cases, the justices of the peace may also schedule felony screening dates.

(d)

The fee for the justices of the peace shall be fifty dollars ($50.00), paid by each individual who appears before him or her; provided, that when a special session is requested between the hours of 11:00 p.m. and 8:00 a.m., the fee shall be arranged between the defendant and the justice of the peace, but shall not exceed two hundred dollars ($200). Justices of the peace shall have immunity for any actions taken pursuant to the provisions of this section.

History of Section.

C.P.A. 1905, § 181; G.L. 1909, ch. 281, § 34; G.L. 1923, ch. 331, § 34; G.L. 1938, ch. 501, § 34; P.L. 1948, ch. 2024, § 1; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 12-10-2; P.L. 1969, ch. 239, § 19; P.L. 1981, ch. 314, § 1; P.L. 1988, ch. 77, § 1; P.L. 1988, ch. 224, § 1; P.L. 1988, ch. 368, § 1; P.L. 2002, ch. 141, § 1; P.L. 2016, ch. 380, § 1; P.L. 2016, ch. 395, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-10 - Preliminary Proceedings in District CourtsSection 12-10-3. - Recording and certification of appointments and revocations — Signature of warrants.

§ 12-10-3. Recording and certification of appointments and revocations — Signature of warrants.

Appointments and revocations shall be recorded in the records of the court and certified by the chief judge making them to the secretary of state, and the judge shall also issue to the justice or justices of the peace his or her warrant under the seal of the court, by which the justice or justices shall be authorized to perform the duties specified in this chapter, and shall also, whenever he or she shall revoke the appointment, notify the justice of the peace in writing of the revocation. Justices of the peace appointed to issue warrants shall sign all warrants by them issued as "Justice of the peace authorized to issue warrants."

History of Section.

C.P.A. 1905, § 182; G.L. 1909, ch. 281, § 35; G.L. 1923, ch. 331, § 35; G.L. 1938, ch. 501, § 35; G.L. 1956, § 12-10-3; P.L. 1969, ch. 239, § 19.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-10 - Preliminary Proceedings in District CourtsSection 12-10-4. - Plea on offense beyond trial jurisdiction of district court.

§ 12-10-4. Plea on offense beyond trial jurisdiction of district court.

Whenever any person shall be brought before a district court upon a complaint charging him or her with an offense which is not within the jurisdiction of the court to try and determine, the court may, with the written consent of the attorney general or his or her authorized designee, and with a waiver of indictment or information by such person, acting with the benefit of counsel, receive a plea of guilty or nolo contendere and may impose sentence. There shall be no appeal to the superior court. Any district court judge performing these duties shall receive the same salary as a superior court judge would receive.

History of Section.

G.L. 1909, ch. 281, § 41; P.L. 1915, ch. 1258, § 2; G.L. 1923, ch. 331, § 41; G.L. 1938, ch. 501, § 41; G.L. 1956, § 12-10-4; P.L. 1972, ch. 169, § 18; P.L. 2003, ch. 139, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-10 - Preliminary Proceedings in District

CourtsSection 12-10-5. - Discharge of person charged with offense beyond trial jurisdiction of district court.

§ 12-10-5. Discharge of person charged with offense beyond trial jurisdiction of district court.
Whenever any person shall be brought before any district court, charged with any offense which it has not jurisdiction to try and determine, and, after hearing all the evidence adduced in relation to it, it shall not appear to the district court that the accused is probably guilty of the offense, or of any other offense substantially charged in the complaint, the accused shall be immediately discharged.
History of Section.
C.P.A. 1905, § 165; G.L. 1909, ch. 281, § 18; G.L. 1923, ch. 331, § 18; G.L. 1938, ch. 501, § 18; G.L. 1956, § 12-10-5.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-10 - Preliminary Proceedings in District CourtsSection 12-10-6. - Recognizance or commitment on charge of offense beyond trial jurisdiction of district court.

§ 12-10-6. Recognizance or commitment on charge of offense beyond trial jurisdiction of district court.
Whenever any person shall be brought before the district court upon a complaint charging him or her with an offense which is not within the jurisdiction of the court to try and determine, and it shall appear to the court that the accused is probably guilty, the court shall, if the offense is bailable by it, require the accused to enter into a recognizance in any sum that the court shall direct, with sufficient surety to be approved by the court, with condition that the accused will appear at the superior court for the county in which the division is situated at the time fixed for the attendance of the grand jury in that court which is next after seven (7) days from the day when the recognizance was ordered, and not to depart the superior court without leave, and in the meantime keep the peace and be of good behavior toward all the people of this state. The recognizance shall be immediately certified as soon as may be by the district court to the court before which the accused shall recognize to appear. Whenever the district court shall require any person to enter into a recognizance for his or her appearance before it or before any other court, and shall not give the recognizance, the person shall be immediately committed to the adult correctional institutions, there to remain until he or she is discharged pursuant to law. If the required recognizance is for the appearance of the accused before the superior court, the fact of the commitment shall be immediately certified to the superior court before which the accused has been held to appear.
History of Section.
C.P.A. 1905, § 166; G.L. 1909, ch. 281, § 19; G.L. 1923, ch. 331, § 19; G.L. 1938, ch. 501, § 19; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 12-10-6; P.L. 1969, ch. 239, § 19.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-10 - Preliminary Proceedings in District CourtsSection 12-10-7. - Transmission of papers to superior court.

§ 12-10-7. Transmission of papers to superior court.
Whenever a division of the district court, upon a criminal complaint, shall adjudge a defendant in any criminal complaint probably guilty of an offense, the complaint and all papers connected with it shall immediately be certified and be transmitted to the clerk of the superior court for the county in which the division is situated.
History of Section.
C.P.A. 1905, § 172; G.L. 1909, ch. 281, § 25; G.L. 1923, ch. 331, § 25; G.L. 1938, ch. 501, § 25; G.L. 1956, § 12-10-7; P.L. 1969, ch. 239, § 19.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-10 - Preliminary Proceedings in District CourtsSection 12-10-8. - Discharge of accused on acknowledgment of satisfaction by complainant.

§ 12-10-8. Discharge of accused on acknowledgment of satisfaction by complainant.
Whenever any person shall be committed to a correctional institution, or shall be under recognizance, to answer to a charge of assault or battery, or both, or for any threat of committing an offense against the person or property of another, if the person injured or threatened shall appear before the judge of the district court who issued the warrant of commitment or took the recognizance, and acknowledge in writing that he or she has received satisfaction of the injury, or has ceased to fear the execution of the threat, the judge may, in his or her discretion, upon payment of all costs that may have accrued, including the board of the prisoner in the institution, if committed, discharge the recognizance, or supersede the commitment, by an order under his or her hand, which order shall be filed with the recognizance, or recorded in the records of the institution, as the case may require. That order shall forever bar all remedy by civil action for the injury.
History of Section.
C.P.A. 1905, § 173; G.L. 1909, ch. 281, § 26; G.L. 1923, ch. 331, § 26; G.L. 1938, ch. 501, § 26; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 12-10-8; P.L. 1969, ch. 239, § 19.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-10 - Preliminary Proceedings in District CourtsSection 12-10-9. - Adjournment of trial or examination.

§ 12-10-9. Adjournment of trial or examination.
The district court may adjourn any trial or examination pending before it, from time to time, not exceeding fourteen (14) days at any one time, except with the consent or at the request of the accused, and to the same or to a different place in the same division.

History of Section.
C.P.A. 1905, § 167; G.L. 1909, ch. 281, § 20; G.L. 1923, ch. 331, § 20; G.L. 1938, ch. 50, § 20; G.L. 1959, § 12-10-9; P.L. 1969, ch. 239, § 19.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-11.1 - Statewide Grand JuriesSection 12-11.1-1. - Statewide grand jury — Size and powers.

§ 12-11.1-1. Statewide grand jury — Size and powers.
A statewide grand jury shall consist of not less than thirteen (13) nor more than twenty-three (23) persons. The jurisdiction of a statewide grand jury shall extend throughout the state and it may investigate and return indictments for crimes committed any place within the state. A statewide grand jury shall in all other respects possess the usual powers and duties of county grand juries.
History of Section.
P.L. 1974, ch. 221, § 4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-11.1 - Statewide Grand JuriesSection 12-11.1-3. - Statewide grand juries — Impaneling.

§ 12-11.1-3. Statewide grand juries — Impaneling.
Whenever the attorney general makes application in writing, the presiding justice shall order the impaneling of a statewide grand jury to attend the superior court at any places and for any period, not exceeding eighteen (18) months, that he or she directs. The attorney general may apply for the impaneling of as many statewide grand juries as he or she deems necessary.
History of Section.
P.L. 1974, ch. 221, § 4; P.L. 1983, ch. 46, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-11.1 - Statewide Grand JuriesSection 12-11.1-4. - Composition — Secretary of state required to inform jury commissioner.

§ 12-11.1-4. Composition — Secretary of state required to inform jury commissioner.
A statewide grand jury shall be selected at random from the names of all prospective grand jurors appearing on current lists compiled pursuant to chapter 9 of title 9. In selecting the jurors, the jury commissioner shall select from each county a number of grand jurors which shall bear to the total number of grand jurors to be selected the same proportion as the current number of voters from the county bears to the total current number of voters for the state as a whole. For purposes of this section, Providence and Bristol counties shall be considered one county, and the size of the statewide grand jury shall be considered as twenty-three (23) members; provided, the actual size of the statewide grand jury shall conform to the provisions of § 12-11-1 and Rule 6(a) of the Superior Court Rules of Criminal Procedure.
History of Section.
P.L. 1974, ch. 221, § 4; P.L. 1977, ch. 94, § 1; P.L. 1982, ch. 239, § 1; P.L. 1995, ch. 324, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-11.1 - Statewide Grand JuriesSection 12-11.1-5.1. - Unlawful grand jury disclosure.

§ 12-11.1-5.1. Unlawful grand jury disclosure.
(a)
Any person who, when being a grand juror, a public prosecutor, a grand jury stenographer, a grand jury interpreter, a police officer or a peace officer guarding a witness in a grand jury proceeding, or a clerk, attendant, warden or other public servant having official duties in or about a grand jury room or proceeding, or a public officer or public employee, obtains information in his or her official capacity and intentionally discloses, prior to the report of the grand jury on the matter, to another the nature or substance of any grand jury testimony, or any decision, result, or other matter attending a grand jury proceeding which is required by law to be kept secret, except in the proper discharge of his or her official duties or upon written order of the court shall be guilty of grand jury disclosure. Nothing in this section shall be construed to prohibit a witness from disclosing his or her own testimony.
(b)
Any person who violates any provision of this section shall be punishable by a fine not exceeding five thousand dollars ($5,000) or imprisonment not exceeding one year, or both.
History of Section.
P.L. 1992, ch. 277, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-11.1 - Statewide Grand JuriesSection 12-11.1-5. - When county grand jury in attendance.

§ 12-11.1-5. When county grand jury in attendance.
A statewide grand jury may attend the superior court and exercise all of its powers in a county even though a regular county grand jury is simultaneously in attendance in the county. The attendance of a statewide grand jury at the same time as a county grand jury shall not affect or diminish the powers of a county grand jury.

History of Section.
P.L. 1974, ch. 221, § 4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-11 - County Grand JuriesSection 12-11-1. - Number of members.

§ 12-11-1. Number of members.
The grand jury shall consist of not less than thirteen (13) nor more than twenty-three (23) persons. Whenever the attorney general shall by motion in writing make application to any justice of the superior court for a grand jury to consist of twenty-three (23) persons, the motion shall immediately be granted.
History of Section.
P.L. 1920, ch. 1948, § 40; G.L. 1923, ch. 329, § 40; G.L. 1938, ch. 506, § 38; G.L., ch. 506, § 36; P.L. 1939, ch. 700, § 1; G.L. 1956, § 12-11-1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-11 - County Grand JuriesSection 12-11-2. - Attendance on court — Providence and Bristol counties.

§ 12-11-2. Attendance on court — Providence and Bristol counties.
The grand jury shall attend the superior court at Providence for the counties of Providence and Bristol on the third Monday of September of each year; and on the first regular court day of every sixth week thereafter until the second Monday of July, unless at least ten (10) days prior to the day on which a grand jury is to commence its term the presiding justice orders in writing that a grand jury shall not be summoned for that term. However, the presiding justice or any other justice of the superior court may at the request of the attorney general in writing filed in the office of the clerk of the court of the county cause the grand jury in attendance on the superior court at Providence for the counties of Providence and Bristol to attend continuously for all or any part of its session in between the second Monday in September and the second Monday in July of the following year and also during all or any part of its vacation from the second Monday in July to the second Monday in September in each year, when in the discretion of the presiding justice or any other justice of the superior court for the counties it is for the public interest and the proper administration of justice to do so.
History of Section.
P.L. 1920, ch. 148, § 39; G.L. 1923, ch. 329, § 39; P.L. 1931, ch. 1774, § 1; G.L. 1938, ch. 506, § 37; G.L. 1938, ch. 506, § 35; P.L. 1939, ch. 700, § 1; P.L. 1956, ch. 3622, § 1; P.L. 1956, ch. 3729, § 3; G.L. 1956, § 12-11-2; P.L. 1973, ch. 170, § 1; P.L. 1974, ch. 221, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-11 - County Grand JuriesSection 12-11-3.1. - Additional county grand juries.

§ 12-11-3.1. Additional county grand juries.
Whenever the attorney general shall make application in writing, the presiding justice may order the impaneling of additional county grand juries to attend the superior court at such places and for any time, but not to exceed six (6) months, that he or she directs, and the county grand juries may sit simultaneously.
History of Section.
P.L. 1991, ch. 319, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-11 - County Grand JuriesSection 12-11-3. - Attendance on court — Newport, Kent, and Washington counties.

§ 12-11-3. Attendance on court — Newport, Kent, and Washington counties.
(a)
The grand jury shall attend the superior court:
(1)
At Newport, for the county of Newport, on the second Mondays of September and June and the fourth Mondays of November and March in each year, unless at least ten (10) days prior to the day on which a grand jury is to commence its term the presiding justice orders in writing that a grand jury shall not be summoned for that term;
(2)
At Warwick or at any other place in the county of Kent that may be designated by the presiding justice, for the county of Kent, on the third Monday of September, the first Monday of December, the second Monday of April and the fourth Monday of June in each year, unless at least ten (10) days prior to the day on which a grand jury is to commence its term the presiding justice orders in writing that a grand jury shall not be summoned for that term; and
(3)
At South Kingstown, for the county of Washington, on the first Mondays of October and April, the second Monday of December and the third Monday of June, unless at least ten (10) days prior to the day on which a grand jury is to commence its term the presiding justice orders in writing that a grand jury shall not be summoned for that term.

(b)
The presiding justice or any other justice of the superior court may at the request of the attorney general in writing filed in the office of the clerk of the county cause any grand juries attending the superior court for any of those counties to attend continuously for all or any part of its session and also during all or any part of its vacation, when in the discretion of the presiding justice or any other justice of the superior court for the county it is for the public interest and the proper administration of justice to do so.
History of Section.
P.L. 1920, ch. 1948, § 39; G.L. 1923, ch. 329, § 39; P.L. 1931, ch. 1774, § 1; G.L. 1938, ch. 506, § 37; G.L. 1938, ch. 506, § 35; P.L. 1939, ch. 700, § 1; P.L. 1956, ch. 3622, § 1; P.L. 1956, ch. 3729, § 1; G.L. 1956, § 12-11-3; P.L. 1974, ch. 221, § 2; P.L. 1976, ch. 18, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-11 - County Grand JuriesSection 12-11-5. - Administration of oaths to witnesses.

§ 12-11-5. Administration of oaths to witnesses.
The foreperson of every grand jury shall have full power and authority to administer all necessary oaths and affirmations to witnesses who shall be examined before the grand jury.
History of Section.
P.L. 1920, ch. 1948, § 34; G.L. 1923, ch. 329, § 34; G.L. 1938, ch. 506, § 32; G.L., ch. 506, § 30; P.L. 1939, ch. 700, § 1; G.L. 1956; § 12-11-5.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-1.1. - Capital or life offenses.

§ 12-12-1.1. Capital or life offenses.
An offense which may be punished by death shall be prosecuted by indictment. An offense which may be punished by a term of life imprisonment shall be prosecuted by indictment unless the defendant, with the consent of the attorney general and leave of the court, waives indictment, in which event it may be prosecuted by information.
History of Section.
P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-1.10. - Dismissal of information — Effect.

§ 12-12-1.10. Dismissal of information — Effect.
If the court dismisses the information on the ground that the state has not demonstrated the existence of probable cause to believe that the offense charged has been committed or that defendant committed it the state may not after dismissal proceed against the defendant for the same offense, unless:
(1)
On appeal the order of dismissal is reversed; or
(2)
The court, upon motion of the state and a finding of mistake, inadvertence, surprise, excusable neglect, the discovery of new evidence which by due diligence could not have been discovered at the time the hearing on probable cause was held, or any other reason justifying the relief, enters an order permitting the state to proceed against the defendant for the same offense.
History of Section.
P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-1.11. - “Indictment” construed.

§ 12-12-1.11. “Indictment” construed.
Whenever “indictment” appears in the general or public laws or in rules of court, it includes the expression “information filed by the attorney general or one of the attorney general’s designated assistants,” except where ascribing that meaning to the term “indictment” is inconsistent with the intent or the manner in which the term was used or otherwise is inappropriate.
History of Section.
P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-1.2. - Felonies — Less than capital or life, penalty.

§ 12-12-1.2. Felonies — Less than capital or life, penalty.
Except for offenses punishable by death or by a term of life imprisonment or offenses arising in the land or naval forces or in the militia in actual service in time of war or public danger, an offense which may be punished by imprisonment for a term exceeding one year and/or by a fine exceeding one thousand dollars ($1,000) may be prosecuted by indictment or information signed by the

attorney general or one of the attorney general’s designated assistants.
History of Section.
P.L. 1974, ch. 118, § 11; P.L. 1986, ch. 318, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-1.3. - Lesser offenses, penalty.

§ 12-12-1.3. Lesser offenses, penalty.
An offense which may be punished by imprisonment for a term not exceeding one year or a fine not exceeding one thousand dollars ($1,000) may be prosecuted by complaint.
History of Section.
P.L. 1974, ch. 118, § 11; P.L. 1986, ch. 269, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-1.4. - Contents of indictments, informations and complaints.

§ 12-12-1.4. Contents of indictments, informations and complaints.
An indictment, information, or complaint shall be a plain, concise, and definite written statement of the offense charged. An indictment, information, or complaint which provides the defendant and the court with adequate notice of the offense being charged shall be sufficient if the offense is charged either:
(1)
By using the name given to the offense in terms of either the common law or by statute; or
(2)
By stating the definition of the offense in terms of substantially the same meaning.
History of Section.
P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-1.5. - Informations — Exhibits to be attached.

§ 12-12-1.5. Informations — Exhibits to be attached.
When an offense is prosecuted by information, the attorney general shall attach to the information any exhibits, such as affidavits sworn to before the attorney general or one of his or her designated assistants, documents, photographs, recordings, or other materials or copies of them, upon which the attorney general relies to demonstrate the existence of probable cause to believe that the offense charged in the information has been committed and that the defendant committed it.
History of Section.
P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-1.6. - Defendant to receive copy of information.

§ 12-12-1.6. Defendant to receive copy of information.
A copy of the information and all exhibits appended to it shall be served on the defendant promptly after it is filed with the clerk of the superior court.
History of Section.
P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-1.7. - Motion to dismiss information.

§ 12-12-1.7. Motion to dismiss information.
Within thirty (30) days after a defendant is served with a copy of an information charging him or her with an offense, he or she may move in the superior court to dismiss the information on the ground that the information and exhibits appended to it do not demonstrate the existence of probable cause to believe that the offense charged has been committed or that the defendant committed it. Upon the filing of the motion to dismiss the court shall schedule a hearing to be held within a reasonable time.
History of Section.
P.L. 1974, ch. 118, § 11; P.L. 2008, ch. 226, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-1.8. - Hearing to determine probable cause.

§ 12-12-1.8. Hearing to determine probable cause.
At the probable cause hearing the information and exhibits appended to it shall be before the court. The defendant may call witnesses and may introduce evidence bearing on the question of the existence of probable cause to charge him or her. The state

may not call witnesses, introduce evidence, or otherwise supplement the exhibits appended to the information unless the court grants leave to do so.
History of Section.
P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-1.9. - Determining whether probable cause exists.

§ 12-12-1.9. Determining whether probable cause exists.
After conducting the hearing the court shall determine from an examination of the information and exhibits appended to it, and in light of any evidence presented at the hearing, whether there exists probable cause to believe that the offense charged has been committed and that defendant committed it. A finding of the existence of probable cause may be based in whole or in part upon hearsay evidence or on evidence which may ultimately be ruled to be inadmissible at the trial.
History of Section.
P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-10. - Variances of proof and immaterial mistakes.

§ 12-12-10. Variances of proof and immaterial mistakes.
A defendant shall not be acquitted or discharged on the ground of variance between the allegation and proof if the essential elements of the crime are correctly stated in the indictment, information, or complaint, unless the defendant is prejudiced in his or her defense by the variance. The defendant shall not be acquitted or discharged by reason of an immaterial misnomer of a third party, by reason of an immaterial mistake in the description of the property or its ownership, by reason of failure to prove unnecessary allegations in the description of the crime, or by reason of any other immaterial mistake in the indictment, information, or complaint.
History of Section.
G.L. 1909, ch. 354, § 4; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 4; G.L. 1938, ch. 625, § 4; G.L. 1956, § 12-12-10; P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-11. - Conditions not required to be negated in allegations.

§ 12-12-11. Conditions not required to be negated in allegations.
An excuse, exception, or proviso which is not stated in the enacting clause of a statute creating a crime, or which is stated only by reference to other provisions of the statute, need not be negated in the indictment, information, or complaint unless it is necessary for a complete definition of the crime. If a statute which creates a crime permits an act, which is declared to be criminal, to be performed without criminality under stated conditions, the conditions need not be negated.
History of Section.
G.L. 1909, ch. 354, § 5; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 5; G.L. 1938, ch. 625, § 5; G.L. 1956, § 12-12-11; P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-12. - Description of written instruments.

§ 12-12-12. Description of written instruments.
If an allegation relative to a written instrument which consists wholly or in part of writing, print, or figures is necessary in any indictment, information, or complaint, the indictment, information, or complaint may describe the instrument by any name or designation by which it is usually known, or by its purport, without setting out a copy or facsimile of the whole or of any part; and no variance between the recital or description and the instrument produced at the trial shall be material if the identity of the instrument is evident and its purport is sufficiently described to prevent prejudice to the defendant.
History of Section.
G.L. 1909, ch. 354, § 6; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 6; G.L. 1938, ch. 625, § 6; G.L. 1956, § 12-12-12; P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-13. - Allegations as to form of money.

§ 12-12-13. Allegations as to form of money.
If any allegation relative to any bullion, money, notes, bank notes, checks, drafts, bills of exchange, obligations, or other securities for money, of any country, state, county, city, town, bank, corporation, partnership, or person is necessary in any indictment, information, or complaint, the indictment, information, or complaint may describe it as money to a certain amount without specifying any particulars, and this descriptive allegation shall be sustained by proof of any amount of bullion, money, notes, or other securities for money, although its particular nature shall not be proved.

History of Section.
G.L. 1909, ch. 354, § 7; P.L. 1915, ch. 1262, § 1; G.L. 1923, ch. 407, § 7; G.L. 1938, ch. 625, § 7; G.L. 1956, § 12-12-13; P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-14. - Allegations as to statutory larceny.

§ 12-12-14. Allegations as to statutory larceny.
In prosecutions under §§ 11-41-3, 11-41-4, and 11-41-11, it shall be sufficient to allege generally in the indictment, information, or complaint a stealing of money to a certain amount, or property of a certain value, without specifying any particulars of the stealing, and it shall be sufficient to maintain the charge in the indictment, information, or complaint, and it shall not be deemed a variance, if it is proved that any bullion, money, notes, bank notes, check, draft, bill of exchange, or other security or money, or other property of whatever amount, was stolen, embezzled, fraudulently appropriated, converted, or was obtained, received, taken or secreted by false pretenses or otherwise, with intent to cheat, defraud, embezzle, or fraudulently convert by the person prosecuted.
History of Section.
G.L. 1909, ch. 354, § 8; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 8; G.L. 1938, ch. 625, § 8; G.L. 1956, § 12-12-14; P.L. 1974, ch. 118, § 11; P.L. 1988, ch. 15, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-15. - Allegations in perjury indictments or informations.

§ 12-12-15. Allegations in perjury indictments or informations.
In every indictment or information for perjury or subornation of perjury, or incitement to perjury, it shall be sufficient to set forth the substance of the offense charged upon the defendant, and by what court or before whom the oath or affirmation was taken, averring the court or person to have had competent authority to administer it, together with the proper averment or averments to falsify the matter in which the perjury is assigned, without setting forth any part of any record or proceeding, other than as above mentioned, and without setting forth the commission or authority of the court, or person or persons before whom the perjury was committed or was agreed, promised, procured, or incited to be committed.
History of Section.
G.L. 1896, ch. 285, § 5; G.L. 1909, ch. 354, § 5; G.L. 1909, ch. 354, § 9; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 9; G.L. 1938, ch. 625, § 9; G.L. 1956, § 12-12-15; P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-16. - Allegations as to property held jointly, in common, or by partners.

§ 12-12-16. Allegations as to property held jointly, in common, or by partners.
In every indictment, information or complaint for any felony or misdemeanor, whenever it shall be requisite to state the ownership of any property whatsoever, whether real or personal, which shall belong to or be in possession of more than one person, whether the persons are partners in trade, joint tenants, tenants in common, members of joint stock companies, or trustees, and whenever it shall be necessary to mention, for any purpose whatsoever, any partners, joint tenants, tenants in common, members of joint stock companies, or trustees, it shall be sufficient to name one of the persons and state the property to belong to the person so named the and another or others, as the case may be.
History of Section.
G.L. 1896, ch. 285, § 6; G.L. 1909, ch. 354, § 6; G.L. 1909, ch. 354, § 10; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 10; G.L. 1938, ch. 625, § 10; G.L. 1956, § 12-12-16.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-17. - Statute of limitations.

§ 12-12-17. Statute of limitations.
(a)
There shall be no statute of limitations for the following offenses: treason against the state; any homicide, arson, first-degree arson, second-degree arson, third-degree arson, burglary, counterfeiting, forgery, robbery, rape, first-degree sexual assault, first-degree child molestation sexual assault, second-degree child molestation sexual assault, bigamy; manufacturing, selling, distribution, or possession with intent to manufacture, sell, or distribute, a controlled substance under the Uniform Controlled Substance Act, chapter 28 of title 21; or any other offense for which the maximum penalty provided is life imprisonment.
(b)
The statute of limitations for the following offenses shall be ten (10) years: larceny under § 11-41-2 (receiving stolen goods), § 11-41-3 (embezzlement and fraudulent conversion), § 11-41-4 (obtaining property by false pretenses or personation), § 11-41-11 (embezzlement by bank officer or employee), § 11-41-12 (fraudulent conversion by agent or factor), and § 11-41-13 (obtaining signature by false pretenses), or any larceny that is punishable as a felony; any violation of chapter 7 of title 11 (bribery); any violation of § 11-18-1 (giving false document to agent, employee, or public official); perjury; any violation of chapter 42 of title 11

(threats and extortion); any violation of chapter 15 of title 7 (racketeer influenced and corrupt organizations); any violation of chapter 57 of title 11 (racketeer violence); any violation of chapter 36 of title 6 (antitrust law); any violation of § 11-68-2 (exploitation of an elder); any violation of § 11-41-11.1 (unlawful appropriation); any violation of § 11-18-6 (false financial statement to obtain loan or credit); any violation of § 19-9-28 (false statement to obtain a loan); any violation of § 19-9-29 (bank fraud); or any violation of § 11-18-34 (residential mortgage fraud).

(c)

The statute of limitations for any other criminal offense shall be three (3) years, unless a longer statute of limitations is otherwise provided for in the general laws.

(d)

Any person who participates in any offense, either as a principal accessory or conspirator, shall be subject to the same statute of limitations as if the person had committed the substantive offense.

(e)

The statute of limitations for any violation of chapter 18.9 of title 23 (refuse disposal), chapter 19 of title 23 (solid waste management corporation), chapter 19.1 of title 23 (hazardous waste management), chapter 12 of title 46 (water pollution), and chapter 13 of title 46 (public drinking water supply) shall be seven (7) years from the time that the facts constituting the offense or violation shall have become known to law enforcement authorities, unless a longer statute of limitations is otherwise provided for in the general laws.

History of Section.

G.L. 1896, ch. 285, § 33; G.L. 1909, ch. 354, § 33; G.L. 1909, ch. 354, § 12; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 12; G.L. 1938, ch. 625, § 12; P.L. 1950, ch. 2463, § 1; G.L. 1956, § 12-12-17; P.L. 1974, ch. 118, § 11; P.L. 1981, ch. 75, § 1; P.L. 1984, ch. 62, § 1; P.L. 1985, ch. 195, § 1; P.L. 1988, ch. 15, § 1; P.L. 1989, ch. 535, § 2; P.L. 1990, ch. 284, § 2; P.L. 2014, ch. 270, § 1; P.L. 2014, ch. 310, § 1; P.L. 2017, ch. 133, § 2; P.L. 2017, ch. 146, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-18. - Period of limitations extended by theft, loss or destruction of indictment or information.

§ 12-12-18. Period of limitations extended by theft, loss or destruction of indictment or information.

If any indictment found or information filed within the time limited in and by this chapter shall be stolen, lost, or destroyed before a judgment shall have been rendered, a new indictment may be found or information filed for the same offense at any time within one year after the theft, loss or destruction of the original indictment or information.

History of Section.

G.L. 1896, ch. 285, § 34; G.L. 1909, ch. 354, § 34; G.L. 1909, ch. 354, § 13; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 13; G.L. 1938, ch. 625, § 13; G.L. 1956, § 12-12-18; P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-2. - Process in fictitious name or by description.

§ 12-12-2. Process in fictitious name or by description.

In case the name of the person to be proceeded against is unknown, the indictment, information, complaint, warrant, or other criminal process may be found or issued against him or her by a fictitious name or by any description that the prosecutor or complainant may select, and the error or defect may be afterwards amended by the court.

History of Section.

G.L. 1896, ch. 285, § 3; G.L. 1909, ch. 354, §§ 2, 3; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 2; G.L. 1938, ch. 625, § 2; G.L. 1956, § 12-12-2; P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-20. - Original and duplicates of charges to be filed.

§ 12-12-20. Original and duplicates of charges to be filed.

In each and every criminal prosecution the original and duplicate of all complaints, warrants, informations, and/or indictments shall be filed with the appropriate court.

History of Section.

P.L. 1970, ch. 262, § 1; P.L. 1972, ch. 169, § 19; P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-21. - “Designated assistants” defined.

§ 12-12-21. “Designated assistants” defined.

“Designated assistants” as used in this chapter means any one of the attorneys employed full time by the attorney general, including, but not limited to, the positions of assistant attorney general, special assistant attorney general, and special counsel, who has been designated by the attorney general as an attorney authorized to prosecute by information charging. The attorney general shall file notice of his or her designations with the secretary of state and the clerk of the superior court.

History of Section.
P.L. 1975, ch. 251, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-22. - Arraignments and pleas — Notices to aliens.

§ 12-12-22. Arraignments and pleas — Notices to aliens.
(a)
At the time of criminal arraignment in the district or superior court, each defendant shall be informed that if he or she is an alien in the United States, a plea of guilty or nolo contendere may affect his or her immigration status. Failure to so inform the defendant at the arraignment shall not invalidate any action subsequently taken by the court.
(b)
Prior to accepting a plea of guilty or nolo contendere in the district or superior court, the court shall inform the defendant that if he or she is not a citizen of the United States, a plea of guilty or nolo contendere may have immigration consequences, including deportation, exclusion of admission to the United States, or denial of naturalization pursuant to the laws of the United States. Upon request, the court shall allow the defendant additional time to consider the appropriateness of the plea in light of this advisement.
(c)
If the court fails to so inform the defendant as required by this section, and the defendant later shows that his plea and conviction may have immigration consequences, the defendant shall be entitled, upon a proper petition for post-conviction relief, to have the plea vacated. Absent a record that the court provided the advisement required by this section, the defendant shall be presumed not have received the advisement.
(d)
The defendant shall not be required at the time of the plea to disclose to the court his or her legal status in the United States.
(e)
In the first week of January, 2001 and each year thereafter, the attorney general shall submit to the general assembly a list of cases in which a disposition was vacated pursuant to this section.
History of Section.
P.L. 1984, ch. 123, § 1; P.L. 2000, ch. 500, § 1; P.L. 2000, ch. 501, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-12 - Indictments, Informations and ComplaintsSection 12-12-3. - Formal defects in process not ground for abatement or quashing.

§ 12-12-3. Formal defects in process not ground for abatement or quashing.
No indictment, information, complaint or criminal process shall be abated or quashed for any want of form, or because it omits to allege that the offense was committed or the act was done “feloniously,” “burglariously,” “willfully,” “maliciously,” or with “malice aforethought,” “unlawfully,” “negligently,” or with “force and arms,” or because it omits to characterize similarly the manner of the commission of the offense, or because it omits to allege the means by which the offense was committed or omits to allege the time and place of the commission of the offense, unless the description, characterization, means, time, or place is an essential element of the offense; provided, that it contains such allegation of the offense that the accused is informed of the nature and cause of the accusation.
History of Section.
G.L. 1896, ch. 285, § 4; G.L. 1909, ch. 354, § 4; G.L. 1909, ch. 354, § 3, as enacted by P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 3; P.L. 1932, ch. 1954, § 1; G.L. 1938, ch. 625, § 3; G.L. 1956, § 12-12-3; P.L. 1974, ch. 118, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-1.1. - Hearings when state opposes bail — Medical disability of accused.

§ 12-13-1.1. Hearings when state opposes bail — Medical disability of accused.
(a)
In all cases where the state opposes the granting of bail in respect to offenses punishable by imprisonment for life and/or offenses involving the use or threat of use of a dangerous weapon by one already convicted of the an offense or of an offense punishable by imprisonment for life pursuant to the provisions of R.I. Const., Art. I, Sec. IX, hearings shall be held in the superior court unless arrangements are made by the parties for a stenographic or electronic recording of proceedings in the district court.
(b)
In the event an accused person fails to appear in superior court for arraignment on the an offense and the accused is under the care of a private physician who has determined that the accused is medically unable to appear in court for arraignment, the justice of the superior court in charge of the criminal calendar shall order the immediate examination of the accused by a licensed physician, who shall file his or her medical report with the court within seven (7) days of his or her examination of the accused. Should the justice after hearing decide that the accused is medically unable to appear in superior court for arraignment, he or she shall make whatever arrangements are necessary to have the accused arraigned at a location other than the superior court.
(c)
The accused person shall be liable for all expenses incurred by the state as a direct result of the inability of the accused to appear in

court for arraignment and/or the inability to transfer the accused to the adult correctional institutions or hospital facility owned by the state.
History of Section.
P.L. 1972, ch. 265, § 1; P.L. 1981, ch. 95, § 1; P.L. 1985, ch. 463, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-1.2. - Penalty for an offense committed while on release.

§ 12-13-1.2. Penalty for an offense committed while on release.
(a)
Every person who commits a criminal offense while released on personal recognizance or bail pursuant to this chapter shall, if convicted of both offenses, be sentenced, in addition to the sentences prescribed, to:
(1)
A term of imprisonment of not less than two (2) years and not more than ten (10) years, a fine of not more than five thousand dollars ($5,000), or both, if the offense is a felony; or
(2)
A term of imprisonment of not less than ninety (90) days and not more than one year, a fine of not more than one thousand dollars ($1,000), or both, if the offense is a misdemeanor.
(b)
A term of imprisonment imposed pursuant to this section shall be consecutive to any other sentence of imprisonment.
History of Section.
P.L. 1985, ch. 463, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-1.3. - Pretrial release.

§ 12-13-1.3. Pretrial release.
(a)
Unless otherwise provided, a detainee shall be eligible for pretrial release or reduced bail if he or she fails to post bail.
(b)
“Pretrial release” means release of a defendant without bail but upon an order to abide by the conditions as set by the court. Release on non-monetary conditions shall be applied to secure the presence of the accused and protect the safety of the community.
(c)
The department of corrections shall collect information concerning the background and circumstances of the pretrial detainee. The department’s investigation shall include the following information and any other factors as shall be appropriate to the case:
(1)
Marital status.
(2)
Name and address of dependents.
(3)
Past and present employment, including place of employment, position held and length of employment.
(4)
Whether the defendant is under the care of a licensed physician or uses medication prescribed by a licensed physician.
(5)
Any physical or mental condition affecting the defendant’s behavior.
(6)
Education.
(7)
Prior criminal record, including facts indicating that the defendant is likely to be a danger to the community if released without restrictions.
(8)
Prior court appearances and record of appearance or non-appearance.
(9)
Ties to this community and to other communities.
(10)
Financial resources.
(d)
If, as a result of this investigation, the department of corrections concludes that the pretrial detainee is an appropriate candidate to be considered by the court for pretrial release or reduced bail, the department shall present its findings to the court.
(e)
Upon a determination by the court that a defendant is suitable for release on recognizance subject to conditions set by the court, the

court in its discretion may also impose the least onerous of the following conditions necessary to assure the defendant's appearance in court:
(1)
Imposition of condition of release involving field supervision with or without special conditions. Field supervision shall require notification to defendants released prior to trial of their court dates.
(2)
Imposition of condition of release involving placement of defendant on intensive supervision, with or without special conditions. Intensive supervision shall require contact with the officials designated by the courts and prompt notification to the court of all apparent violations of pre-trial release conditions or arrest of persons released to its custody.
(3)
Imposition of a condition of release involving placement of the defendant on community confinement pursuant to § 42-56-20.2.
(f)
This section shall not be construed to preclude review by the court of a defendant's bail status at any time.
History of Section.
P.L. 1992, ch. 430, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-1. - Right to release pending trial on giving of recognizance.

§ 12-13-1. Right to release pending trial on giving of recognizance.
Every person who is held on any criminal process to answer to any indictment, information, or complaint against him or her shall be released upon giving recognizance with sufficient surety or sureties before a justice of the supreme or superior court or before a justice of the district court, when the complaint is pending in that court or the person is held to answer to that court, in the sum named in the process, if any has been named in it, and if none is named, then in any sum that the justice shall deem reasonable, to appear before the court where the indictment, information, or complaint is pending against him or her, or to which he or she may be bound over to appear, to answer to the indictment, information, or complaint, and to answer to it whenever called upon so to do, and abide the final order of the court, and in the meantime keep the peace and be of good behavior. Any justice may take the recognizance in any place within the state, and the recognizance shall be returned to the court to which the accused has recognized to appear.
History of Section.
G.L. 1896, ch. 285, § 14; C.P.A. 1905, § 1182; G.L. 1909, ch. 354, § 14; G.L. 1909, ch. 354, § 18; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 18; G.L. 1938, ch. 625, § 18; G.L. 1956, § 12-13-1; P.L. 1969, ch. 239, § 20; P.L. 1972, ch. 265, § 1; P.L. 1974, ch. 118, § 12.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-10. - Deposit of money in lieu of bail.

§ 12-13-10. Deposit of money in lieu of bail.
Any person who is held in custody or committed upon a criminal charge, if entitled to be released on bail, may at any time, instead of giving surety or sureties, in the discretion of the court, give before the court in which he or she is held to appear his or her personal recognizance to appear and do as ordered by the court, and shall be allowed to deposit, either individually or by another on his or her behalf, with the court in money ten percent (10%) of the amount of bail which he or she is ordered to furnish, and the justice or clerk of the court shall give him or her a certificate, and upon delivery of the certificate to the officer in whose custody he or she is shall be released from custody, and the money shall be deposited in the registry of the court before which the person shall be recognized to appear. Consistent with Article 1, § 9 of the Rhode Island Constitution, the giving of surety, or in the alternative the deposit with the court of ten percent (10%) of the amount of bail set, shall be the sole monetary conditions of the release on bail, except as set forth herein. No court shall require the deposit of cash as the sole monetary condition of the release on bail, except in those cases where the defendant owes court-imposed restitution. Upon the default of the defendant, the court before which he or she is recognized to appear may, at any time thereafter, order the money deposited in the registry of the court be forfeited, subject to the provisions of §§ 12-13-16, 12-13-16.1 and 12-13-16.2, and the money shall be paid to the general treasurer. If money has been deposited and the defendant at any time before forfeiture shall appear before the court to which he or she was recognized to appear, and shall surrender himself or herself, or shall recognize before the court with sufficient surety or sureties, in such an amount, to appear and do as the court may order, or be in any manner legally discharged, then the court shall order the return of the deposit to the defendant. If the money remains on deposit at the time of a judgment ordering the payment of restitution or any assessment made pursuant to § 12-25-28 that has not been waived by the court, the clerk must apply the money in satisfaction of the judgment's restitution order or assessment and after satisfying the order or assessment must refund the money surplus, if any, to the defendant or to the individual who posted the money on behalf of the defendant, as the case may be.
History of Section.
G.L. 1909, ch. 354, § 29; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 29; G.L. 1938, ch. 625, § 29; G.L. 1956, § 12-13-10; P.L. 1972, ch. 267, § 1; P.L. 1979, ch. 36, § 2; P.L. 1980, ch. 311, § 1; P.L. 1982, ch. 387, § 1; P.L. 1995, ch. 341, § 1; P.L. 1997, ch. 315, § 1; P.L. 2008, ch. 234, § 1; P.L. 2008, ch. 320, § 1; P.L. 2017, ch. 415, § 1; P.L. 2023, ch. 266, § 1, effective June 22, 2023;

P.L. 2023, ch. 267, § 1, effective June 22, 2023.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-11. - New or additional recognizance.

§ 12-13-11. New or additional recognizance.

Whenever in any criminal case a defendant is required to recognize with surety or sureties, or has given a recognizance in the case, any justice of the district court, when the complaint is pending in the court or the person is held to answer to the court, or any justice of the superior court, may, on motion of the attorney general, require the defendant to be brought before the justice to show cause why he or she should not be required to give a new recognizance with surety or sureties in place of the one already required or given, and the justice in his or her discretion, if good cause is shown, may require the defendant to give in place of the recognizance already given or required a new recognizance in the same sum as that originally required or given with other and sufficient surety or sureties, or to give a new recognizance with surety or sureties in a different sum than that originally required or given, as to the justice may seem reasonable, to do and to perform the conditions of the recognizance already given or required. In case the defendant shall fail to give the new recognizance required of him or her, the defendant shall immediately be committed to the penal institution to which he or she would have been committed if he or she had failed to give the recognizance originally required there to remain until he or she shall give the new recognizance as required of him or her before some justice or person authorized to take it, or until he or she shall be discharged pursuant to law.

History of Section.

G.L. 1909, ch. 354, § 30; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 30; G.L. 1938, ch. 625, § 30; G.L. 1956, § 12-13-11; P.L. 1969, ch. 239, § 20.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-16.1. - Forfeiture of bail.

§ 12-13-16.1. Forfeiture of bail.

(a)

In any criminal case, whenever, after a hearing, it has been shown to the satisfaction of the court that the defendant has left the jurisdiction of the court or has failed to appear as required or has failed to perform the condition of his or her recognizance, the court shall order that the bail and/or any security for bail be forfeited.

(b)

Any person who has had bail posted with the assistance of a licensed bondsperson, and who is subsequently arrested on a bench warrant and brought before the court, or who fails to appear and is subsequently brought before the court without the intervention of or through a licensed bondsperson, shall not be released by the court on the same bail unless and until the licensed bondsperson who posted the original bail has been notified and been provided an opportunity to be heard regarding the licensed bondsperson's willingness to continue as surety for the defendant/bailee. The court may, however, release the defendant within twenty-four (24) hours if the licensed bondsperson cannot be located or otherwise fails to appear to address the court relative to the original bail.

History of Section.

P.L. 1982, ch. 321, § 1; P.L. 1986, ch. 435, § 1; P.L. 2017, ch. 415, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-16.2. - Forfeiture of bail — Licensed bondsperson.

§ 12-13-16.2. Forfeiture of bail — Licensed bondsperson.

(a)

In any criminal case, whenever a forfeiture of bail has been ordered pursuant to § 12-13-16.1 and where the bail and/or security for bail has been posted by a licensed bondsperson registered with the court, the court shall only order an amount to be forfeited up to, but not more than, ten percent (10%) of the original bail set and pledged as surety.

(b)

Subsequent to any forfeiture of bail pursuant to subsection (a) of this section, and prior to the forfeiture of further surety pledged by a licensed bondsperson provided herein, the court shall:

(1)

Provide the licensed bondsperson a period of time equal to six (6) months to return the fugitive to the court before further pledged surety shall be forfeited. Before ordering further forfeiture, the court shall conduct a hearing and provide the licensed bondsperson an opportunity to demonstrate all reasonable actions the bondperson took to locate, apprehend, and return the fugitive to the court. The court shall consider the due diligence of the licensed bondsperson in determining how much, if any, of the remaining amount of surety the bondsperson shall be ordered to forfeit for the failure or inability to locate, apprehend, and return the fugitive to the court. The court at that time may provide the licensed bondsperson with additional time in which to locate and return the fugitive.

(2)

In the event that the licensed bondsperson fails or is unable to locate and return the fugitive, the court may order an amount to be forfeited up to, but not more than, ten percent (10%) of the original bail set and pledged as surety, plus the reasonable expenses incurred by the state in attempting to locate and apprehend the fugitive; and provided, further, that if the fugitive is found and

presented before the court within six (6) months of the issuance of the warrant, there shall be no forfeiture.
(3)
The bondsperson shall be responsible to pay all fees and costs associated with the entry of any warrant into the BCI or the NCIC prior to its entry into either database as required in § 12-13-16(b). Upon request of the bondsperson, the clerk of the court shall provide a certified copy of the arrest warrant to the bondsperson without charge to insure the bondsperson's ability to locate, apprehend, and return the fugitive from outside the state of Rhode Island.
History of Section.
P.L. 2017, ch. 415, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-16. - Process on default of recognizance.

§ 12-13-16. Process on default of recognizance.
(a)
Whenever any person under recognizance shall fail to perform the condition of his or her recognizance, or failed to appear as required by the terms and conditions of his or her bail or recognizance, the default shall be recorded and process shall be issued against the persons bound in the recognizance, or those of them as the attorney general shall direct.
(b)
No process for forfeiture of bail nor any petition for forfeiture of bail may be filed by the attorney general, or designee, or otherwise initiated prior to the expiration of forty-five (45) days after any warrant issued by any court has been entered into the court's database, the database of the bureau of criminal identification (BCI) for the state of Rhode Island, and the database for the National Crime Information Center (NCIC).
History of Section.
G.L. 1896, ch. 285, § 25; G.L. 1909, ch. 354, § 25; G.L. 1909, ch. 354, § 23; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 23; G.L. 1938, ch. 625, § 23; G.L. 1956, § 12-13-16; P.L. 2017, ch. 415, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-18. - Power of surety on recognizance over principal.

§ 12-13-18. Power of surety on recognizance over principal.
Every person who shall be surety in any recognizance to keep the peace, or for the appearance of any person accused or of any witness, or in any recognizance which shall be given on claiming an appeal, shall have the same power and authority over his or her principal as though he or she were bail for the principal in any civil cause.
History of Section.
G.L. 1896, ch. 285, § 27; G.L. 1909, ch. 354, § 27; G.L. 1909, ch. 354, § 25; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 25; G.L. 1938, ch. 625, § 25; G.L. 1956, § 12-13-18.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-19. - Surrender or commitment of principal.

§ 12-13-19. Surrender or commitment of principal.
The surety may at any time surrender the principal to the court or magistrate who took the recognizance; provided, that in case any recognizance shall have been certified to some other court, the surrender shall be made to the court when in session; or the surety may at any time commit the principal to the adult correctional institutions, leaving with the warden a certified copy of the recognizance; and upon the surrender or commitment, the surety shall be discharged and exempt from all liability for any subsequent act of the principal, which would have been a breach of the condition of the recognizance.
History of Section.
G.L. 1896, ch. 285, § 28; G.L. 1909, ch. 354, § 28; G.L. 1909, ch. 354, § 26; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 26; G.L. 1938, ch. 625, § 26; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 12-13-19.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-2. - Warrant for apprehension of accused person.

§ 12-13-2. Warrant for apprehension of accused person.
Any court before which an indictment or information shall be found or be pending, and any court before which a complaint shall be made or be pending, against any person for an offense of which the court has cognizance, may issue a warrant directed to each and all deputy sheriffs, town sergeants, and town constables within the state requiring them to apprehend the person and bring him or her before the court, if the court is in session, or if not, to commit him or her to jail in the county in which the indictment, information, or complaint is pending, there to be kept until he or she shall be brought before the court, or until he or she shall give recognizance before some person authorized to take recognizance for the offense, with sufficient surety or sureties in the sum named in the warrant, if any sum is named in the warrant, and, if not, in the sum as the person taking the recognizance shall deem reasonable if the offense is bailable, to appear before the court in which the indictment, information, or complaint is pending, at the time required

by the person so taking the recognizance, and to answer the indictment, information, or complaint; provided, that the prisoner may give the recognizance while in the custody of the officer before he or she is committed to jail before some person authorized to take recognizance for the offense, and upon taking recognizance the officer shall discharge the prisoner from his or her custody. The officers to whom the warrant shall be directed are required to obey and execute it, and in its execution shall be protected from obstruction and assault, as in the service of other process.

History of Section.

G.L. 1896, ch. 285, §§ 10-12; G.L. 1909, ch. 354, §§ 10-12; G.L. 1909, ch. 354, § 19; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 19; G.L. 1938, ch. 625, § 19; G.L. 1956, § 12-13-2; P.L. 1972, ch. 169, § 21; P.L. 1974, ch. 118, § 12; P.L. 2012, ch. 324, § 44; P.L. 2015, ch. 260, § 23; P.L. 2015, ch. 275, § 23.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-20. - Status of person surrendered or committed.

§ 12-13-20. Status of person surrendered or committed.

The person so surrendered or committed may be recognized anew with sufficient surety and be in all respects dealt with in the like manner and with the same effect as though he or she had never given any recognizance in the case.

History of Section.

G.L. 1896, ch. 285, § 29; G.L. 1909, ch. 354, § 29; G.L. 1909, ch. 354, § 27; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 27; G.L. 1938, ch. 625, § 27; G.L. 1956, § 12-13-20.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-21. - Registration of sureties.

§ 12-13-21. Registration of sureties.

No person proposing to become bail or surety in a felony case for hire or reward, either received or to be received, shall be accepted unless he or she has been approved and registered as a professional bondsperson by the presiding justice of the superior court or his or her designee. This approval and registration may be revoked at any time by the court or justice, and shall be revoked in case the bondsperson fails for one hundred eighty (180) days after the issuance of process under § 12-13-16 to satisfy in full the recognizance to which he or she is bound, or the amount of the original recognizance as determined in the discretion of the court, in accordance with § 12-13-10. All professional bondspersons shall be governed by rules which shall be established from time to time by the superior court.

History of Section.

P.L. 1979, ch. 36, § 1; P.L. 1981, ch. 260, § 1; P.L. 1982, ch. 241, § 1; P.L. 1986, ch. 467, § 1; P.L. 2000, ch. 109, § 14.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-22. - Recordation of recognizance — Lien.

§ 12-13-22. Recordation of recognizance — Lien.

(a)

Each recognizance with surety or sureties given in the supreme or superior court shall be recorded by the department of attorney general, and each recognizance with surety or sureties given in the family or district court shall be recorded by the clerk of the courts, within seven (7) days of acceptance of the recognizance by the court, in the office of land records in the city or town in which the real estate pledged as security is located. The fee for filing shall be paid by the defendant or by the defendant's surety or sureties. The notice of recognizance shall contain the defendant's name, the property owner's name, the address of the property, and the assessor's plat and lot number. The surety or sureties offering the property shall provide the clerk of the court with the above information before the property is accepted. The surety or sureties shall also provide the clerk of the court with an affidavit that they are the owners of the property or properties and that they will not transfer or further encumber the property or properties within thirty (30) days after the property or properties have been accepted by the court.

(b)

Any recognizance notice so recorded shall be a lien on the property or properties pledged in favor of the state of Rhode Island until the attorney general or clerk of the family or district court executes a release of the lien.

History of Section.

P.L. 1982, ch. 275, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-23. - Bail and bail bonds — Examination for sufficiency.

§ 12-13-23. Bail and bail bonds — Examination for sufficiency.

(a)

Following the posting of a bail bond and the justifying affidavit or affidavits or the posting of cash bail, the court may conduct an inquiry for the purpose of determining the reliability of the obligors or person posting cash bail, the value and sufficiency of any security offered, and whether any feature of the undertaking contravenes public policy; provided, that before undertaking an inquiry

of a person posting cash bail, the court, after application of the attorney general, must have had reasonable cause to believe that the person posting cash bail is not in rightful possession of money posted as cash bail or that the money constitutes the fruits of criminal or unlawful conduct. The court may inquire into any matter stated or required to be stated in the justifying affidavits, and may also inquire into other matters appropriate to the determination, which includes, but are not limited to, the following:
(1)
The background, character and reputation of any obligor, and, in the case of a professional bondsperson, the qualifications of the surety-obligor and its executing agent;
(2)
The source of any money or property delivered or agreed to be delivered by any obligor as security, and whether any of the money or property constitutes the fruits of criminal or unlawful conduct;
(3)
The source of any money or property delivered or agreed to be delivered to any obligor as indemnification on the bond, and whether any of the money or property constitutes the fruits of criminal or unlawful conduct;
(4)
The background, character and reputation of any person who had indemnified or agreed to indemnify an obligor upon the bond; and whether any the indemnitor, not being approved and registered by the superior court as a professional bondsperson, has within a period of two (2) months prior to the indemnity transaction given indemnification or security for the same purpose in more than two cases not arising out of the same transaction;
(5)
The source of any money posted as cash bail, and whether any of the money constitutes the fruits of criminal or unlawful conduct; and
(6)
The background, character and reputation of the person posting cash bail.
(b)
Upon the inquiry provided in subsection (a) of this section, the court may examine, under oath or otherwise, the obligors and any other persons who may possess material information. The attorney general has a right to attend the inquiry, to call witnesses, and to examine any witness in the proceeding. The court may, upon request of the attorney general, adjourn the proceeding for a reasonable period to allow him or her to investigate the matter.
(c)
At the conclusion of the inquiry, the court must issue an order either approving or disapproving the bail.
History of Section.
P.L. 1991, ch. 55, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-24.1. - Pretrial services unit.

§ 12-13-24.1. Pretrial services unit.
(a) Creation of unit; definitions.
There is created within the district court a pretrial services unit to provide pre-arraignment and post-arraignment services to defendants.
(1)
“Pre-arraignment report” may include:
(i)
The results of a risk screen;
(ii)
For a defendant who scores as high risk on the risk screen, additional validated screens for mental health and substance use needs, to determine whether more in-depth assessment is needed post-arraignment; and
(iii)
For a defendant charged with a domestic violence offense under § 12-29-2, and who has prior domestic violence offenses or other indications of risk, a lethality or dangerousness assessment.
(2)
“Post-arraignment service” includes completion of the pre-arraignment report, a post-arraignment report, if necessary, and monitoring of defendants released on conditions that are informed by the pre-arraignment report, including substance abuse treatment referrals and testing; referrals to the home confinement program; employment referrals; and any other referrals that may be necessary to carry out the intent of this section.
(3)
“Risk screen” means a validated, empirically based pretrial risk tool composed of a brief set of questions that may be answered without interviewing the defendant and are designed to predict failure to appear and risk to re-offend.
(b) Pre-arraignment report.
Whenever any person shall be taken into custody by any peace officer for the purpose of bringing that person before a court for

arraignment or any other proceeding which may result in that person being detained pending a final adjudication of the charge, if the person is charged with a felony, or a misdemeanor domestic violence offense under § 12-29-2 and has prior domestic violence offenses or other indications of risk, the pretrial services unit shall, time permitting, prepare a pre-arraignment report and any post-arraignment screening of the accused deemed necessary by the court or the pretrial services unit, and shall obtain relevant information, records, and documents that may be useful to the judicial officer in determining the form and type of recognizance and conditions placed on the defendant.
(c) Delivery of report.
The pre-arraignment report and any post-arraignment screening shall be immediately delivered to the judicial officer before whom the accused shall be brought for the purpose of determining the form and conditions of recognizance.
(d)
[Deleted by P.L. 2017, ch. 342, § 4 and P.L. 2017, ch. 353, § 4].
(e) Confidentiality of communications.
The accused shall be advised orally and in a written waiver form for the signature of the accused that he or she has the right to remain silent and may voluntarily decline to respond to any or all questions that may be put by representatives of the pretrial services unit. Communications between the accused and representatives of the pretrial services unit shall be considered confidential pursuant to § 12-13-24.
History of Section.
P.L. 2001, ch. 73, § 1; P.L. 2001, ch. 184, § 1; P.L. 2017, ch. 342, § 4; P.L. 2017, ch. 353, § 4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-24. - Confidentiality of pretrial services program records.

§ 12-13-24. Confidentiality of pretrial services program records.
(a)
Information supplied by a defendant to a representative of the pretrial services program during the defendant's initial interview or subsequent contacts, or information obtained by the pretrial services program as a result of the interview or subsequent contacts, shall be deemed confidential and shall not be subject to subpoena or to disclosure without the written consent of the defendant except in the following circumstances:
(1)
Information relevant to the imposition of conditions of release shall be presented to the court on a standardized form when the court is considering what conditions of release to impose;
(2)
Information furnished by the defendant to the pretrial services program and recorded on a completed interview form shall be furnished to law enforcement officials upon request only if the defendant fails to appear in court when required, after notice to the defendant or the defendant's attorney of record;
(3)
Information concerning compliance with any conditions of release imposed by the court shall be furnished to the court upon its request for consideration or modification of conditions of release or of sentencing or of probation;
(4)
Information relevant to sentencing or probation shall be furnished to the court upon its request for consideration in imposing sentence or probation;
(5)
At its discretion, the court may permit the probation officer, for the purpose of preparing the presentence investigation report, and the defense attorney to inspect the completed interview form;
(6)
In felony cases, completed pre-arraignment reports shall be provided to the superior court; and
(7)
Any person conducting an evaluation of the pretrial release program may have access to all completed interview forms upon order from the supreme court.
(b)
At the beginning of the defendant's initial interview with a representative of the pretrial services program, the defendant shall be advised of the above uses of information supplied by him or her or obtained as a result of information supplied by him or her.
History of Section.
P.L. 1989, ch. 117, § 1; P.L. 2017, ch. 342, § 4; P.L. 2017, ch. 353, § 4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-25. - Nonprofit bail corporations.

§ 12-13-25. Nonprofit bail corporations.
(a)
"Nonprofit bail corporation" means Project Bail, a Rhode Island nonprofit charitable corporation, and other nonprofit charitable

corporations organized for the purpose of providing bail or surety as may be designated by the presiding justice of the superior court from time to time.
(b)
Nonprofit bail corporations are authorized to provide bail or surety in all courts of the state for all persons eligible under the provisions of this chapter entitled to be released on bail. Nonprofit bail corporations may appoint an agent or agents to act in their behalf.
(c)(1)
Nonprofit bail corporations shall not be required to furnish cash or other security for bail but shall be allowed to bail those entitled to be bailed solely on the written promise of the nonprofit bail corporation to pay, in the event a defendant fails to appear at trial or any other appearance in which the defendant is required to be present, the amount of cash bail imposed; provided, the aggregate amount for which any nonprofit bail corporation shall be liable at any one time shall not exceed an amount equal to five (5) times the amount of its capital.
(2)
For the purposes of this section:
(i)
“Cash bail” means the amount of cash bail set, or a sum of money equal to ten percent (10%) of the amount of surety bail if surety bail is set; and
(ii)
“Capital” means total assets less total liabilities, determined in accordance with generally accepted accounting principles consistently applied.
(d)
Nonprofit bail corporations:
(1)
Shall not be entitled to bail any individual for whom bail has been set in an amount exceeding fifty thousand dollars ($50,000) surety bail or five thousand dollars ($5,000) cash bail;
(2)
Shall prescribe a program of supervision and counseling for all persons for whom it has furnished bail, which program shall be designed to assure attendance at trial or at any other appearance in which the appearance of the person is required; and the conditions of supervision shall become part of the bail and recognizance conditions of release and with any violation of the conditions the nonprofit bail corporation may move to release surety; and
(3)
Shall not furnish bail for any person if the pending charge against the person involves a capital offense or a felony in which the use of force or violence is involved or the sale or delivery of or possession with the intent to sell or deliver over one ounce of a Schedule I or Schedule II controlled substance, as defined in chapter 28 of title 21.
(e)
Nonprofit bail corporations shall not be required to deposit any money with the court as required by § 12-13-10. However, upon default of any individual bailed by a nonprofit bail corporation to make any required appearance, the court may order the nonprofit bail corporation to pay any sum not to exceed the amount of the individual’s cash bail to the general treasurer. Nonprofit bail corporations shall not be liable for the payment of any fine or court costs which may be owing by any individual.
(f)
The presiding justice of the superior court shall register and approve Project Bail and may register and approve other nonprofit bail corporations as bondspersons from time to time. The registration of any nonprofit bail corporation may be revoked at any time by the presiding justice of the superior court and shall be revoked if the nonprofit bail corporation fails to pay any amount for which it is liable under this chapter. Nonprofit bail corporations shall be exempt from the provisions of §§ 12-13-8 and 12-13-21 and rules promulgated pursuant to those sections and from other statutes and rules which are inconsistent with this section.
History of Section.
P.L. 1989, ch. 126, art. 41, § 1; P.L. 1990, ch. 262, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-3. - Guardian to give recognizance.

§ 12-13-3. Guardian to give recognizance.
Whenever any person arraigned on an indictment or information before the superior court shall appear to the court to be non compos mentis and for that reason would be unable to give recognizance, the court in its discretion may appoint a guardian ad litem to give recognizance on behalf of the accused together with sureties, and the guardian ad litem shall be personally responsible for the compliance by the accused with the terms of recognizance; provided, that this procedure shall apply only when the offense is bailable.
History of Section.
G.L. 1938, ch. 625, § 19; P.L. 1952, ch. 3020, § 1; G.L. 1956, § 12-13-3; P.L. 1974, ch. 118, § 12.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-4. - Persons authorized to bail jail prisoners.

§ 12-13-4. Persons authorized to bail jail prisoners.

(a)

No person imprisoned in jail upon any criminal process shall be bailed, except by a justice of the supreme or superior court, or by the justice of the district court by which the person was committed, or by some person specially appointed for that purpose by a justice of the superior court; provided, that if the amount of bail for the prisoner has previously been set, then the bail shall be taken by the justice of the peace, duly authorized, or by the senior prison officer in charge at the adult correctional institution, if the prisoner or his or her counsel request the bail be taken.

(b)

In all cases where bail is taken at the adult correctional institutions, an administrative fee of twenty-five dollars ($25.00) shall be paid to the department of corrections by each person bailed and shall be deposited as general revenues.

History of Section.

G.L. 1896, ch. 285, § 15; C.P.A. 1905, § 1183; G.L. 1909, ch. 354, § 15; G.L. 1909, ch. 354, § 20; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 20; G.L. 1938, ch. 625, § 20; G.L. 1956, § 12-13-4; P.L. 1969, ch. 239, § 20; P.L. 1970, ch. 167, § 1; P.L. 1971, ch. 136, § 1; P.L. 1996, ch. 100, art. 35, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-5.1. - Presumption of danger to the community.

§ 12-13-5.1. Presumption of danger to the community.

Whenever a person is charged with, or indicted or informed against, for an offense involving the unlawful sale, distribution, manufacture, delivery, or possession with intent to manufacture, sell, distribute, or deliver any controlled substance, or by possession of any controlled substance punishable by imprisonment for ten (10) years or more, and the state objects to the setting of bail pursuant to the R.I. Const., Art. I, Sec. IX, if the court determines that the proof of guilt is evident or the presumption great, then it shall be presumed that the person is a danger to the safety of the community unless that presumption is rebutted by the defendant.

History of Section.

P.L. 1988, ch. 652, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-5.2. - Drug testing required.

§ 12-13-5.2. Drug testing required.

Every person who shall be charged with or indicted or informed against for an offense involving the unlawful sale, distribution, manufacture, delivery, or possession with intent to manufacture, sell, distribute, or deliver any controlled substance as classified in schedule I or II in chapter 28 of title 21, or for possession of a controlled substance as classified in schedule I or II in chapter 28 of title 21, may in the discretion of the court, as a condition of bail, be required at his or her own expense to submit to drug testing in accordance with the standards and procedures of the department of health, not less than once per month.

History of Section.

P.L. 1990, ch. 457, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-5. - Justices authorized to bail on accusation of serious crime.

§ 12-13-5. Justices authorized to bail on accusation of serious crime.

No person accused of an offense for which bail may be denied pursuant to the provisions of R.I. Const., Art. I, Sec. IX shall be bailed except by one of the justices of the supreme, superior, and district courts.

History of Section.

G.L. 1896, ch. 285, § 13; C.P.A. 1905, § 1181; G.L. 1909, ch. 354, § 13; G.L. 1909, ch. 354, § 17; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 17; G.L. 1938, ch. 625, § 17; G.L. 1956, § 12-13-5; P.L. 1972, ch. 265, § 2; P.L. 1981, ch. 265, § 1; P.L. 1985, ch. 463, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-6. - Bail or discharge for want of indictment or information.

§ 12-13-6. Bail or discharge for want of indictment or information.

Every person who shall be imprisoned upon suspicion of having committed an offense for which bail may be denied pursuant to the provisions of R.I. Const., Art. I, Sec. IX shall be bailed or discharged if not indicted or charged by information within six (6) months after the commitment.

History of Section.

G.L. 1896, ch. 285, § 16; G.L. 1909, ch. 354, § 16; G.L. 1909, ch. 354, § 56; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 56; G.L. 1938, ch. 625, § 56; G.L. 1956, § 12-13-6; P.L. 1972, ch. 265, § 1; P.L. 1974, ch. 118, § 12; P.L. 1985, ch. 463, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-7. - Right to prompt trial on indictment or information for serious crime.

§ 12-13-7. Right to prompt trial on indictment or information for serious crime.
Every person who shall be indicted for or charged by information with an offense for which bail may be denied pursuant to the provisions of R.I. Const., Art. I, Sec. IX, and shall be imprisoned under the indictment or information, shall be tried or bailed within six (6) months next after the time at which he or she shall plead to the indictment or information if he or she demands a trial, unless it shall appear to the court that some material witness in behalf of the state has been enticed away or is prevented from attending court by some unavoidable accident.
History of Section.
G.L. 1896, ch. 285, § 17; G.L. 1909, ch. 354, § 17; G.L. 1909, ch. 354, § 57; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 57; G.L. 1938, ch. 625, § 57; G.L. 1956, § 12-13-7; P.L. 1972, ch. 265, § 1; P.L. 1974, ch. 118, § 12; P.L. 1985, ch. 463, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-8.1. - Penalty for false affidavit.

§ 12-13-8.1. Penalty for false affidavit.
Any surety who knowingly makes a false affidavit regarding property to be offered as security for bail shall be subject to a fine of not more than five hundred dollars ($500) and/or shall be imprisoned for not more than one year.
History of Section.
P.L. 1982, ch. 321, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-8. - Qualifications of sureties.

§ 12-13-8. Qualifications of sureties.
(a)
Whenever in any criminal case a defendant is required to recognize with surety or sureties, each surety, other than an incorporated surety company duly authorized by law to give the recognizance, must be a resident or freeholder within this state, and must be the owner of property of value to the amount expressed in the recognizance, over and above all incumbrances, but the justice or persons taking the recognizance may allow two (2) or more sureties to justify, provided they own in the aggregate property in value to the amount or sum for which the recognizance is given, over and above all incumbrances. The justice or person taking recognizance may require any surety offered to make affidavit or be examined orally under oath as to his or her qualifications as the surety.
(b)
Bail affidavits required for the posting of surety bail shall be approved and signed by any clerk, authorized by the presiding justice for bail posted in the superior courts, and by any clerk authorized by the chief judge of the district court for bail posted in the district courts. Neither the attorney general, nor his or her designee shall be required to approve the affidavits.
History of Section.
G.L. 1909, ch. 354, § 16; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 16; G.L. 1938, ch. 625, § 16; G.L. 1956, § 12-13-8; P.L. 1998, ch. 361, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-13 - Bail and RecognizanceSection 12-13-9. - Commitment of juveniles on failure to give recognizance.

§ 12-13-9. Commitment of juveniles on failure to give recognizance.
Any accused person, under the age of eighteen (18) years, who shall be required by any court to enter into recognizance for his or her appearance before any court and shall not give the recognizance may, at the discretion of the court, be committed to the state training school for youth, there to remain until the required recognizance is given or he or she is otherwise discharged by law. The warrant or mittimus for the commitment of any the accused person to the school shall be, as nearly as the object of the commitment will admit, in the form prescribed in § 12-19-27 for the commitment of persons sentenced to the state training schools; and the director of corrections and his or her subordinates shall have the same authority over any accused person so committed to their custody which they have by law over persons sentenced to the school, except that they shall not have authority to bind out or discharge the accused persons.
History of Section.
G.L. 1896, ch. 285, §§ 48, 49; G.L. 1909, ch. 354, §§ 48, 49; G.L. 1909, ch. 354, § 28; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 28; G.L. 1938, ch. 625, § 28; impl. am. P.L. 1939, ch. 660, § 80; G.L. 1956, § 12-13-9.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-14 - Payment of Traffic FinesSection 12-14-1. - Payment of fines for ordinance violations to clerk of district court.

§ 12-14-1. Payment of fines for ordinance violations to clerk of district court.
The town council of any town or the legislative body of any city, except the cities of Providence, Newport, Central Falls, Cranston, and Warwick and the towns of Bristol, Charlestown, Johnston, Narragansett, North Kingstown, South Kingstown, Warren,

Westerly, and North Providence may by ordinance provide that whenever a person shall be charged with a violation of a provision of any of its ordinances relating to traffic, the jurisdiction and cognizances of violations of which ordinance is in the district court, and the person is notified in writing by a police officer to appear on a day and hour stated in the notice to answer the charge before a division of the district court having jurisdiction, the person, instead of personally appearing in court, may, in person or by one duly authorized by him or her in writing, appear before the clerk of the division of the district court having jurisdiction, admit the truth of the charge and pay to the clerk any fine that the court may from time to time, by standing order or rule establish or as may be fixed by the ordinance enacted under this section as the fixed penalty for those violations, not to exceed in any case the maximum fine imposed by law; provided, that appearance, admission, and payment is made at the office of the clerk during the office hours of the clerk within seven (7) days of the notification, and failure to appear within that time shall be deemed a waiver of the right to dispose of the charge without personal appearance in court. The payment of the fine to the clerk in the manner provided in this section shall operate as a final disposition of the charge and the proceedings shall not be deemed criminal. The notice shall indicate the offense charged and shall also contain any information that will enable the person charged to take advantage of the provisions of the ordinance enacted under this section.

History of Section.

G.L. 1923, ch. 331, § 42; P.L. 1932, ch. 1924, § 1; P.L. 1938, ch. 2618, § 1; G.L. 1938, ch. 501, § 42; P.L. 1940, ch. 863, § 1; P.L. 1941, ch. 1008, § 1; P.L. 1942, ch. 1120, § 1; P.L. 1945, ch. 1546, § 1; P.L. 1947, ch. 1912, § 1; P.L. 1948 ch. 2137, § 1; P.L. 1952, ch. 2976, § 1; G.L. 1956, § 12-14-1; P.L. 1961, ch. 16, § 1; P.L. 1961, ch. 49, § 1; P.L. 1962, ch. 136, § 1; P.L. 1969, ch. 239, § 25.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-14 - Payment of Traffic FinesSection 12-14-10. - Violations of traffic and parking regulations in the town of Jamestown.

§ 12-14-10. Violations of traffic and parking regulations in the town of Jamestown.

A person charged with the violation of any provision of the ordinances relating to parking and/or traffic ordained by the town council of the town of Jamestown, and a person charged with a violation of any parking regulation of the state traffic commission relating to parking in Jamestown, notified in writing by a police officer to appear on a day and hour stated in the notice to answer the charge before the district court of the second division, instead of personally appearing in court may in person or by one duly authorized by him or her in writing appear at the Jamestown police station, admit the truth of the charge and pay to the officer in charge of the police station the amount of the fine set forth in the ordinance or parking regulation of the state traffic commission for violations, and the police department shall collect the fines as provided in this section, when the offender decides to dispose of the charge without personal appearance in court within seven (7) days from notification. The police department is authorized to receive fines directly from any person charged with a violation, and money so received and collected shall be turned over by the police to the town treasurer. All charges, records, and payments shall be immediately entered by the police and the books of the police containing the records of the violations, their dispositions and money received as fines, shall be audited not less than once every three (3) months by the town treasurer of the town. In the event the offender refuses or neglects to dispose of the charges within seven (7) days, then he or she shall be brought before the district court of the second division for trial and for any disposition of the case that the court may decide to be proper, in which case the provisions of § 12-14-1, relating to fines and their disposition, shall prevail. In addition the offender may mail the fine in accordance with the applicable provisions of the general laws.

History of Section.

P.L. 1961, ch. 181, § 1; P.L. 1969, ch. 239, § 25; P.L. 1972, ch. 232, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-14 - Payment of Traffic FinesSection 12-14-11. - Violations of parking regulations in the town of Barrington.

§ 12-14-11. Violations of parking regulations in the town of Barrington.

The town of Barrington is authorized and empowered to fix any fines that the Barrington town council may, from time to time, establish for violation of any provision of the ordinances relating to parking. The town council may designate the police department for the purpose of collecting fines as provided in this section, when the offender desires to dispose of the charge without personal appearance in court, within seven (7) days from notification. The police department is authorized to receive the fines, directly or by mail, from any person charged with violation of any provision of the ordinances of the town relating to traffic, and the money so received and collected shall be turned over by the police to the town treasurer of Barrington. All charges, records, and payments shall be immediately entered by the police in their books containing records of violations, and their disposition, and money received as fines shall be audited not less than once every three (3) months by the town treasurer of the town. In the event the offender refuses or neglects to dispose of the charges within seven (7) days, then he or she shall be brought before the district court of the state of Rhode Island, first division, for trial and for any disposition of the case that the court may decide to be proper, in which case the provisions of § 12-14-1, relating to fines and their disposition, shall prevail.

History of Section.

P.L. 1988, ch. 134, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-14 - Payment of Traffic FinesSection 12-14-12. - Violations of parking regulations in the town of Smithfield.

§ 12-14-12. Violations of parking regulations in the town of Smithfield.

The town of Smithfield is authorized and empowered to fix any fines that the Smithfield town council may, from time to time, establish for violation of any provision of the ordinances relating to parking. The town council may designate the police department for the purpose of collecting fines as provided in this section, when the offender desires to dispose of the charge without personal appearance in court, within seven (7) days from notification. The police department is authorized to receive fines, directly or by mail, from any person charged with violation of any provision of the ordinances of the town relating to traffic, and the money so received and collected shall be turned over by the police to the town treasurer of Smithfield. All charges, records, and payments shall be immediately entered by the police in the books of the police containing records of violations and their disposition, and money received as fines shall be audited not less than once every three (3) months by the town treasurer of the town. In the event the offender refuses or neglects to dispose of the charges within seven (7) days, then he or she shall be brought before the district court of the state of Rhode Island, seventh division, for trial and for any disposition of the case that the court may decide to be proper, in which case the provisions of § 12-14-1, relating to fines and their disposition, shall prevail.
History of Section.
P.L. 1965, ch. 158, § 1; P.L. 1969, ch. 239, § 25; P.L. 1985, ch. 172, §§ 1, 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-14 - Payment of Traffic FinesSection 12-14-13. - Violations of parking regulations in the town of Burrillville.

§ 12-14-13. Violations of parking regulations in the town of Burrillville.
(a)
The town of Burrillville is further authorized and empowered to fix any fines that the town council may, from time to time, establish for violation of its traffic ordinances. The town council may designate the police department for the purpose of collecting fines as provided in this section, when the offender decides to dispose of a charge without personal appearance in court within three (3) days from the date of notification.
(b)
A person charged with the violation of any provision of the ordinances relating to parking ordained by the town council of the town of Burrillville and notified in writing by a police officer to appear on a day and hour stated in the notice to answer the charge before the district court for the seventh division instead of personally appearing in court may, in person or by one duly authorized by him or her in writing, appear at the Burrillville police station, admit the truth of the charge and pay the fine to the officer in charge of the police station; provided, that operators of cars registered out of the state may pay the fine by mailing the tag and the amount of the fine within three (3) days from the date of the violation, postage prepaid, addressed to the town clerk, town clerk's office, Burrillville, Rhode Island; failure to appear and pay the fine or to mail the tag and the amount of the fine within three (3) days of the notice shall be deemed a waiver to dispose of the charge without personal appearance in court; and provided, further, that the appearance, admission, and payment is made to the clerk within three (3) days of notification, and failure to appear within that time shall be deemed a waiver of the right to appear and to dispose of the charge without personal appearance in court. The payment of the fine in the manner provided in this section shall operate as a final disposition of the charge and the proceedings shall not be deemed criminal. The notice provided pursuant to this section shall indicate the offense charged and shall also contain any information that will enable the person charged to take advantage of the provisions of this section. The right to dispose of a charge without personal appearance in court may not be exercised by any person who in any consecutive period of twelve (12) months next preceding the charge has been three (3) times in the aggregate adjudged guilty by the court, or has three (3) times admitted the truth of the charges made against him or her under the provisions of this section.
History of Section.
P.L. 1965, ch. 159, § 1; P.L. 1969, ch. 239, § 25; P.L. 1985, ch. 320, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-14 - Payment of Traffic FinesSection 12-14-14. - Violations of parking regulations in the town of Portsmouth.

§ 12-14-14. Violations of parking regulations in the town of Portsmouth.
The town of Portsmouth is authorized and empowered to fix any fines that the Portsmouth town council may, from time to time, establish for violation of any provision of the ordinances relating to parking. The town council may designate the police department for the purpose of collecting the fines as provided in this section, when the offender desires to dispose of the charge without personal appearance in court, within seven (7) days from notification. The police department is authorized to receive the fines, directly or by mail, from any person charged with violation of any provision of the ordinances of the town relating to traffic, and the money so received and collected shall be turned over by the police to the town treasurer of Portsmouth. All charges, records, and payments shall be immediately entered by the police in their books containing records of violations and their disposition, and money received as fines shall be audited not less than once every three (3) months by the town finance director's office of the town. In the event the offender refuses or neglects to dispose of the charges within seven (7) days, then he or she shall be brought before the district court of the state of Rhode Island, second division, for trial and for any disposition of the case that the court may decide to be proper, in which case the provisions of § 12-14-1, relating to fines and their disposition, shall prevail.
History of Section.
P.L. 1990, ch. 266, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-14 - Payment of Traffic FinesSection 12-14-2. - Violation of parking regulations in the city of Newport.

§ 12-14-2. Violation of parking regulations in the city of Newport.

The city of Newport is authorized and empowered to fix any fines that the Newport city council may, from time to time, establish for violation of traffic ordinances. The city council may designate the police department for the purpose of collecting any fines, when the offender desires to dispose of the charge without personal appearance in court within seven (7) days from notification of the fine. The police department is authorized to receive the fines, directly or by mail, from any person charged with violation of any provision of the ordinances of the city relating to traffic, and the money so received and collected shall be turned over by the police to the director of finance of the city. All charges, records and payments shall be immediately entered by the police in their books, containing records of the violations, their disposition, and money received as fines shall be audited not less than once every three (3) months by the finance director of the city. In the event the offender refuses or neglects to dispose of the charges within seven (7) days, then he or she shall be brought before the district court of the state of Rhode Island, second division, for trial and for any disposition of the case that the court may decide to be proper, in which case, the provisions of § 12-14-1, relating to fines and their disposition, shall prevail.

History of Section.

P.L. 1932, ch. 1907, § 1; G.L. 1938, ch. 501, § 43; P.L. 1951, ch. 2677, § 1; G.L. 1956, § 12-14-2; P.L. 1969, ch. 239, § 25; P.L. 1971, ch. 118, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-14 - Payment of Traffic FinesSection 12-14-3. - Violations of Central Falls ordinance.

§ 12-14-3. Violations of Central Falls ordinance.

The city of Central Falls is authorized and empowered to fix any fines that the council committee on police may, from time to time, establish for violation of traffic ordinances. The council committee on police may designate one person who shall act as clerk of the police department for the purpose of collecting fines as provided in this section, when the offender decides to dispose of the charge without personal appearance in court, within seven (7) days from notification of the fine. The police clerk of the police department is authorized to receive the fines directly from any person charged with a violation of any provision of the ordinances of the city relating to traffic, and the money so received and collected shall be turned over by the police clerk to the city treasurer. All charges, records and payments shall be immediately entered by the clerk of police, and the books of the clerk of police containing records of the violations, their dispositions, and money received as fines shall be audited not less than once each month by the city auditor of the city. In the event the offender refuses or neglects to dispose of the charges before seven (7) days, then he or she shall be brought before the district court for the fifth division for trial and for any disposition of the case that the court may decide to be proper, in which case the provisions of § 12-14-1 relating to fines and their disposition shall prevail.

History of Section.

G.L. 1923, ch. 331, § 43; P.L. 1938, ch. 2618, § 2; G.L. 1938, ch. 501, § 44; G.L. 1956, § 12-14-3; P.L. 1969, ch. 239, § 25.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-14 - Payment of Traffic FinesSection 12-14-4. - Violations of Bristol, Johnston, Narragansett, North Kingstown, South Kingstown, Warren, Westerly, West Warwick, and North Providence ordinances.

§ 12-14-4. Violations of Bristol, Johnston, Narragansett, North Kingstown, South Kingstown, Warren, Westerly, West Warwick, and North Providence ordinances.

The towns of Bristol, Johnston, Narragansett, North Kingstown, South Kingstown, Warren, Westerly, West Warwick and North Providence are authorized and empowered to fix any fines that the respective town council may, from time to time, establish for violation of traffic ordinances. The town councils may designate the police department for the purpose of collecting the fines as provided in this section, when the offender decides to dispose of the charge without personal appearance in court within seven (7) days from the notification. The police department is authorized to receive the fines directly from any person charged with a violation of any provision of the ordinances of the town relating to traffic, and the money so received and collected shall be turned over by the police to the town treasurer. All charges, records and payments shall be immediately entered by the police, and the books of the police containing records of the violations, their dispositions and money received as fines shall be audited not less than once every three (3) months by a town auditor of the town. In the event the offender refuses or neglects to dispose of the charges before seven (7) days, then he or she shall be brought before the district court for the first, fourth, or sixth divisions, as the case may be, for trial and for any disposition of the case that the court may decide to be proper, in which case the provisions of § 12-14-1, relating to fines and their disposition, shall prevail.

History of Section.

G.L. 1938, ch. 501, § 45; P.L. 1940, ch. 863, § 2; P.L. 1941, ch. 1008, § 2; P.L. 1942, ch. 1120, § 2; G.L. 1956, § 12-14-4; P.L. 1961, ch. 16, § 2; P.L. 1961, ch. 49, § 2; P.L. 1962, ch. 136, § 2; P.L. 1969, ch. 239, § 25; P.L. 2001, ch. 298, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-14 - Payment of Traffic FinesSection 12-14-5. - Violations of Cranston ordinance.

§ 12-14-5. Violations of Cranston ordinance.
The city of Cranston is authorized and empowered to fix any fines that the committee on police of the city council may, from time to time, establish as fines for violation of traffic ordinances. The committee on police may designate the police department for the purpose of collecting the fines as provided in this section, when the offender decides to dispose of the charge without personal appearance in court within seven (7) days from notification. The police department is authorized to receive the fines directly from any person charged with violation of any provision of the ordinances of the city relating to traffic, and the money so received and collected shall be turned over by the police to the city treasurer. All charges, records, and payments shall be immediately entered by the police and the books of the police containing records of the violations, their dispositions, and money received as fines shall be audited not less than once every three (3) months by the city auditor of the city. In the event the offender refuses or neglects to dispose of the charges within seven (7) days, then he or she shall be brought before the district court for the sixth division for trial and for any disposition of the case that the court may decide to be proper, in which case the provisions of § 12-14-1, relating to fines and their disposition, shall prevail.
History of Section.
G.L. 1938, ch. 501, § 46; P.L. 1945, ch. 1546, § 2; G.L. 1956, § 12-14-5; P.L. 1969, ch. 239, § 25.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-14 - Payment of Traffic FinesSection 12-14-6. - Violations of Warwick ordinances.

§ 12-14-6. Violations of Warwick ordinances.
The city of Warwick is authorized and empowered to fix any fines that the police commission of the city of Warwick may, from time to time, establish for violation of traffic ordinances. The police department shall collect the fines as provided in this section, when the offender decides to dispose of the charge without personal appearance in court within seven (7) days from notification. The police department is authorized to receive fines directly from any person charged with a violation of any provision of the ordinance of the city relating to traffic, and the money so received and collected shall be turned over by the police to the city treasurer. All charges, records, and payments shall be immediately entered by the police, and the books of the police containing the records of the violations, their dispositions, and money received as fines, shall be audited not less than once every three (3) months by the city auditor of the city. In the event the offender refuses or neglects to dispose of the charges within seven (7) days, then he or she shall be brought before the district court for the third division for trial and for any disposition of the case that the court may decide to be proper, in which case the provisions of § 12-14-1, relating to fines and their disposition, shall prevail.
History of Section.
G.L. 1938, ch. 501, § 47; P.L. 1947, ch. 1912, § 2; G.L. 1956, § 12-14-6; P.L. 1969, ch. 239, § 25.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-14 - Payment of Traffic FinesSection 12-14-7. - Violations of Pawtucket ordinances.

§ 12-14-7. Violations of Pawtucket ordinances.
The city of Pawtucket is authorized and empowered to fix any fines that the public safety commission of the city of Pawtucket may, from time to time, establish for violation of traffic ordinances. The police department shall collect fines as provided in this section, when the offender decides to dispose of the charge without personal appearance in court within seven (7) days from notification. The police department is authorized to receive fines directly from any person charged with a violation of any provision of the ordinance of the city relating to traffic, and the money so received and collected shall be turned over by the police to the city treasurer. All charges, records, and payments shall be immediately entered by the police, and the books of the police containing the records of the violations, their disposition, and money received as fines, shall be audited not less than once every three (3) months by the city auditor of the city. In the event the offender refuses or neglects to dispose of the charges within seven (7) days, then he or she shall be brought before the district court for the fifth division for trial and for any disposition of the case that the court may decide to be proper, in which case the provisions of § 12-14-1, relating to fines and their disposition, shall prevail.
History of Section.
G.L. 1938, ch. 501, § 48; P.L. 1948, ch. 2137, § 2; G.L. 1956, § 12-14-7; P.L. 1969, ch. 239, § 25.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-14 - Payment of Traffic FinesSection 12-14-8. - Violations of Charlestown ordinance.

§ 12-14-8. Violations of Charlestown ordinance.
The town of Charlestown is authorized and empowered to fix any fines that the committee on police of the town council may, from time to time, establish for violation of traffic ordinances. The committee on police may designate the police department for the purpose of collecting fines as provided in this section, when the offender decides to dispose of the charge without personal appearance in court within seven (7) days from notification. The police department is authorized to receive the fines directly from any person charged with a violation of any provision of the ordinances of the town relating to traffic, and the money so received and collected shall be turned over by the police to the town treasurer. All charges, records, and payments shall be immediately entered by the police, and the books of the police containing records of the violations, their dispositions, and money received as fines shall be audited not less than once every three (3) months by the town auditor of the town. In the event the offender refuses or neglects to dispose of the charges within seven (7) days, then he or she shall be brought before the district court for the fourth division for trial

and for any disposition of the case that the court may decide to be proper, in which case the provisions of § 12-14-1, relating to fines, and their disposition, shall prevail.
History of Section.
G.L. 1938, ch. 501, § 49; P.L. 1952, ch. 2976, § 2; G.L. 1956, § 12-14-8; P.L. 1969, ch. 239, § 25.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-14 - Payment of Traffic FinesSection 12-14-9. - Violations of Lincoln ordinances.

§ 12-14-9. Violations of Lincoln ordinances.
A person charged with a violation of any provision of the ordinances relating to traffic, ordained by the town council of the town of Lincoln, except as provided in this section, and notified in writing by a police officer to appear on a day and hour stated in the notice to answer the charge before the district court for the fifth division, instead of personally appearing in court, may in person or by one duly authorized by him or her in writing appear at the Lincoln town clerk's office admit the truth of the charge and pay to the town clerk one dollar ($1.00) for the first violation, two dollars ($2.00) for the second violation, and three dollars ($3.00) for the third violation committed within the consecutive period of twelve (12) months next preceding the date of the violation; provided, that operators of cars registered out of the state may pay fines by mailing the tag and the amount of the fine, within three (3) days from the violation, if it is a first violation, or within three (3) days of receipt of notice from the officer in charge of traffic violations that the violation is a second or third violation, as the case may be, by certified mail postage prepaid, addressed to the town clerk, town clerk's office, Lincoln, Rhode Island. Failure to appear and pay the fine or to mail the tag and the amount of the fine within three (3) days of the notice shall be deemed a waiver to dispose of the charge without personal appearance before the district court; provided, that person charged with passing a red light, stop signal, and/or the manual signal to stop of a properly authorized police officer may appear before the town clerk at the town clerk's office and pay to him or her the sum of five dollars ($5.00) for the first violation and ten dollars ($10.00) for the second violation; and provided, further, that appearance, admission, and payment is made to the town clerk at the town clerk's office within three (3) days of notification, and failure to appear within that time, shall be deemed a waiver of the right to appear and to dispose of the charge without personal appearance in the district court. The payment of the fine in the manner provided in this section shall operate as a final disposition of the charge, and the proceedings shall not be deemed criminal. The notice provided in this section shall indicate the offense charged and shall also contain any information that will enable the person charged to take advantage of the provisions of this section. The right to dispose of a charge without personal appearance in court may not be exercised by any person who in any consecutive period of twelve (12) months next preceding the charge has been three (3) times in the aggregate adjudged guilty by the court, or has admitted the truth of the charges made against him or her of a violation of the ordinance relating to traffic for illegal parking or twice for the traffic ordinance relating to passing a red light, stop signal, or manual signal of an authorized officer to stop under the provisions of this section.
History of Section.
R.P.L. 1957, ch. 131, § 1; P.L. 1969, ch. 239, § 25.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-15 - Public DefenderSection 12-15-1. - Office created.

§ 12-15-1. Office created.
There is created the office of public defender.
History of Section.
P.L. 1941, ch. 1007, § 1; G.L. 1956, § 12-15-1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-15 - Public DefenderSection 12-15-10. - Confidential nature of financial statement.

§ 12-15-10. Confidential nature of financial statement.
The public defender, his or her assistants, and every employee of his or her office is expressly prohibited from divulging to any individual not officially connected with his or her office any information obtained by the public defender, his or her assistants, or any employee of that office in the regular course of their duty or from any financial statement submitted under § 12-15-9 or from the records and reports of their investigation, or from the permanent records of that office, which would reveal any of the information relative to the financial status or any person submitting a financial statement. Every request for information directed to the public defender shall be denied if the request would necessitate that individual to divulge any information which is declared in this section to be held confidential by the public defender; provided, the public defender is authorized to divulge the information confidentially held by that office to the court referring a defendant in a criminal case to the public defender's office.
History of Section.
P.L. 1962, ch. 196, § 1; P.L. 1966, ch. 271, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-15 - Public DefenderSection 12-15-11. - Penalty for false representation.

§ 12-15-11. Penalty for false representation.

Whoever knowingly makes a false statement or representation to the public defender, assistants, or any employee of that office to obtain the legal services of the public defender or one of his or her assistants under this chapter, either for himself or herself or for any other person, shall, upon conviction, be punished by a fine of not less than fifty dollars ($50.00) nor more than three hundred dollars ($300), or by imprisonment not longer than thirty (30) days, or both. Each false statement or representation shall constitute a separate and distinct offense.
History of Section.
P.L. 1962, ch. 196, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-15 - Public DefenderSection 12-15-2. - Appointment and term of public defender.

§ 12-15-2. Appointment and term of public defender.
The governor with the advice and consent of the senate shall appoint a member of the bar of this state who has been admitted to practice law for at least five (5) years to fill the office of the public defender. The public defender shall serve a term of six (6) years and until a successor is appointed and qualified.
History of Section.
P.L. 1941, ch. 1007, § 2; G.L. 1956, § 12-15-2; P.L. 1968, ch. 3, § 1; P.L. 2001, ch. 36, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-15 - Public DefenderSection 12-15-3. - Duty to represent indigent defendants.

§ 12-15-3. Duty to represent indigent defendants.
It shall be the duty of the public defender to represent and act as attorney for indigent defendants in those criminal cases referred to him or her by the supreme court, by the superior courts, by the district courts, and as are set forth in § 14-1-31, and he or she shall be engaged full time in that capacity.
History of Section.
P.L. 1941, ch. 1007, § 3; G.L. 1956, § 12-15-3; P.L. 1966, ch. 271, § 1; P.L. 1968, ch. 3, § 2; P.L. 1974, ch. 49, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-15 - Public DefenderSection 12-15-4. - Office facilities.

§ 12-15-4. Office facilities.
The public defender shall have an office in the Providence County Courthouse which shall be assigned to him or her for his or her use by the Providence county courthouse commission.
History of Section.
P.L. 1941, ch. 1007, § 4; G.L. 1956, § 12-15-4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-15 - Public DefenderSection 12-15-5. - Powers to accept grants and bequests.

§ 12-15-5. Powers to accept grants and bequests.
The public defender shall have the power to apply for and accept grants and bequests of funds from other states, interstate agencies, and independent authorities, and private firms, individuals, and foundations, for the purpose of carrying out his or her lawful responsibilities. The funds shall be deposited with the general treasurer in a restricted receipt account established within the department to permit funds to be expended in accordance with the provisions of the grant or bequest.
History of Section.
P.L. 1985, ch. 461, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-15 - Public DefenderSection 12-15-6. - Assistant defenders.

§ 12-15-6. Assistant defenders.
The public defender may appoint any assistants that may be deemed necessary, whose power and duties shall be similar to those imposed upon the public defender by law and shall be performed under and by the advice and direction of the public defender.
History of Section.
P.L. 1941, ch. 1007, § 6; G.L. 1956, § 12-15-6; P.L. 1968, ch. 3, § 3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-15 - Public DefenderSection 12-15-7. - Appropriations for expenses.

§ 12-15-7. Appropriations for expenses.
The general assembly shall annually appropriate any sum or sums that it may deem necessary for the payment of the salaries of any clerical assistance that may be deemed necessary and for the payment of office expenses and other actual expenses incurred by the public defender in the performance of his or her duties; and the controller is authorized and directed to draw his or her orders upon

the general treasurer for the payment of the sum or sums, or as much of the sum or sums as may from time to time be required, upon receipt by him or her of proper vouchers approved by the public defender.
History of Section.
P.L. 1941, ch. 1007, § 7; P.L. 1942, ch. 1133, § 1; G.L. 1956, § 12-15-7.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-15 - Public DefenderSection 12-15-8. - "Indigent defendants" defined.

§ 12-15-8. "Indigent defendants" defined.
For the purpose of assisting the public defender or his or her assistants to carry out their duties under this chapter, "indigent defendant," when used in connection with representation and action as attorney by the public defender or one of his or her assistants in cases before the courts under this chapter, includes a person who after payment of necessary expenses for food, shelter and medical care, does not have sufficient income or assets to enable him or her to retain counsel nor is there any one to whom he or she is entitled to look for support who has that income or assets.
History of Section.
P.L. 1962, ch. 196, § 1; P.L. 1966, ch. 271, § 2; P.L. 1968, ch. 3, § 4; P.L. 1996, ch. 175, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-15 - Public DefenderSection 12-15-9. - Eligibility for assistance.

§ 12-15-9. Eligibility for assistance.
Every person who seeks the services of the office of the public defender under this chapter must make affidavit under oath that, after payment of necessary expenses for food, shelter and medical care, he or she does not have sufficient income or assets to enable him or her to retain counsel, nor is there any one to whom he or she is entitled to look for support who has that income or assets. The public defender, on his or her own instigation or at the request of a referring court, may require a further financial statement, may require relevant documents, and may conduct any investigation he or she deems appropriate. If the public defender, after examination and investigation of the financial statement, is satisfied that the person submitting it is an indigent defendant, the public defender or one of his or her assistants shall defend the person; provided, that if the public defender is satisfied that the person is not an indigent defendant, he or she shall notify the court which referred the person to the public defender's office of the determination that the person is not an indigent defendant.
History of Section.
P.L. 1962, ch. 196, § 1; P.L. 1966, ch. 271, § 2; P.L. 1996, ch. 175, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16.1 - Uniform Rendition of Prisoners as Witnesses in Criminal Proceeding ActSection 12-16.1-1. - Definitions.

§ 12-16.1-1. Definitions.
As used in this chapter:
(1)
"Penal institutions" includes a jail, prison, penitentiary, house of correction, or other place of penal detention.
(2)
"State" includes any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory of the United States.
(3)
"Witness" means a person who is confined in a penal institution in any state and whose testimony is desired in another state in any criminal proceeding or investigation by a grand jury or in any criminal action before a court.
History of Section.
P.L. 1970, ch. 4, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16.1 - Uniform Rendition of Prisoners as Witnesses in Criminal Proceeding ActSection 12-16.1-2. - Summoning witness in this state to testify in another state.

§ 12-16.1-2. Summoning witness in this state to testify in another state.
(a)
A judge of a state court of record in another state, which by its laws has made provision for commanding persons confined in penal institutions within that state to attend and testify in this state, may certify:
(1)
That there is a criminal proceeding or investigation by a grand jury or a criminal action pending in the court;
(2)
That a person who is confined in a penal institution in this state may be a material witness in the proceeding, investigation, or action; and
(3)

That his or her presence will be required during a specified time.
(b)
Upon presentation of the certificate to any judge having jurisdiction over the confined person, and upon notice to the attorney general, the judge in this state shall fix a time and place for a hearing and shall make an order directed to the person having custody of the prisoner requiring that the prisoner be produced before him or her at the hearing.
History of Section.
P.L. 1970, ch. 4, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16.1 - Uniform Rendition of Prisoners as Witnesses in Criminal Proceeding ActSection 12-16.1-3. - Court order.

§ 12-16.1-3. Court order.
If at the hearing the judge determines: (1) that the witness may be material and necessary, (2) that his or her attending and testifying are not adverse to the interests of this state or to the health or legal rights of the witness, (3) that the laws of the state in which he or she is requested to testify will give him or her protection from arrest and the service of civil and criminal process because of any act committed prior to his arrival in the state under the order, and (4) that as a practical matter the possibility is negligible that the witness may be subject to arrest or to the service of civil or criminal process in any state through which he or she will be required to pass, the judge shall issue an order with a copy of the certificate attached, directing the witness to attend and testify, directing the person having custody of the witness to produce him or her, in the court in which the criminal action is pending or where the grand jury investigation is pending, at a time and place specified in the order, and prescribing any conditions that the judge shall determine.
History of Section.
P.L. 1970, ch. 4, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16.1 - Uniform Rendition of Prisoners as Witnesses in Criminal Proceeding ActSection 12-16.1-4. - Terms and conditions.

§ 12-16.1-4. Terms and conditions.
The order to the witness and to the person having custody of the witness shall provide for the return of the witness at the conclusion of his or her testimony, proper safeguards on the witness' custody, and proper financial reimbursement or prepayment by the requesting jurisdiction for all expenses incurred in the production and return of the witness, and may prescribe any other conditions that the judge thinks proper or necessary. The order shall not become effective until the judge of the state requesting the witness enters an order directing compliance with the prescribed conditions.
History of Section.
P.L. 1970, ch. 4, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16.1 - Uniform Rendition of Prisoners as Witnesses in Criminal Proceeding ActSection 12-16.1-5. - Exceptions.

§ 12-16.1-5. Exceptions.
This chapter does not apply to any person in this state confined as insane or mentally ill, or as a defective delinquent, or under sentence of death.
History of Section.
P.L. 1970, ch. 4, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16.1 - Uniform Rendition of Prisoners as Witnesses in Criminal Proceeding ActSection 12-16.1-6. - Prisoner from another state summoned to testify in this state.

§ 12-16.1-6. Prisoner from another state summoned to testify in this state.
(a)
If a person confined in a penal institution in any other state may be a material witness in a criminal action pending in a court of record or in a grand jury investigation in this state, a judge of the court may certify:
(1)
That there is a criminal proceeding or investigation by a grand jury or a criminal action pending in the court;
(2)
That a person who is confined in a penal institution in the other state may be a material witness in the proceeding, investigation, or action; and
(3)
That the person's presence will be required during a specified time.
(b)
The certificate shall be presented to a judge of a court of record in the other state having jurisdiction over the confined prisoner, and a notice shall be given to the attorney general of the state in which the prisoner is confined.

History of Section.
P.L. 1970, ch. 4, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16.1 - Uniform Rendition of Prisoners as Witnesses in Criminal Proceeding ActSection 12-16.1-7. - Compliance.

§ 12-16.1-7. Compliance.
The judge of the court in this state may enter an order directing compliance with the terms and conditions prescribed by the judge of the state in which the witness is confined.
History of Section.
P.L. 1970, ch. 4, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16.1 - Uniform Rendition of Prisoners as Witnesses in Criminal Proceeding ActSection 12-16.1-8. - Exemption from arrest and service of process.

§ 12-16.1-8. Exemption from arrest and service of process.
If a witness from another state comes into or passes through this state under an order directing the witness to attend in this or another state, he or she shall not, while in this state pursuant to the order, be subject to arrest or the service of process, civil or criminal, because of any act committed prior to his or her arrival in this state under the order.
History of Section.
P.L. 1970, ch. 4, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16 - Attendance of Witnesses from Without StateSection 12-16-1. - Short title.

§ 12-16-1. Short title.
This chapter may be cited as the "Uniform Act to Secure the Attendance of Witnesses from Without the State in Criminal Cases."
History of Section.
P.L. 1936, ch. 2382, § 6; G.L. 1938, ch. 626, § 6; G.L. 1956, § 12-16-1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16 - Attendance of Witnesses from Without StateSection 12-16-10. - Exemption from process of witnesses entering state.

§ 12-16-10. Exemption from process of witnesses entering state.
If a person comes into this state in obedience to a summons directing him or her to attend and testify in this state that person shall not, while in this state pursuant to the summons or order, be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his or her entrance into this state under the summons.
History of Section.
P.L. 1936, ch. 2382, § 4; G.L. 1938, ch. 626, § 4; G.L. 1956, § 12-16-10.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16 - Attendance of Witnesses from Without StateSection 12-16-11. - Exemption from process of witnesses passing through state.

§ 12-16-11. Exemption from process of witnesses passing through state.
A person passing through this state while going to another state in obedience to a summons or order to attend and testify in that state or while returning from testifying, shall not, while so passing through this state, be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his or her entrance into this state under the summons or order.
History of Section.
P.L. 1936, ch. 2382, § 4; G.L. 1938, ch. 626, § 4; G.L. 1956, § 12-16-11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16 - Attendance of Witnesses from Without StateSection 12-16-12. - Uniformity of construction.

§ 12-16-12. Uniformity of construction.
This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of the states which enact it.
History of Section.
P.L. 1936, ch. 2382, § 5; G.L. 1938, ch. 626, § 5; G.L. 1956, § 12-16-12.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16 - Attendance of Witnesses from Without StateSection 12-16-13. - Severability.

§ 12-16-13. Severability.
If any part of this chapter is for any reason declared void, its invalidity shall not affect the validity of the remaining portions of this chapter.

History of Section.
P.L. 1936, ch. 2382, § 8; G.L. 1938, ch. 626, § 7; G.L. 1956, § 12-16-13.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16 - Attendance of Witnesses from Without StateSection 12-16-2. - Definitions.

§ 12-16-2. Definitions.
(a)
"State" includes any territory of the United States and the District of Columbia.
(b)
"Witness" as used in this chapter includes a person whose testimony is desired in any proceeding or investigation by a grand jury or in a criminal action, prosecution, or proceeding.
History of Section.
P.L. 1936, ch. 2382, § 1; G.L. 1938, ch. 626, § 1; G.L. 1956, § 12-16-2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16 - Attendance of Witnesses from Without StateSection 12-16-3. - Certification by foreign judge as to witness from this state.

§ 12-16-3. Certification by foreign judge as to witness from this state.
If a judge of a court of record in any state, which by its laws has made provision for commanding persons within that state to attend and testify in this state, certifies under the seal of the court: (1) that there is a criminal prosecution pending in the court or that a grand jury investigation has commenced or is about to commence, (2) that a person being within this state is a material witness in the prosecution or grand jury investigation, and (3) that the person's presence will be required for a specified number of days, upon presentation of the certificate to any judge of a court of record in the county in which the person is, the judge shall fix a time and place for a hearing, and shall make an order directing the witness to appear at a certain time and place for the hearing.
History of Section.
P.L. 1936, ch. 2382, § 2; G.L. 1938, ch. 626, § 2; G.L. 1956, § 12-16-3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16 - Attendance of Witnesses from Without StateSection 12-16-4. - Issuance of summons to appear in another state.

§ 12-16-4. Issuance of summons to appear in another state.
If at a hearing the judge determines: (1) that the witness is material and necessary, (2) that it will not cause undue hardship to the witness to be compelled to attend and testify in the prosecution or a grand jury investigation in the other state, and (3) that the laws of the state in which the prosecution is pending or grand jury investigation has commenced or is about to commence will give to him or her protection from arrest and the service of civil and criminal process, the judge shall issue a summons with a copy of the certificate attached, directing the witness to attend and testify in the court where the prosecution is pending or where a grand jury investigation has commenced or is about to commence at a time and place specified in the summons. In any hearing the certificate shall be prima facie evidence of all the facts stated in it.
History of Section.
P.L. 1936, ch. 2382, § 2; G.L. 1938, ch. 626, § 2; G.L. 1956, § 12-16-4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16 - Attendance of Witnesses from Without StateSection 12-16-5. - Taking into custody and delivery of witness.

§ 12-16-5. Taking into custody and delivery of witness.
If the certificate recommends that the witness be taken into immediate custody and delivered to an officer of the requesting state to assure his or her attendance in the requesting state, the judge may, in lieu of notification of the hearing, direct that the witness be immediately brought before him or her for the hearing; and the judge at the hearing, being satisfied of the desirability of custody and delivery, for which determination the certificate shall be prima facie proof of that desirability, may, in lieu of issuing subpoena or summons, order that the witness be immediately taken into custody and delivered to an officer of the requesting state.
History of Section.
P.L. 1936, ch. 2382, § 2; G.L. 1938, ch. 626, § 2; G.L. 1956, § 12-16-5.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16 - Attendance of Witnesses from Without StateSection 12-16-6. - Punishment for disobedience of summons.

§ 12-16-6. Punishment for disobedience of summons.
If a witness, who is summoned as provided in this chapter, after being paid or tendered by some properly authorized person the sum of ten cents ($0.10) a mile for each mile and five dollars ($5.00) for each day that he or she is required to travel and attend as a witness, fails without good cause to attend and testify as directed in the summons, he or she shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court of record in this state.
History of Section.

P.L. 1936, ch. 2382, § 2; G.L. 1938, ch. 626, § 2; G.L. 1956, § 12-16-6.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16 - Attendance of Witnesses from Without StateSection 12-16-7. - Certificate to summon witness from another state.

§ 12-16-7. Certificate to summon witness from another state.
If a person in any state which by its laws has made provision for commanding persons within its borders to attend and testify in criminal prosecutions or grand jury investigations commenced or about to commence in this state is a material witness in a prosecution pending in a court of record in this state or in a grand jury investigation which has commenced or is about to commence, a judge of the court may issue a certificate under the seal of the court stating these facts and specifying the number of days the witness will be required. This certificate shall be presented to a judge of a court of record in the county in which the witness is found.
History of Section.
P.L. 1936, ch. 2382, § 3; G.L. 1938, ch. 626, § 3; G.L. 1956, § 12-16-7.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16 - Attendance of Witnesses from Without StateSection 12-16-8. - Receiving custody of witness from another state.

§ 12-16-8. Receiving custody of witness from another state.
If the certificate recommends that the witness be taken into immediate custody and delivered to an officer of this state to assure his or her attendance in this state, the judge may direct that the witness be immediately brought before him or her; and the judge, being satisfied of the desirability of the custody and delivery, for which determination the certificate shall be prima facie proof, may order that the witness be immediately taken into custody and delivered to an officer of this state, which order shall be sufficient authority to the officer to take the witness into custody and hold him or her unless and until he or she may be released by bail, recognizance, or order of the judge issuing the certificate.
History of Section.
P.L. 1936, ch. 2382, § 3; G.L. 1938, ch. 626, § 3; G.L. 1956, § 12-16-8.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-16 - Attendance of Witnesses from Without StateSection 12-16-9. - Fees tendered — Duration of attendance required — Failure to testify.

§ 12-16-9. Fees tendered — Duration of attendance required — Failure to testify.
If the witness is summoned to attend and testify in this state, he or she shall be tendered the sum of ten cents ($0.10) a mile for each mile and five dollars ($5.00) for each day that he or she is required to travel and attend as a witness. A witness who has appeared in accordance with the provisions of the summons shall not be required to remain within this state for a longer period of time than the period mentioned in the certificate, unless otherwise ordered by the court. If the witness fails without good cause to attend and testify as directed in the summons, he or she shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court of record in this state.
History of Section.
P.L. 1936, ch. 2382, § 3; G.L. 1938, ch. 626, § 3; G.L. 1956, § 12-16-9.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-1. - Trial in superior court only on indictment, information, or appeal — Venue.

§ 12-17-1. Trial in superior court only on indictment, information, or appeal — Venue.
No person shall be put on trial for any offense before the superior court except upon indictment found by a grand jury, or upon an information signed by the attorney general or one of the attorney general's designated assistants, or upon appeal from the sentence of a district court, and, unless otherwise provided by law, the trial shall be held before the superior court in the county in which the offense may lawfully be alleged to have been committed or shall have been committed and not elsewhere, but this provision and all other general and special provisions fixing the venue of criminal actions shall be subject to the exception that proceedings by indictment, information, or on appeal for offenses alleged to have been committed or committed in the county of Bristol shall be had in the county of Providence.
History of Section.
G.L. 1896, ch. 285, §§ 1, 7; C.P.A. 1905, §§ 1179, 1180; G.L. 1909, ch. 354, §§ 1, 7; G.L. 1909, ch. 354, § 31; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 31; G.L. 1938, ch. 625, § 31; G.L. 1956, § 12-17-1; P.L. 1974, ch. 118, § 13.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-10.1. - Spouse as witness in domestic or child abuse actions.

§ 12-17-10.1. Spouse as witness in domestic or child abuse actions.
In any prosecution involving sexual assault, assault, or abuse committed against one's spouse or against a minor child of the defendant or of the defendant's spouse, the judge may order the spouse of the defendant to give testimony against the defendant notwithstanding the fact that the spouse may have been married to the defendant before, at the time of, or after the commission of

the offense, and notwithstanding the fact that the spouse may be called as a witness during the existence of the marriage or after its dissolution.
History of Section.
P.L. 1987, ch. 124, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-10. - Defendant's spouse as witness.

§ 12-17-10. Defendant's spouse as witness.
The husband or wife of any respondent in a criminal prosecution, offering himself or herself as a witness, shall not be excluded from testifying because he or she is the husband or wife of the respondent.
History of Section.
C.P.A. 1905, § 397; G.L. 1909, ch. 292, § 45; G.L. 1923, ch. 342, § 45; G.L. 1938, ch. 537, § 17; G.L. 1956, § 12-17-10.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-11. - Commitment of witness on presumption of perjury.

§ 12-17-11. Commitment of witness on presumption of perjury.
Whenever it shall appear to any court of record that any witness or party who has been legally sworn or affirmed and examined or has made an affidavit in the proceeding before the court has testified in such a manner as to induce a reasonable presumption that he or she has been guilty of perjury in the proceeding, the court may immediately commit the witness or party by an order or process for that purpose, or may take a recognizance with surety for his or her appearance to answer an indictment or information for perjury.
History of Section.
G.L. 1896, ch. 285, § 22; G.L. 1909, ch. 354, § 22; G.L. 1909, ch. 354, § 72; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 72; G.L. 1938, ch. 625, § 65; G.L. 1956, § 12-17-11; P.L. 1974, ch. 118, § 13.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-12. - Detention of evidence as to perjury.

§ 12-17-12. Detention of evidence as to perjury.
If, in any proceeding in which perjury may be reasonably presumed pursuant to § 12-17-11, any papers, books, or documents shall have been produced which shall be deemed necessary to be used in any prosecution for perjury, the court may by order detain them from the person producing them, so long as may be necessary, in order that they may be used in the prosecution.
History of Section.
G.L. 1896, ch. 285, § 23; G.L. 1909, ch. 354, § 23; G.L. 1909, ch. 354, § 73; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 73; G.L. 1938, ch. 625, § 66; G.L. 1956, § 12-17-12.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-13. - Jury ordered not to separate.

§ 12-17-13. Jury ordered not to separate.
Upon motion of the attorney general or of the attorney for the defendant in a criminal case, the court may, in its discretion, order that the jury impaneled and sworn to serve shall not be permitted to separate until discharged according to law from the further consideration of the case; provided, notwithstanding the provisions of § 8-7-2, whenever a criminal trial shall have been opened to a jury, the trial shall continue to its conclusion; and provided, further, that the jurors shall receive double pay. Sheriffs assigned to juries subject to an order not to separate shall receive double pay.
History of Section.
P.L. 1920, ch. 1948, § 38; G.L. 1923, ch. 329, § 38; G.L. 1938, ch. 506, § 36; G.L. 1938, ch. 506, § 34; P.L. 1939, ch. 700, § 1; P.L. 1949, ch. 2333, § 1; G.L. 1956, § 12-17-13.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-14. - Conviction of lesser-included offense or attempt.

§ 12-17-14. Conviction of lesser-included offense or attempt.
Whenever any person is tried upon an indictment, information, or complaint and the court or jury, as the case may be, shall not be satisfied that he or she is guilty of the whole offense, but shall be satisfied that he or she is guilty of so much of the offense as shall substantially amount to an offense of a lower nature, or that the defendant did not complete the offense charged, but that he or she was guilty only of an attempt to commit the same offense, the court or jury may find him or her guilty of the lower offense or guilty of an attempt to commit the offense, as the case may be, and the court shall proceed to sentence the person for the offense of which he or she shall be so found guilty, notwithstanding that the court had not otherwise jurisdiction of the offense.
History of Section.
G.L. 1896, ch. 285, § 24; P.L. 1897, ch. 463, § 1; C.P.A. 1905, § 1185; G.L. 1909, ch. 354, § 24; G.L. 1909, ch. 354, § 11; P.L.

1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 11; G.L. 1938, ch. 625, § 11; G.L. 1956, § 12-17-14; P.L. 1974, ch. 118, § 13.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-15. - Compelling evidence in criminal proceedings — Immunity.

§ 12-17-15. Compelling evidence in criminal proceedings — Immunity.
Whenever a witness, including a child as defined in § 14-1-3, refuses, on the basis of his or her privilege against self-incrimination, to answer a question or to produce other evidence of any kind in a criminal proceeding before any court or grand jury of this state, the attorney general may, in writing, request the presiding justice of the superior court or the chief judge of the family court or the district court to order the witness to answer the question or produce the evidence. The court, in its discretion, after notice to the witness, may order the witness to answer the question or produce the evidence. The witness may not refuse to comply with the order on the basis of his privilege against self-incrimination; but the witness shall not be prosecuted or subjected to penalty or forfeiture for, or on account of, any transaction or matter regarding which, in accordance with the order, he or she gave answer or produced evidence and no testimony or other information compelled under the order or any information directly or indirectly derived from the testimony or other information shall be used against the witness in any criminal case, except he or she may be prosecuted or subjected to penalty or forfeiture for any perjury, false swearing, or contempt committed in answering or failing to answer, or in producing or failing to produce evidence, in accordance with the order. No court order directing a witness to answer a question or to produce evidence issued pursuant to this section shall operate to vacate, modify, or otherwise prevent the enforcement of any conviction, judgment, or sentence entered by any court against the witness prior to the grant of immunity, unless the order entered pursuant to this section expressly provides for it.
History of Section.
P.L. 1969, ch. 54, § 1; P.L. 1981, ch. 217, § 1; P.L. 1981, ch. 243, § 1; P.L. 1986, ch. 513, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-16. - Defendant’s right of discovery.

§ 12-17-16. Defendant’s right of discovery.
In any criminal proceeding where the prosecution is in possession of tangible evidence which may be used at trial of any defendant, the defendant shall have the right upon demand given in writing to the prosecuting authorities to inspect, examine, and/or copy the evidence at a time and place to be fixed by a justice of a court of proper jurisdiction.
History of Section.
P.L. 1969, ch. 203, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-17. - Restrictions on the defense of provocation.

§ 12-17-17. Restrictions on the defense of provocation.
For purposes of determining sudden quarrel or heat of passion, the provocation was not objectively reasonable if it resulted solely from the discovery of, knowledge about, or potential disclosure of the victim’s actual or perceived gender, gender identity, gender expression, or sexual orientation, including under circumstances in which the victim made an unwanted, non-forcible romantic or sexual advance toward the defendant, or if the defendant and victim dated or had a romantic relationship.
History of Section.
P.L. 2018, ch. 125, § 1; P.L. 2018, ch. 294, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-18. - Restrictions on the defense of diminished capacity.

§ 12-17-18. Restrictions on the defense of diminished capacity.
A defendant does not suffer from reduced mental capacity based solely on the discovery of, knowledge about, or potential disclosure of the victim’s actual or perceived gender, gender identity, gender expression, or sexual orientation, including under circumstances in which the victim made an unwanted, non-forcible romantic or sexual advance toward the defendant, or if the defendant and victim dated or had a romantic or sexual relationship.
History of Section.
P.L. 2018, ch. 125, § 1; P.L. 2018, ch. 294, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-19. - Restrictions on the defense of self-defense.

§ 12-17-19. Restrictions on the defense of self-defense.
A person is not justified in using force against another based solely on the discovery of, knowledge about, or potential disclosure of the victim’s actual or perceived gender, gender identity, gender expression, or sexual orientation, including under circumstances in which the victim made an unwanted, non-forcible romantic or sexual advance toward the defendant, or if the defendant and victim dated or had a romantic or sexual relationship.

History of Section.
P.L. 2018, ch. 125, § 1; P.L. 2018, ch. 294, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-2. - “Not guilty” plea inferred.

§ 12-17-2. “Not guilty” plea inferred.
If any person on being arraigned for an offense shall stand mute or not answer directly, or shall peremptorily challenge a greater number of the persons summoned as jurors than he or she is by law entitled to challenge, the plea of “not guilty” shall be entered on the record, the supernumerary challenges shall be disregarded, and the trial shall proceed as if the prisoner had pleaded “not guilty” and as if he or she had not made the challenges.
History of Section.
G.L. 1896, ch. 285, § 18; G.L. 1909, ch. 354, § 18; G.L. 1909, ch. 354, § 15; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 15; G.L. 1938, ch. 625, § 15; G.L. 1956, § 12-17-2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-3. - Waiver of jury trial — Special findings and rulings.

§ 12-17-3. Waiver of jury trial — Special findings and rulings.
In all criminal cases the accused may, if he or she shall so elect and with the leave of the court, waive a trial by jury, and in those cases the court shall have jurisdiction to hear and try the cause without a jury and render judgment and pass sentence. In cases so tried the court shall, upon request of the accused, make special finding upon any issue of fact and special ruling upon any question of law arising in the case.
History of Section.
G.L. 1923, ch. 407, § 78; P.L. 1929, ch. 1335, § 1; G.L. 1938, ch. 625, § 71; G.L. 1956, § 12-17-3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-5. - Continuance of trial to conclusion after opening to jury.

§ 12-17-5. Continuance of trial to conclusion after opening to jury.
Notwithstanding the provisions of § 8-7-2, and notwithstanding the provisions of any other law previously enacted, whenever a criminal trial shall have been opened to a jury the trial shall continue to its conclusion.
History of Section.
P.L. 1949, ch. 2335, § 1; G.L. 1956, § 12-17-5.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-6. - Control and disposition of property used as evidence.

§ 12-17-6. Control and disposition of property used as evidence.
All property, money, or estate taken or detained as evidence in any criminal cause shall be subject to the order of the court before which the indictment, information, or complaint shall be brought or pending, and shall, at the termination of the cause, be restored to the rightful owner.
History of Section.
G.L. 1896, ch. 285, § 30; G.L. 1909, ch. 354, § 30; G.L. 1909, ch. 354, § 66; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 66; G.L. 1938, ch. 625, § 59; G.L. 1956, § 12-17-6; P.L. 1974, ch. 118, § 13.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-7. - Release of property held as evidence after escape of defendant.

§ 12-17-7. Release of property held as evidence after escape of defendant.
If any defendant charged with the commission of any crime or offense after arrest upon indictment, information, or complaint found shall have escaped, the court before which the indictment, information, or complaint shall be pending may, after the lapse of a reasonable time, return and restore any property or estate held pursuant to § 12-7-16 to its owner.
History of Section.
G.L. 1896, ch. 285, § 31; G.L. 1909, ch. 354, § 31; G.L. 1909, ch. 354, § 67; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 67; G.L. 1938, ch. 625, § 60; G.L. 1956, § 12-17-7; P.L. 1974, ch. 118, § 13.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-8. - Compulsory process for defense witnesses.

§ 12-17-8. Compulsory process for defense witnesses.
Compulsory process for obtaining witnesses in favor of any person indicted or charged by information shall issue out of any court before which the person shall be brought for trial, upon a satisfactory showing that he or she is unable to procure witnesses at his or her own expense.

History of Section.
G.L. 1896, ch. 285, § 65; G.L. 1909, ch. 354, § 65; G.L. 1909, ch. 354, § 68; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 68; G.L. 1938, ch. 625, § 61; G.L. 1956, § 12-17-8; P.L. 1972, ch. 169, § 23; P.L. 1974, ch. 118, § 13.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-17 - TrialSection 12-17-9. - Defendant as witness.

§ 12-17-9. Defendant as witness.
No respondent in a criminal prosecution, offering himself or herself as a witness, shall be excluded from testifying because he or she is a respondent; and neglect or refusal so to testify shall create no presumption nor be used in argument against him or her.
History of Section.
C.P.A. 1905, § 396; G.L. 1909, ch. 292, § 44; G.L. 1923, ch. 342, § 44; G.L. 1938, ch. 538, § 11; G.L. 1956, § 12-17-9.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-18.1 - Probation and Parole Support ActSection 12-18.1-1. - Short title.

§ 12-18.1-1. Short title.
This chapter shall be known as the “Probation and Parole Support Act.”
History of Section.
P.L. 1987, ch. 118, art. 9, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-18.1 - Probation and Parole Support ActSection 12-18.1-3. - Court costs.

§ 12-18.1-3. Court costs.
(a)
The court shall assess as court costs, in addition to those otherwise provided by law, against all defendants charged with a felony, misdemeanor, or petty misdemeanor, and who plead nolo contendere or guilty or who are found guilty of the commission of those crimes, as follows:
(1)
Where the offense charged is a felony and carries a maximum penalty of five (5) or more years imprisonment, three hundred dollars ($300) or ten percent (10%) of any fine imposed on the defendant by the court, whichever is greater;
(2)
Where the offense charged is a felony and carries a maximum penalty of less than five (5) years imprisonment, one hundred eighty dollars ($180) or ten percent (10%) of any fine imposed on the defendant by the court, whichever is greater; and
(3)
Where the offense charged is a misdemeanor, sixty dollars ($60.00) or ten percent (10%) of any fine imposed on the defendant by the court, whichever is greater.
(b)
These court costs shall not be assessed when the defendant is sentenced to prison for thirty (30) days or more on any count, multiple counts, or multiple charges and shall be remitted if a defendant subsequently serves thirty (30) days or more on a violation.
(c)
When there are multiple counts or multiple charges to be disposed of simultaneously, the judge shall have the authority to suspend the obligation of the defendant to pay on all counts or charges above one.
(d)
If a defendant is indigent, or demonstrates a limited or inability to pay, in accordance with the standards and procedures contained in §§ 12-20-10 and 12-21-20, the court costs contemplated by this section may be waived or reduced.
History of Section.
P.L. 1987, ch. 118, art. 9, § 1; P.L. 1991, ch. 44, art. 40, § 1; P.L. 2008, ch. 297, § 2; P.L. 2008, ch. 326, § 2; P.L. 2022, ch. 200, § 1, effective June 27, 2022; P.L. 2022, ch. 201, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-18.1 - Probation and Parole Support ActSection 12-18.1-4. - Deposit of and use of proceeds.

§ 12-18.1-4. Deposit of and use of proceeds.
All revenues collected under § 12-18.1-3 shall be deposited as general revenues.
History of Section.
P.L. 1987, ch. 118, art. 9, § 1; P.L. 1995, ch. 370, art. 40, § 41.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-18.1 - Probation and Parole Support ActSection 12-18.1-5. - Report to governor and general assembly.

§ 12-18.1-5. Report to governor and general assembly.
(a)

Pursuant to § 12-18.1-4 there shall be annually transmitted to the governor and general assembly a report setting forth the amount of money in the fund at the beginning of each year, the amount collected during the year, and the total of money disbursed from the fund during the year.
(b)
The annual report required by this section shall be filed by March 1 of each year.
History of Section.
P.L. 1993, ch. 60, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-18 - ProbationSection 12-18-1. - Placement of offenders under director of corrections.

§ 12-18-1. Placement of offenders under director of corrections.
It shall be lawful for any court in the state, at any time before sentence, to provisionally place any offender, juvenile or adult, who can lawfully be admitted to bail, under the control and supervision of the director of corrections or the director's designee or any probation officer that the director may designate, and whenever any offender shall be placed in the custody or under the control and supervision of the director or designee or of any designated probation officer, the director or designee and the probation officer shall have and exercise the same rights and powers in relation to the offender as are or may be possessed by a surety on a recognizance.
History of Section.
G.L. 1923, ch. 405, § 2; P.L. 1926, ch. 861, § 1; G.L. 1923, ch. 405, § 3; P.L. 1932, ch. 1930, § 2; G.L. 1938, ch. 619, § 3; impl. am. P.L. 1951, ch. 2724, § 2; G.L. 1956, § 12-18-1; P.L. 1966, ch. 182, § 2; Reorg. Plan No. 1, 1970; P.L. 1972, ch. 163, § 2; P.L. 1976, ch. 290, § 6.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-18 - ProbationSection 12-18-2. - Return of probationers or parolees from outside state.

§ 12-18-2. Return of probationers or parolees from outside state.
Whenever any person who has been placed in custody of the director of corrections or the director's designee or of a probation officer by any court in this state, or has been paroled by the parole board, has left this state while in custody or while on parole, the director or designee, in his or her discretion, with the advice of the attorney general, is authorized to cause the person to be brought back to this state.
History of Section.
G.L. 1909, ch. 352, § 5; P.L. 1912, ch. 777, § 1; P.L. 1914, ch. 1052, § 1; G.L. 1923, ch. 405, § 5; G.L. 1923, ch. 405, § 3; P.L. 1926, ch. 861, § 1; G.L. 1923, ch. 405, § 4; P.L. 1932, ch. 1930, § 2; G.L. 1938, ch. 619, § 4; impl. am. P.L. 1951, ch. 2724, § 2; G.L. 1956, § 12-18-2; Reorg. Plan No. 1, 1970; P.L. 1972, ch. 163, § 2; P.L. 1976, ch. 290, § 6.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-18 - ProbationSection 12-18-3. - Plea of nolo contendere followed by probation — Effect.

§ 12-18-3. Plea of nolo contendere followed by probation — Effect.
(a)
Whenever any person shall be arraigned before the district court or superior court and shall plead nolo contendere, and the court places the person on probation pursuant to § 12-18-1, then upon the completion of the probationary period, and absent a violation of the terms of the probation, the plea and probation shall not constitute a conviction for any purpose. Evidence of a plea of nolo contendere followed by a period of probation, completed without violation of the terms of the probation, may not be introduced in any court proceeding, except that records may be furnished to a sentencing court following the conviction of an individual for a crime committed subsequent to the successful completion of probation on the prior offense.
(b)
This section shall not apply to any person who is sentenced to serve a term in the adult correctional institutions or who is given a suspended or deferred sentence in addition to probation.
(c)
The provisions of this section shall not apply to persons making applications for the purchase of a firearm, or to persons making applications for permission to carry a concealable weapon, if the crime for which the plea was entered was a crime of violence as defined in § 11-47-2 or the plea was entered pursuant to chapter 28 of title 21. In these cases a plea of nolo contendere followed by probation shall be deemed a conviction for the purposes stated in this subsection.
History of Section.
P.L. 1982, ch. 354, § 1; P.L. 1984, ch. 409, § 1; P.L. 1990, ch. 284, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19.1 - Judicial Sentencing Disclosure ActSection 12-19.1-1. - Short title.

§ 12-19.1-1. Short title.
This chapter may be cited as the "Rhode Island Judicial Sentencing Disclosure Act."

History of Section.
P.L. 1977, ch. 192, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19.1 - Judicial Sentencing Disclosure ActSection 12-19.1-2. - Record of criminal sentences.

§ 12-19.1-2. Record of criminal sentences.
The clerks of the district and superior courts shall maintain a register listing under the name of each judge all criminal convictions over which the judge has presided, in chronological order, to include the following information:
(1)
The name of the case;
(2)
The charges against the defendant;
(3)
The charges of which the defendant was convicted;
(4)
The sentence handed down by the judge; and
(5)
The date the sentence was handed down.
History of Section.
P.L. 1977, ch. 192, § 1; P.L. 2000, ch. 109, § 15.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19.1 - Judicial Sentencing Disclosure ActSection 12-19.1-3. - Public record.

§ 12-19.1-3. Public record.
The register shall be a public record of the state and shall be available for inspection at the office of the clerk during regular office hours and at any other times that may be provided by law.
History of Section.
P.L. 1977, ch. 192, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19.2 - Sentencing to Life Imprisonment Without ParoleSection 12-19.2-1. - Sentencing procedures — Trial by jury.

§ 12-19.2-1. Sentencing procedures — Trial by jury.
In all cases tried by a jury in which the penalty of life imprisonment without parole may be imposed pursuant to § 11-23-2 or 11-23-2.1, and in which the attorney general has recommended to the court in writing within twenty (20) days of the date of the arraignment that such a sentence be imposed, the court shall, upon return of a verdict of guilty of murder in the first degree by the jury, instruct the jury to determine whether it has been proven beyond a reasonable doubt that the murder committed by the defendant involved one of the circumstances enumerated in § 11-23-2 or 11-23-2.1 as the basis for imposition of a sentence of life imprisonment without parole. If after deliberation the jury finds that one or more of the enumerated circumstances was present, it shall state in writing, signed by the foreperson of the jury, which circumstance or circumstances it found beyond a reasonable doubt. Upon return of an affirmative verdict, the court shall conduct a presentence hearing. At the hearing, the court shall permit the attorney general and the defense to present additional evidence relevant to a determination of the sentence to be imposed as provided for in § 12-19.2-4. After hearing evidence and argument relating to the presence or absence of aggravating and mitigating factors, the court shall, in its discretion, sentence the defendant to either life imprisonment without parole or life imprisonment. If the trial court is reversed on appeal because of error only in the presentence hearing, the new proceedings before the trial court which may be ordered shall pertain only to the issue of sentencing.
History of Section.
P.L. 1984, ch. 221, § 2; P.L. 1984, ch. 362, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19.2 - Sentencing to Life Imprisonment Without ParoleSection 12-19.2-2. - Sentencing procedures — Trial by judge sitting without a jury.

§ 12-19.2-2. Sentencing procedures — Trial by judge sitting without a jury.
In all cases tried by a judge sitting without a jury in which the penalty of life imprisonment without parole may be imposed pursuant to § 11-23-2 or 11-23-2.1, and in which the attorney general has recommended to the court in writing within twenty (20) days of the date of the arraignment that such a sentence be imposed, the court shall, if the court finds the defendant guilty of murder in the first degree, also render a finding as to whether it has been proven beyond a reasonable doubt that the murder committed by the defendant involved one of the circumstances enumerated in § 11-23-2 or 11-23-2.1 as the basis for imposition of a sentence of life imprisonment without parole. If the court finds that one or more of the enumerated circumstances was present, it shall state on the record which circumstance or circumstances it found beyond a reasonable doubt. Upon an affirmative finding by the court, it shall

conduct a presentence hearing. At the hearing, the court shall permit the attorney general and the defense to present additional evidence relevant to a determination of the sentence to be imposed as provided for in § 12-19.2-4. After hearing evidence and argument relating to the presence or absence of aggravating and mitigating factors, the court shall, in its discretion, sentence the defendant to either life imprisonment without parole or life imprisonment. If the trial court is reversed on appeal because of error only in the presentence hearing, the new proceedings before the trial court which may be ordered shall pertain only to the issue of sentencing.
History of Section.
P.L. 1984, ch. 221, § 2; P.L. 1984, ch. 362, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19.2 - Sentencing to Life Imprisonment Without ParoleSection 12-19.2-3. - Sentencing procedures — Plea of guilty.

§ 12-19.2-3. Sentencing procedures — Plea of guilty.
In all cases in which the defendant pleads guilty or nolo contendere to an offense for which the penalty of life imprisonment without parole may be imposed pursuant to § 11-23-2 or 11-23-2.1, and in which the attorney general has recommended to the court in writing within twenty (20) days of the date of the arraignment that such a sentence be imposed, the court shall conduct a presentence hearing. At the hearing, the court shall permit the attorney general and the defense to present additional evidence relevant to a determination of the sentence to be imposed as provided for in § 12-19.2-4. After hearing evidence and argument relating to the presence or absence of aggravating and mitigating factors, the court shall, in its discretion, sentence the defendant to either life imprisonment without parole or life imprisonment. If the trial court is reversed on appeal because of error only in the presentence hearing, the new proceedings before the trial court which may be ordered shall pertain only to the issue of sentencing.
History of Section.
P.L. 1984, ch. 221, § 2; P.L. 1984, ch. 362, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19.2 - Sentencing to Life Imprisonment Without ParoleSection 12-19.2-4. - Consideration of aggravating and mitigating circumstances.

§ 12-19.2-4. Consideration of aggravating and mitigating circumstances.
At the presentence hearing, following a finding that one or more of the circumstances enumerated in § 11-23-2 or 11-23-2.1 as the basis for imposition of a sentence of life imprisonment without parole was involved in the first degree murder of which the defendant has been convicted, the court shall consider evidence regarding the nature and circumstances of the offense and the personal history, character, record, and propensities of the defendant which are relevant to the sentencing determination. After hearing evidence and argument regarding the aggravating and mitigating circumstances relating to the offense and the defendant, the court shall, in its discretion, sentence the defendant to life imprisonment without parole or to life imprisonment. The court shall state on the record its reasons for imposing its sentence.
History of Section.
P.L. 1984, ch. 221, § 2; P.L. 1984, ch. 362, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19.2 - Sentencing to Life Imprisonment Without ParoleSection 12-19.2-5. - Review of life sentence without parole.

§ 12-19.2-5. Review of life sentence without parole.
The defendant shall have the right to appeal a sentence of life imprisonment without parole to the supreme court of the state in accordance with the applicable rules of court. In considering an appeal of a sentence, the court, after review of the transcript of the proceedings below, may, in its discretion, ratify the imposition of the sentence of life imprisonment without parole or may reduce the sentence to life imprisonment.
History of Section.
P.L. 1984, ch. 221, § 2; P.L. 1984, ch. 362, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19.2 - Sentencing to Life Imprisonment Without ParoleSection 12-19.2-6. - Work release and furlough programs — Prohibited.

§ 12-19.2-6. Work release and furlough programs — Prohibited.
A person serving a sentence of life imprisonment without parole shall not be eligible for participation in the work release program as set forth in § 42-56-21, the furlough program as set forth in § 42-56-18, or any other program which allows a prisoner to be released from the confinement of the prison facility to which the prisoner has been assigned.
History of Section.
P.L. 1991, ch. 362, § 2; P.L. 2000, ch. 109, § 16.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19.3 - Sentencing StandardsSection 12-19.3-1. - Legislative purpose.

§ 12-19.3-1. Legislative purpose.

In order that the sentences imposed upon convicted criminals by the courts of this state do justice to the victim, the offender, and the community, a system of sentencing standards is enacted. Those standards are intended to create a sentencing process which will allow for judicial consideration of mitigating and aggravating circumstances unique to the particular defendant and crime, while providing the structure necessary to impose consistent sentences upon similar offenders convicted of like crimes.
History of Section.
P.L. 1992, ch. 412, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19.3 - Sentencing StandardsSection 12-19.3-2. - Adoption of presumptive sentences.

§ 12-19.3-2. Adoption of presumptive sentences.
Each year the justices of the superior court shall by majority vote, and with the approval of the supreme court, adopt as a rule of court presumptive sentences to be imposed upon defendants who have been found guilty after a trial. The rule shall establish a presumptive sentence or sentencing range for each category of felony which constituted more than five percent (5%) of the criminal caseload in the superior court during the preceding year and for any additional categories of felonies that the justices deem appropriate. It shall also set forth the criteria for evaluation upon which the presumptive sentences are based. Prior to implementation, the rule shall be forwarded to the supreme court for its approval. A complete listing of the presumptive sentences so established shall be made public no less than thirty (30) days prior to implementation.
History of Section.
P.L. 1992, ch. 412, § 1; P.L. 2000, ch. 109, § 17.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19.3 - Sentencing StandardsSection 12-19.3-3. - Procedures for sentencing.

§ 12-19.3-3. Procedures for sentencing.
In all cases where the defendant has been found guilty after trial of an offense for which a sentencing standard has been established pursuant to § 12-19.3-2, the trial justice shall impose a sentence within the presumptive sentencing range unless he or she finds that substantial and compelling circumstances exist which justify imposition of an alternative sentence. This finding may be based upon the character and background of the defendant, the nature and circumstances of the offense, and/or the nature and quality of the evidence presented at trial. When justified by those factors, he or she may impose either a more lenient or a more severe sentence than provided for in the rule. If a sentence outside of the presumptive range is imposed, the trial justice shall set forth on the record the circumstances which he or she found as justification for imposition of the alternative sentence.
History of Section.
P.L. 1992, ch. 412, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19.3 - Sentencing StandardsSection 12-19.3-4. - Review of sentence.

§ 12-19.3-4. Review of sentence.
Within twenty (20) days of the imposition of a sentence which is outside the presumptive sentencing range for the offense, the attorney general, if the court imposes a less severe sentence, or the defendant, if the court imposes a more severe sentence, may appeal the sentence to the supreme court in accordance with procedures to be established by the supreme court.
History of Section.
P.L. 1992, ch. 412, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-10. - Suspension of imprisonment already commenced.

§ 12-19-10. Suspension of imprisonment already commenced.
Imprisonment pursuant to a sentence, once commenced, shall not be subject to suspension by the superior court.
History of Section.
G.L. 1938, ch. 496, § 18A; P.L. 1950, ch. 2462, § 1; G.L. 1956, § 12-19-10.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-11. - Suspension of life sentence.

§ 12-19-11. Suspension of life sentence.
Execution of sentence shall not be suspended, nor shall the defendant be placed on probation, if the offense is one punishable by mandatory life imprisonment.
History of Section.
G.L. 1938, ch. 496, § 18A; P.L. 1950, ch. 2462, § 1; G.L. 1956, § 12-19-11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-12. - Powers of superior court additional.

§ 12-19-12. Powers of superior court additional.
The power and authority vested by §§ 12-19-8 — 12-19-11 in the superior court shall be deemed additional power and authority, and shall not be deemed to be in substitution or derogation of any other power and authority previously vested in the superior court.
History of Section.
G.L. 1938, ch. 496, § 18A; P.L. 1950, ch. 2462, § 1; G.L. 1956, § 12-19-12.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-13. - Suspension of sentence and probation by district court.

§ 12-19-13. Suspension of sentence and probation by district court.
Whenever any defendant shall appear for sentence before a district court, the court may impose a sentence and suspend its execution, or place the defendant on probation without the imposition of a suspended sentence. The defendant may be placed on probation for the time and on any terms and conditions that the court may fix. The period of probation, together with any extension, shall not exceed one year, except that probation may be for a longer period in cases in which the district court may by law impose a sentence longer than one year; provided, that the period of probation shall not exceed the longest sentence which the court may impose.
History of Section.
G.L. 1938, ch. 501, § 45A; P.L. 1954, ch. 3362, § 1; G.L. 1956, § 12-19-13; P.L. 1972, ch. 169, § 25.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-14. - Violation of terms of probation — Notice to court — Revocation or continuation of suspension.

§ 12-19-14. Violation of terms of probation — Notice to court — Revocation or continuation of suspension.
(a)
Whenever any person who has been placed on probation by virtue of the suspension of execution of his or her sentence pursuant to § 12-19-13 violates the terms and conditions of his or her probation as fixed by the court by being formally charged with committing a new criminal offense, the police or department of corrections division of rehabilitative services shall cause the defendant to appear before the court. The department of corrections division of rehabilitative services shall determine when a technical violation of the terms and conditions of probation as fixed by the court that does not constitute a new criminal offense has occurred and shall cause the defendant to appear before the court. For technical violations, the division of rehabilitative services shall promptly render a written report relative to the conduct of the defendant, including, as applicable, a description of the clear and articulable public safety risk posed by a defendant accused of a technical violation, and, as available, the information contained in any report under § 12-13-24.1. The division of rehabilitative services may recommend that the time served up to that point is a sufficient response to a violation that is not a new, alleged crime. The court may order the defendant held without bail for a period not exceeding ten (10) days excluding Saturdays, Sundays, and holidays if the new criminal charge(s) constitutes a violent crime as defined in the Rhode Island General Laws, a domestic violence crime, or a crime involving driving under the influence or if the court determines in its discretion that public safety concerns and/or concerns regarding the defendant’s likelihood to appear before the court warrant holding the defendant without bail.
(b)
The court shall conduct a hearing within thirty (30) days of arrest, unless waived by the defendant, to determine whether the defendant has violated the terms and conditions of his or her probation, at which hearing the defendant shall have the opportunity to be present and to respond. Upon a determination by a fair preponderance of the evidence that the defendant has violated the terms and conditions of his or her probation, the court, in open court and in the presence of the defendant, may as to the court may seem just and proper:
(1)
Revoke the suspension and order the defendant committed on the sentence previously imposed, or on a lesser sentence;
(2)
Impose a sentence if one has not been previously imposed;
(3)
Stay all or a portion of the sentence imposed after removal of the suspension;
(4)
Continue the suspension of a sentence previously imposed; or
(5)
Convert a sentence of probation without incarceration to a suspended sentence.
History of Section.
G.L. 1938, ch. 501, § 45A; P.L. 1954, ch. 3362, § 1; G.L. 1956, § 12-19-14; P.L. 1970, ch. 145, § 1; P.L. 1972, ch. 169, § 25; P.L. 1982, ch. 215, § 1; P.L. 2017, ch. 345, § 1; P.L. 2017, ch. 351, § 1; P.L. 2021, ch. 162, art. 13, § 1, effective July 6, 2021.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-15. - Term of probation — Power to commit after termination of original sentence.

§ 12-19-15. Term of probation — Power to commit after termination of original sentence.

The power of the court to commit the defendant shall not be deemed to terminate with the termination of the period of the original sentence, but the court shall have power to enforce the sentence even though the original period of the sentence has expired. The term of the suspended sentence may be longer or shorter or for the same time as the probation period, and the time during which the defendant is on probation shall not be deemed by §§ 12-19-13 — 12-19-17 to be a part of the term of his or her sentence, although the court, in its discretion, may give consideration to the probationer's conduct during the probationary period in imposing a sanction or enforcing the sentence originally imposed, or any lesser sentence.
History of Section.
G.L. 1938, ch. 501, § 45A; P.L. 1954, ch. 3362, § 1; G.L. 1956, § 12-19-15; P.L. 2017, ch. 345, § 1; P.L. 2017, ch. 351, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-16. - Suspension of imprisonment already commenced.

§ 12-19-16. Suspension of imprisonment already commenced.
Imprisonment pursuant to a sentence, once commenced, shall not be subject to suspension by the district court.
History of Section.
G.L. 1938, ch. 501, § 45A; P.L. 1954, ch. 3362, § 1; G.L. 1956, § 12-19-16.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-17. - Powers of district court additional.

§ 12-19-17. Powers of district court additional.
The power and authority by §§ 12-19-13 — 12-19-16 vested in the district courts shall be deemed additional power and authority and shall not be deemed in substitution or derogation of any other power and authority previously vested in the district courts.
History of Section.
G.L. 1938, ch. 501, § 45A; P.L. 1954, ch. 3362, § 1; G.L. 1956, § 12-19-17.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-18. - Termination of imprisonment on deferred sentence on failure of grand jury to indict — Determinations of insufficient evidence lack of probable cause or exercise of prosecutorial discretion.

§ 12-19-18. Termination of imprisonment on deferred sentence on failure of grand jury to indict — Determinations of insufficient evidence lack of probable cause or exercise of prosecutorial discretion.
(a)
Whenever any person has been sentenced to imprisonment for violation of a deferred sentence by reason of the alleged commission of a felony and the grand jury has failed to return any indictment or an information has not been filed on the charge which was specifically alleged to have constituted the violation of the deferred sentence, the sentence to imprisonment for the alleged violation of the deferred sentence shall, on motion made to the court on behalf of the person so sentenced, be quashed, and imprisonment shall be immediately terminated, and the deferred sentence shall have same force and effect as if no sentence to imprisonment had been imposed.
(b)
Whenever any person, after an evidentiary hearing, has been sentenced to imprisonment for violation of a suspended sentence or probationary period by reason of the alleged commission of a felony or misdemeanor said sentence of imprisonment shall, on a motion made to the court on behalf of the person so sentenced, be quashed, and imprisonment shall be terminated when any of the following occur on the charge which was specifically alleged to have constituted the violation:
(1)
After trial person is found "not guilty" or a motion for judgment of acquittal or to dismiss is made and granted pursuant to Superior or District Court Rule of Criminal Procedure 29;
(2)
After hearing evidence, a "no true bill" is returned by the grand jury;
(3)
After consideration by an assistant or special assistant designated by the attorney general, a "no information" based upon a lack of probable cause is returned;
(4)
A motion to dismiss is made and granted pursuant to the Rhode Island general laws § 12-12-1.7 and/or Superior Court Rule of Criminal Procedure 9.1; or
(5)
The charge fails to proceed in District or Superior Court under circumstances where the state is indicating a lack of probable cause, or circumstances where the state or its agents believe there is doubt about the culpability of the accused.
(c)
This section shall apply to all individuals sentenced to imprisonment for violation of a suspended sentence or probationary period by reason of the alleged commission of a felony or misdemeanor and shall not alter the ability of the court to revoke a suspended sentence or probationary period for an allegation of conduct that does not rise to the level of criminal conduct.

History of Section.
P.L. 1948, ch. 2085, § 1; G.L. 1956, § 12-19-18; P.L. 1974, ch. 118, § 14; P.L. 2010, ch. 30, § 1; P.L. 2010, ch. 311, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-19. - Sentencing on plea of guilty or nolo contendere — Deferment of sentence.

§ 12-19-19. Sentencing on plea of guilty or nolo contendere — Deferment of sentence.
(a)
Whenever any person is arraigned before the superior court and pleads guilty or nolo contendere, he or she may be at any time sentenced by the court; provided, that if at any time the court formally defers sentencing, then the person and the court shall enter into a written deferral agreement to be filed with the clerk of the court. When a court formally defers sentence, the court may only impose sentence up to five (5) years from and after the date of the written deferral agreement, unless during the required period, the person shall be declared to have violated the terms and conditions of the deferment pursuant to subsection (b) in which event the court may impose sentence.
(b)
The court may require that the person agreeing to said deferment of sentence shall not violate any condition of the written deferral agreement. A violation of any condition set forth by the written deferral agreement shall violate the terms and conditions of the deferment of sentence and the court may impose a sanction or impose sentence. The determination of whether a violation has occurred shall be made by the court in accordance with procedures relating to violation of probation in court rules and §§ 12-19-2 and 12-19-14.
(c)
If a person, after the completion of the deferment period is determined by the court after a hearing to have complied with all of the terms and conditions of the deferral agreement including, but not limited to, the payment in full of any court-ordered fines, fees, costs, assessments, and restitution to victims of crime, then the person shall become immediately eligible for consideration for expungement pursuant to the provisions of §§ 12-1.3-2 and 12-1.3-3.
History of Section.
C.P.A. 1905, § 21; G.L. 1909, ch. 273, § 18; G.L. 1923, ch. 323, § 18; P.L. 1927, ch. 1063, § 1; G.L. 1938, ch. 496, § 18; P.L. 1945, ch. 1560, § 1; G.L. 1956, § 12-19-19; P.L. 2010, ch. 128, § 1; P.L. 2010, ch. 256, § 1; P.L. 2016, ch. 202, § 2; P.L. 2016, ch. 204, § 2; P.L. 2017, ch. 345, § 1; P.L. 2017, ch. 351, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-2.1. - Crimes committed in a public housing for the elderly project.

§ 12-19-2.1. Crimes committed in a public housing for the elderly project.
(a)
Whenever a person has been found guilty of an offense described in subsection (b) of this section which was committed while on the premises of a public housing for the elderly project and upon a resident of the project, the court shall sentence the person to imprisonment for not more than five (5) years in addition to any other punishment which the court, in its discretion, may impose.
(b)
This section shall apply to any offense in the following categories: (1) assault and battery; (2) statutory burning of personal property; (3) larceny of property or money of a value not exceeding five hundred dollars ($500); (4) and any other crime, excluding motor vehicle offenses, which results in personal injury or death, unless a maximum sentence of greater than five (5) years is provided elsewhere in the general laws.
History of Section.
P.L. 1980, ch. 238, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-2.2. - Alternative confinement.

§ 12-19-2.2. Alternative confinement.
(a)(1)
Notwithstanding any other provisions of this chapter, whenever a defendant is convicted of a nonviolent criminal offense and is between the ages of eighteen (18) and twenty-eight (28) and receives a maximum sentence of three (3) years or less to serve, and the department of corrections is satisfied that the ends of justice and the best interests of the public as well as the offender will be served by it, the director of the department of corrections may make application to the sentencing judge for an order that the convicted offender be placed in a well structured highly disciplined shock incarceration program administered by the department of corrections. The program shall include extensive physical regimentation, drug and alcohol abuse counseling, behavioral counseling and mandatory education courses and community restitution. This program will be open to first time offenders.
(2)
For the purpose of this section, “first time offender” is defined as an individual who has not been incarcerated pursuant to a conviction.
(3)

The written application by the director to the sentencing judge for an order directing that a sentenced person be confined in the shock incarceration program shall set forth his or her reason for seeking the order. The hearing on the application shall be held within ten (10) business days following the filing of the application. If the sentencing judge is unavailable to hear and consider the application the presiding justice of the superior court shall designate another judge to do so.

(b)

The program shall be not less than one hundred eighty (180) days nor more than two hundred (200) days in duration and shall be operated in accordance with rules and regulations promulgated by the department of corrections and as otherwise provided for by law.

(c)

The director or his or her designee shall report to the sentencing court whether the convicted offender completes or does not complete the program together with any additional information the director shall deem appropriate with respect to the offender's conduct during the course of the program. Upon receipt of this report, the original sentencing judge may, upon his or her own order, in the event of successful completion, suspend but not vacate the remainder of the offender's sentence and place the offender on probation as provided by this chapter; or upon his or her own order, in the event of unsuccessful completion, will confine the offender to the adult correctional institutions for the balance of the original sentence still remaining with credit being given for any time that may have been spent in the program. In the event that the unsuccessful completion of the program is the result of an additional criminal offense, then the additional sentence imposed for the new offense shall be in addition to and not concurrent with the original sentence.

(d)(1)

Defendants convicted of a violent felony or previously convicted of a crime of violence shall not be eligible for this program.

(2)

"Violent felony" as used in this section means any one of the following crimes or an attempt to commit that crime:

(i)

Murder;

(ii)

Manslaughter;

(iii)

Sexual assault;

(iv)

Mayhem;

(v)

Robbery;

(vi)

Burglary;

(vii)

Assault with a dangerous weapon; and

(viii)

Assault or battery resulting in serious bodily injury.

(e)

The director of the department of corrections shall annually review the operation of the program and report his or her findings to the general assembly.

(f)

There shall be created within the department of corrections a special division which shall supervise those convicted offenders who were placed on probation as a result of completing this program.

(g)

The supervision of persons confined under the provisions of this section shall be conducted by the director or his designee.

(h)

The director shall have full power and authority to enforce any of the provisions of this section by regulation, subject to the provisions of the Administrative Procedures Act, chapter 35 of title 42. Notwithstanding any provision to the contrary, the department of corrections may contract with private agencies to carry out the provisions of this section. The civil liability of private agencies and their employees, acting within the scope of their employment, and carrying out the provisions of this section, shall be limited in the same manner and dollar amount as if they were agencies or employees of the state.

(i)

The state planning council established pursuant to the provisions of § 42-11-10 is authorized and directed to determine the most appropriate location for the program.

(j)

Alternative confinement pursuant to this section shall commence upon the approval by the general assembly of funding sufficient to carry out the purposes of this section.

History of Section.

P.L. 1994, ch. 435, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-2. - Selection of method and amount or term of punishment.

§ 12-19-2. Selection of method and amount or term of punishment.

(a)

Whenever it is provided that any offense shall be punished by a fine or imprisonment, the court imposing punishment may, in its discretion, select the kind of punishment to be imposed, and, if the punishment is fine or imprisonment, its amount or term within the limits prescribed by law; provided, if the punishment to be imposed is imprisonment, the sentence or sentences imposed shall be reduced by the number of days spent in confinement while awaiting trial and while awaiting sentencing; and provided, further, that in the case of a person sentenced to a life sentence, the time at which he or she shall become eligible to apply for parole shall be reduced by the number of days spent in confinement while awaiting trial and while awaiting sentencing; and any sentence or sentences in effect at present, including the provision as to a life sentence as described in this subsection may be reduced in like manner by the court which imposed the sentence upon application by the person serving the sentence to the court.

(b)

The court upon the sentencing of a first-time offender, excluding capital offense and sex offense involving minors, may in appropriate cases sentence the person to a term of imprisonment, and allow the person to continue in his or her usual occupation or education and shall order the person to be confined in a minimum security facility at the A.C.I. during his or her nonworking or study hours.

(c)

The director of corrections or his or her designee may impose any conditions and restrictions upon the release of persons sentenced under this section that he or she deems necessary.

(d)

The director of corrections may at any time, subject to the approval of the director, recall a prisoner from release status if he or she believes or has reason to believe the peace, safety, welfare, or security of the community may be endangered by the prisoner being under release status. Any prisoner recalled under this subsection shall be presented to the next regularly scheduled meeting of the classification board for its further consideration.

(e)

A prisoner authorized to work at paid employment in the community under this section may be required to pay, and the director is authorized to collect, costs incident to the prisoner’s confinement as the director deems appropriate and reasonable. These collections shall be deposited with the treasurer as a part of the general revenue of the state.

(f)

When a sentenced inmate’s parole release date or completion of sentence falls on a weekend or on a holiday, the department of corrections may release the inmate on the prior business day.

(g)

When a sentenced inmate is scheduled to be released from the custody of the department of corrections to a community partner for residential treatment and/or to a facility to maintain stable living conditions, and the inmate’s release date or completion of sentence is incompatible with the capacity, staffing, or scheduling capabilities of the community partner facility, the department of corrections may release the inmate up to three (3) business days earlier than the scheduled release date, provided the inmate transitions directly from the department of corrections to the community partner facility.

History of Section.

G.L. 1896, ch. 285, § 47; G.L. 1909, ch. 354, § 47; G.L. 1909, ch. 354, § 48; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 48; G.L. 1938, ch. 625, § 48; G.L. 1956, § 12-19-2; P.L. 1968, ch. 125, § 1; P.L. 1975, ch. 298, § 1; P.L. 1976, ch. 290, § 8; P.L. 1988, ch. 619, § 1; P.L. 2009, ch. 124, § 1; P.L. 2009, ch. 153, § 1; P.L. 2022, ch. 216, § 1, effective June 27, 2022; P.L. 2022, ch. 217, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-20. - [Obsolete.]

§ 12-19-20. [Obsolete.]

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-21. - Habitual criminals.

§ 12-19-21. Habitual criminals.

(a)

If any person who has been previously convicted in this or any other state of two (2) or more felony offenses arising from separate and distinct incidents and sentenced on two (2) or more occasions to serve a term in prison is, after the convictions and sentences, convicted in this state of any offense punished by imprisonment for more than one year, that person shall be deemed a “habitual criminal.” Upon conviction, the person deemed a habitual criminal shall be punished by imprisonment in the adult correctional institutions for a term not exceeding twenty-five (25) years, in addition to any sentence imposed for the offense of which he or she

was last convicted. No conviction and sentence for which the person has subsequently received a pardon granted on the ground that he or she was innocent shall be considered a conviction and sentence for the purpose of determining whether the person is a habitual criminal.
(b)
Whenever it appears a person shall be deemed a "habitual criminal," the attorney general, within forty-five (45) days of the arraignment, but in no case later than the date of the pretrial conference, may file with the court a notice specifying that the defendant, upon conviction, is subject to the imposition of an additional sentence in accordance with this section; provided, that in no case shall the fact that the defendant is alleged to be a habitual offender be an issue upon the trial of the defendant, nor shall it be disclosed to the jury. Upon any plea of guilty or nolo contendere or verdict or finding of guilty of the defendant, a hearing shall be held by the court sitting without a jury to determine whether the person so convicted is a habitual criminal. Notice shall be given to the defendant and the attorney general at least ten (10) days prior to the hearing. Duly authenticated copies of former judgments and commitments which comprise the two (2) or more prior convictions and imprisonments required under this section shall be prima facie evidence of the defendant's former convictions and imprisonments. If it appears by a preponderance of the evidence presented that the defendant is a habitual criminal under this section, he or she shall be sentenced by the court to an additional consecutive term of imprisonment not exceeding twenty-five (25) years; and provided further, that the court shall order the defendant to serve a minimum number of years of the sentence before he or she becomes eligible for parole.
History of Section.
G.L. 1896, ch. 285, § 68; P.L. 1896, ch. 336, § 1; G.L. 1909, ch. 354, § 68; G.L. 1909, ch. 354, § 71; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 71; G.L. 1938, ch. 625, § 64; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 12-19-21; P.L. 1982, ch. 226, §§ 1, 2; P.L. 1988, ch. 402, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-22. - Infliction of punishment on sentence.

§ 12-19-22. Infliction of punishment on sentence.
The various punishments prescribed for offenses shall be inflicted upon the offender upon the sentence of a court of competent jurisdiction.
History of Section.
G.L. 1896, ch. 285, § 63; G.L. 1909, ch. 354, § 63; G.L. 1909, ch. 354, § 51; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 51; G.L. 1938, ch. 625, § 50; G.L. 1956, § 12-19-22.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-23.1. - Intermediate punishments — Purpose.

§ 12-19-23.1. Intermediate punishments — Purpose.
The objectives of intermediate punishments include:
(1)
The provision of a realistic criminal sentencing alternative to incarceration for offenders consistent with the public safety;
(2)
protection of our citizenry through stringent supervision and monitoring of offenders;
(3)
The accountability of offenders and satisfaction of the retributive goal of sentencing through the use and enforcement of intermediate punishments;
(4)
The initiation and maintenance of an objectives-based plan of supervision that addresses personal and social development; and
(5)
The emphasis and promotion of offenders' adherence to program requirements of employment/education, community service, victim restitution, financial responsibility, participation in treatment programs, and strict adherence to all conditions of intermediate punishments.
History of Section.
P.L. 1993, ch. 205, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-23.2. - Intermediate punishments.

§ 12-19-23.2. Intermediate punishments.
(a)
As a part of or in lieu of the sentences otherwise provided by law, the court may unless specifically restricted or authorized by law sentence any person who has been adjudged guilty of any crime after trial before a judge or a judge and jury or before a judge accepting the person's plea of nolo contendere or guilty to the offense in the following manner:
(1)
By placement of the offender on unsupervised probation with or without special conditions;

(2)
By imposition of a sentence involving placement of the offender in supervised probation with field supervision rather than intensive supervision, with or without special conditions;
(3)
By imposition of a sentence of probation involving placement of the offender in intensive supervision or placement in an alternative confinement program established pursuant to § 12-19-2.2 without the necessity of an application of the director of the department of corrections or placement of the offender in community restitution, with or without special conditions;
(4)
By imposition of a sentence involving placement of the offender in community confinement pursuant to § 42-56-20.2;
(5)
By imposition of a sentence involving placement of the offender in a minimum security facility which houses offenders who are preparing for their reintegration into the community;
(6)
By imposition of a fine as provided by law;
(7)
By imposition of any combination of the intermediate punishments provided in this subsection that justice requires and which the court in its discretion deems appropriate under the circumstances.
(b)
The director of corrections shall establish appropriate eligibility criteria and conditions for offenders sentenced to intermediate punishments as identified in subdivisions (a)(2) through (a)(5) of this section and may assign these functions to any subordinate employees and officers that may to him or her seem feasible or desirable.
History of Section.
P.L. 1993, ch. 205, § 1; P.L. 1994, ch. 435, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-23. - Place of imprisonment.

§ 12-19-23. Place of imprisonment.
Unless otherwise provided, every person now or hereafter sentenced to imprisonment shall be sentenced to and imprisoned in the adult correctional institutions.
History of Section.
G.L. 1896, ch. 285, § 37; C.P.A. 1905, § 1186; G.L. 1909, ch. 354, § 37; G.L. 1909, ch. 354, § 38; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 38; G.L. 1938, ch. 625, § 38; P.L. 1956, ch. 3721, § 2; G.L. 1956, § 12-19-23.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-24. - Report of sentence and court recommendations.

§ 12-19-24. Report of sentence and court recommendations.
After imposing sentence the court shall file with the director of corrections on forms that shall be provided by the director a report of any sentence and any recommendations that the director may deem necessary as to the security required for the proper custody of the accused so sentenced.
History of Section.
G.L. 1938, ch. 625, § 76; P.L. 1956, ch. 3721, § 4; G.L. 1956, § 12-19-24.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-25. - Warrant for commitment to institutions.

§ 12-19-25. Warrant for commitment to institutions.
Whenever any person shall be sentenced to imprisonment, the clerk of the court passing the sentence shall immediately issue a warrant, under the seal of the court, directed to the division of sheriffs, reciting the sentence and requiring a deputy sheriff to take the person and deliver to the warden of the adult correctional institutions and the warden to receive the person into his or her custody and safely keep him or her in the institutions during the term specified in the sentence, and the warrant shall constitute the officer charged with it, while he or she has it in his or her possession for service, an officer in any county in this state into which it may be necessary for him or her to go, to all intents and purposes whatsoever.
History of Section.
G.L. 1896, ch. 285, § 52; G.L. 1909, ch. 354, § 52; G.L. 1909, ch. 354, § 39; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 39; G.L. 1938, ch. 625, § 39; P.L. 1956, ch. 3721, § 2; G.L. 1956, § 12-19-25; P.L. 2012, ch. 324, § 45.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-26. - Sentence of minor to training school for youth.

§ 12-19-26. Sentence of minor to training school for youth.

Whenever any person under the age of eighteen (18) years shall be convicted by any court of any criminal offense, the court may sentence the person to the state training school for youth for a term not less than two (2) years, nor longer than his or her minority, or to any punishment that is otherwise provided by law for the same offense, and if the sentence is to the training school for youth, then it shall be in the alternative to the state training school for youth or to any punishment that would otherwise have been awarded; provided, that whenever the sentence is imposed, it shall be reduced by the number of days spent in confinement while awaiting trial and while awaiting sentencing.

History of Section.

G.L. 1896, ch. 285, § 50; G.L. 1909, ch. 354, § 50; G.L. 1909, ch. 354, § 46; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 46; G.L. 1938, ch. 625, § 46; G.L. 1956, § 12-19-26; P.L. 1989, ch. 133, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-27. - Commitment to training school for youth.

§ 12-19-27. Commitment to training school for youth.

Whenever any person shall be sentenced to imprisonment in the state training school for youth, the court passing the sentence shall immediately issue a warrant, under the seal of the court, directed to the division of sheriffs, or to any town sergeant or constable of any county in which the court is held, reciting the sentence and requiring a deputy sheriff, town sergeant, or constable to take the person so sentenced and deliver him or her to the superintendent of the training school, and the warrant shall constitute the officer charged with it, while he or she has the warrant in his or her possession for service, an officer in any county in this state into which it may be necessary for him to go, to all intents and purposes whatsoever.

History of Section.

G.L. 1896, ch. 285, § 51; G.L. 1909, ch. 354, § 51; G.L. 1909, ch. 354, § 47; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 47; G.L. 1938, ch. 625, § 47; impl. am. P.L. 1946, ch. 1774, §§ 1, 2; G.L. 1956, § 12-19-27; P.L. 2012, ch. 324, § 45.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-29. - Sentence to give recognizance to keep the peace.

§ 12-19-29. Sentence to give recognizance to keep the peace.

In addition to the punishment prescribed by law, the district court may require the person to enter into recognizance, with sufficient surety and in any sum that it shall direct, with condition to keep the peace toward all the people of this state for a certain time thereafter, not exceeding eleven (11) months; and upon the refusal or neglect of the person to comply with that requirement, the same course shall be pursued as is provided on neglecting to comply with sentence in case of threats.

History of Section.

C.P.A. 1905, § 176; G.L. 1909, ch. 281, § 29; G.L. 1923, ch. 331, § 29; G.L. 1938, ch. 501, § 29; G.L. 1956, § 12-19-29.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-3. - Deodands — Benefit of clergy — Petit treason.

§ 12-19-3. Deodands — Benefit of clergy — Petit treason.

Deodands, the plea of the benefit of clergy, and the distinction between petit treason and murder, are abolished. Petit treason shall be prosecuted and punished as murder.

History of Section.

G.L. 1896, ch. 285, § 32; G.L. 1909, ch. 354, § 32; G.L. 1909, ch. 354, § 50; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 50; G.L. 1938, ch. 625, § 51; G.L. 1956, § 12-19-3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-30. - Certification and default on recognizances.

§ 12-19-30. Certification and default on recognizances.

Every recognizance pursuant to § 12-19-29 shall be immediately certified to the clerk of the superior court for the same county and filed by the clerk in his or her office; and in case any person under a recognizance shall fail to perform its conditions, his or her default shall be recorded and process shall issue against the persons bound in the recognizance, or any of them that the attorney general shall direct.

History of Section.

C.P.A. 1905, § 177; G.L. 1909, ch. 281, § 30; G.L. 1923, ch. 331, § 30; G.L. 1938, ch. 501, § 30; G.L. 1956, § 12-19-30.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-31. - Commitment for nonpayment of fines and costs.

§ 12-19-31. Commitment for nonpayment of fines and costs.

Whenever any person shall be committed for nonpayment of fines and costs, the sheriffs of the several counties and their deputies, and the town sergeants and town constables of any town in the several counties, upon due warrant from the court before whom the person has been convicted, may lawfully remove and commit the persons to the adult correctional institutions and they shall be

allowed any fees that are now provided by law in similar cases; provided, that in the counties of Newport and Washington, any person before removal from the county of Newport or the county of Washington, in which sentence is entered, may pay the fine and costs into the court or into the office of the clerk of the court in which sentence is imposed and upon payment shall be discharged.
History of Section.
G.L. 1896, ch. 285, § 41; G.L. 1909, ch. 354, § 41; P.L. 1915, ch. 1261, § 1; P.L. 1920, ch. 1938, § 1; G.L. 1923, ch. 407, § 41; G.L. 1938, ch. 625, § 41; P.L. 1956, ch. 3721, § 2; G.L. 1956, § 12-19-31; P.L. 2015, ch. 260, § 24; P.L. 2015, ch. 275, § 24.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-32.1. - Mandatory restitution.

§ 12-19-32.1. Mandatory restitution.
Any person who sells, causes to be sold, or otherwise delivers or causes to be delivered any stolen article or metal to a person licensed pursuant to chapter 11.1 of title 6 shall make full monetary restitution to the person so licensed. For purposes of this section, the amount of monetary restitution shall equal the monetary value of the loss actually sustained by the licensed person. A licensed person who knowingly receives stolen goods shall not be entitled to restitution.
History of Section.
P.L. 1985, ch. 473, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-32. - Restitution.

§ 12-19-32. Restitution.
In addition to or in lieu of any non-mandatory sanction imposed as part of a sentence or as a condition of probation, a judge at the time of sentencing may order restitution which may be in the form of monetary payment or some type of community restitution. Provided, that any person sentenced to a period of incarceration at the adult correctional institutions shall be ineligible to participate in those programs established pursuant to chapter 8 of title 13, § 42-56-20.2, 42-56-20.3 or 42-56-21, unless and until the restitution has been paid in full, or satisfactory arrangements have been made with the court if the person has the ability to pay. Any agreement shall be in writing and it shall be the burden of the person seeking to participate in any of the programs to satisfy the appropriate authority of compliance. Any person subject to the provisions of this chapter may request an ability to pay hearing by filing the request with the court which imposed the original sentence.
History of Section.
P.L. 1978, ch. 234, § 1; P.L. 1995, ch. 94, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-33. - Restitution — Family court.

§ 12-19-33. Restitution — Family court.
(a)
In addition to the powers already vested in the family court, a justice may order restitution which may be in the form of monetary payment or some type of community restitution.
(b)
The parent or parents of any unemancipated minor or minors, which minor or minors willfully or maliciously cause damage to any property or injury to any person, shall be jointly and severally liable with the minor or minors for the damage or injury to an amount not exceeding two thousand dollars ($2,000) if the minor or minors would have been liable for the damage or injury if they had been adults; and if a justice of the family court so finds, he or she may order the parent or parents to make financial restitution not exceeding two thousand dollars ($2,000).
History of Section.
P.L. 1978, ch. 234, § 1; P.L. 1979, ch. 235, § 1; P.L. 1987, ch. 550, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-34. - Priority of restitution payments to victims of crime.

§ 12-19-34. Priority of restitution payments to victims of crime.
(a)(1)
If a person, pursuant to §§ 12-19-32, 12-19-32.1, or 12-19-33, is ordered to make restitution in the form of monetary payment the court may order that it shall be made through the administrative office of state courts which shall record all payments and pay the money to the person injured in accordance with the order or with any modification of the order; provided, in cases where the court determines that the defendant has the present ability to make full restitution, payment shall be made at the time of sentencing.
(2)
Payments made on account when both restitution to a third-party is ordered, and court costs, fines, and fees, and assessments related to prosecution are owed, shall be disbursed by the administrative office of the state courts in the following priorities:
(i)

Upon determination of restitution, court ordered restitution payments shall be paid first to persons injured until such time as the court's restitution is fully satisfied;
(ii)
Followed by the payment of court costs, fines, fees, and assessments related to prosecution.
(3)
Notwithstanding any other provision of law, any interest which has been accrued by the restitution account in the central registry shall be deposited on a regular basis into the crime victim compensation fund, established by chapter 25 of this title. In the event that the office of the administrator of the state courts cannot locate the person or persons to whom restitution is to be made, the principal of the restitution payment shall escheat to the state pursuant to the provisions of chapter 12 of title 8.
(b)
The state is authorized to develop rules and/or regulations relating to assessment, collection, and disbursement of restitution payments when any of the following events occur:
(1)
The defendant is incarcerated or on home confinement or has completed probation without completing restitution but is able to pay some portion of the restitution; or
(2)
The victim dies before restitution payments are completed.
(c)
The state may maintain a civil action to place a lien on the personal or real property of a defendant who is assessed restitution, as well as to seek wage garnishment, and/or seek enforcement of civil judgment entered in accordance with § 12-28-5.1 consistent with state and federal law.
History of Section.
P.L. 1978, ch. 234, § 1; P.L. 1983, ch. 96, § 1; P.L. 1988, ch. 129, art. 25, § 2; P.L. 1992, ch. 351, § 1; P.L. 1994, ch. 98, § 1; P.L. 2008, ch. 297, § 3; P.L. 2008, ch. 326, § 3; P.L. 2010, ch. 231, § 3; P.L. 2010, ch. 238, § 3; P.L. 2013, ch. 28, § 1; P.L. 2013, ch. 43, § 1; P.L. 2017, ch. 345, § 1; P.L. 2017, ch. 351, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-35. - Evidence of damages sustained.

§ 12-19-35. Evidence of damages sustained.
Evidence of damages sustained by the person injured may be admissible to the court either by means of an affidavit, signed by the injured person, with copies of appropriate receipts attached, or by hearing, the option being within the discretion of the court.
History of Section.
P.L. 1978, ch. 234, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-36. - Payment to violent crimes indemnity fund.

§ 12-19-36. Payment to violent crimes indemnity fund.
Whenever any person pleads nolo contendere to either a felony or misdemeanor, the court accepting the plea may, in lieu of imposing the fine authorized by statute for the offense, order the person to pay an amount not to exceed the maximum fine permitted by statute to the violent crimes indemnity fund established by chapter 25 of this title. The obligation to make a payment to the fund shall be considered a civil penalty and shall not constitute a sentence in the criminal case.
History of Section.
P.L. 1984, ch. 258, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-37. - Aliens — Felony conviction records.

§ 12-19-37. Aliens — Felony conviction records.
The attorney general shall, within seven (7) days of the final conviction of any alien of a felony offense within this state, forward copies of all records pertaining to the convicted alien to the United States immigration department.
History of Section.
P.L. 1991, ch. 203, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-38. - Hate Crimes Sentencing Act.

§ 12-19-38. Hate Crimes Sentencing Act.
(a)
If any person has been convicted of a crime charged by complaint, information, or indictment in which he or she intentionally selected the person against whom the offense is committed or selected the property that is damaged or otherwise affected by the

offense because of the actor's hatred or animus toward the actual or perceived disability, religion, color, race, national origin or ancestry, sexual orientation, or gender of that person or the owner or occupant of that property, he or she shall be subject to the penalties provided in this section.
(b)
Whenever it appears that a person may be subject to the Hate Crime Sentencing Act, the prosecuting agency, in no case later than the pretrial conference, shall file with the court a notice specifying that the defendant, upon conviction, is subject to the imposition of sentencing in accordance with this section.
(c)
For misdemeanor offenses, upon any plea of guilty or nolo contendere or verdict or finding of guilty of the defendant, the district court shall conduct a sentencing hearing. At the hearing, the court shall permit the prosecuting agency and the defense to present additional evidence relevant to the determination of whether the defendant intentionally selected the person against whom the offense is committed, or selected the property that is damaged, or otherwise affected by the offense because of his or her hatred or animus toward the actual or perceived race, religion, color, disability, national origin or ethnicity, gender, or sexual orientation of that person or the owner or occupant of that property. If the finder of fact at the hearing, or in the case of a plea of guilty or nolo contendere, the district court at sentencing, determines beyond a reasonable doubt that the defendant's actions were so motivated, he or she shall be sentenced to not less than thirty (30) days mandatory imprisonment, nor more than one year imprisonment for that crime: and for this penalty, he or she shall not be afforded the provisions of filing, suspension of sentence, or probation.
(d)
For felony offenses and for misdemeanor offenses in which the defendant claims a jury trial either in the first instance or by appeal, upon any plea of guilt or nolo contendere or verdict or finding of guilt of the defendant, the court shall conduct a sentencing hearing. At the hearing, the court shall permit the prosecuting agency and the defense to present additional evidence to the jury relevant to the determination of whether the defendant intentionally selected the person against whom the offense is committed, or selected the property that is damaged, or otherwise affected by the offense because of his or her hatred or animus toward the actual or perceived race, religion, color, disability, national origin or ethnicity, gender, or sexual orientation of that person or the owner or occupant of that property. If the jury at the hearing, or in the case of a plea of guilty or nolo contendere, the court at sentencing, determines beyond a reasonable doubt that the defendant's actions were so motivated, he or she shall be sentenced for a misdemeanor in accordance with subsection (c) of this section and for a felony by the court to an additional, consecutive term of imprisonment for not less than one year nor more than five (5) years, but in no case, more than double the original penalty for the crime.
History of Section.
P.L. 1998, ch. 83, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-39. - Criminal street gang enhancement.

§ 12-19-39. Criminal street gang enhancement.
(a)
"Criminal street gang" means an ongoing organization, association, or group of three (3) or more persons, whether formal or informal, having as one of its primary activities the commission of criminal or delinquent acts; having an identifiable name or common identifiable signs, colors, or symbols; and whose members individually or collectively engage in, or have engaged in, a pattern of criminal gang activity.
(b)
Any person who is convicted of any felony that is knowingly committed for the benefit, at the direction of, or in association with any criminal street gang or criminal street gang member, with the intent to promote, further, or assist in the affairs of a criminal street gang or criminal conduct by criminal street gang members, in addition to the sentence provided for the commission of the underlying offense, shall be subject to imprisonment for an additional term of not more than ten (10) years.
(c)
Whenever it appears that a person may be subject to the enhanced sentence in this section, the attorney general, in no case later than the first pretrial conference, shall file with the court a notice specifying that the defendant, upon conviction, is subject to the imposition of sentencing in accordance with this section.
(d)
Upon any plea of guilt or nolo contendere, or verdict or finding of guilt of the defendant, the court shall conduct a sentencing hearing. At the hearing, the court shall permit the attorney general and the defense to present additional evidence to the jury relevant to the determination of whether the defendant knowingly committed the offense for the benefit, at the direction of, or in association with any criminal street gang or criminal street gang member, with the intent to promote, further, or assist in the affairs of a criminal street gang or criminal conduct by criminal street gang members. If the jury at the hearing, or in the case of a plea of guilty or nolo contendere, the court at sentencing, determines beyond a reasonable doubt that the defendant's actions were so motivated, he or she shall be sentenced as provided in subsection (b).
(e)
This section does not create a separate offense but provides an additional enhanced sentence for the underlying offense.
(f)

The enhanced sentence provided in this section shall run consecutively to the sentences provided for the underlying offenses.
History of Section.
P.L. 2014, ch. 263, § 1; P.L. 2014, ch. 311, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-4. - Corruption of blood — Forfeiture of estate.

§ 12-19-4. Corruption of blood — Forfeiture of estate.
No conviction or sentence for any offense whatsoever shall work corruption of blood or forfeiture of estate.
History of Section.
G.L. 1896, ch. 285, § 35; G.L. 1909, ch. 354, § 35; G.L. 1909, ch. 354, § 58; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 58; G.L. 1938, ch. 625, § 58; G.L. 1956, § 12-19-4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-40. - Severability.

§ 12-19-40. Severability.
If any provision of this chapter or its application to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.
History of Section.
P.L. 2017, ch. 345, § 2; P.L. 2017, ch. 351, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-5. - Imprisonment to commence at expiration of previous term of imprisonment.

§ 12-19-5. Imprisonment to commence at expiration of previous term of imprisonment.
Whenever any person shall be convicted of any offense punishable by imprisonment, that person being at the time under sentence of imprisonment on a former conviction, the court passing the subsequent sentence may sentence the person to the term of imprisonment provided by law to commence at the expiration of the term of imprisonment under the former sentence or sentences.
History of Section.
G.L. 1896, ch. 285, § 43; G.L. 1909, ch. 354, § 43; G.L. 1909, ch. 354, § 49; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 49; G.L. 1938, ch. 625, § 49; G.L. 1956, § 12-19-5.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-6. - Presentence reports.

§ 12-19-6. Presentence reports.
Whenever an accused shall be found guilty after trial or shall plead guilty or nolo contendere on any charge for which a sentence of more than one year may be imposed, the court shall, before imposing sentence, have presented to it by the administrator of probation and parole a presentence report. All local and state police agencies shall furnish to the administrator of probation and parole any criminal records that the administrator may request.
History of Section.
G.L. 1938, ch. 625, § 75; P.L. 1956, ch. 3721, § 4; G.L. 1956, § 12-19-6; P.L. 1961, ch. 190, § 1; P.L. 1972, ch. 169, § 25.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-7. - Recommendations of counsel as to sentence.

§ 12-19-7. Recommendations of counsel as to sentence.
At the time sentence shall be imposed by the court, the recommendation of the department of the attorney general and of defense counsel shall be recorded and a copy of the record shall be filed with the director of corrections.
History of Section.
G.L. 1938, ch. 625, § 77; P.L. 1956, ch. 3721, § 4; G.L. 1956, § 12-19-7.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-8.1. - Conditions of probation.

§ 12-19-8.1. Conditions of probation.
(a)
The following shall constitute basic conditions of probation applicable to all defendants upon whom a period of probation has been imposed:
(1)
Obey all laws;
(2)

Report to the probation officer and parole officer as directed;
(3)
Remain within the state of Rhode Island except with the prior approval, specifically or as an agreed routine, of the probation and parole office;
(4)
Notify the probation and parole officer immediately of any change of address, telephone number, or employment;
(5)
Make every effort to keep steadily employed or attend school or vocational training;
(6)
Waive extradition from anywhere in the United States to Rhode Island, if required to appear in any Rhode Island court;
(7)
Provide a DNA sample if required by §§ 12-1.5-7 and 12-1.5-8;
(8)
Pay restitution, court costs, and fines, if assessed, in one or several sums, based on the defendant's ability to pay; and
(9)
Submit to a risk and needs assessment.
(b)
Special probation conditions related to community service, computer restrictions, no contact orders, or any other conditions deemed just and reasonable may be imposed at the discretion of the court.
(c)
At any time during the term of a sentence imposed, the probation and parole unit of the department of corrections may seek permission of the superior or district court to modify a defendant's basic conditions or special conditions of treatment or counseling by either imposing additional conditions or removing previously imposed conditions of probation to provide for more effective supervision of the defendant.
(d)
Failure of the defendant to comply with modified conditions of probation constitutes a violation.
History of Section.
P.L. 2017, ch. 345, § 2; P.L. 2017, ch. 351, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-8. - Suspension of sentence and probation by superior or district court.

§ 12-19-8. Suspension of sentence and probation by superior or district court.
(a) Application.
Except where the suspension of sentence shall otherwise be prohibited by law, and subject to the purposes and limits imposed by this section and § 12-19-8.1, whenever any defendant shall appear for sentence before the superior or district court, the court may impose a sentence and suspend the execution of the sentence, in whole or in part, or place the defendant on probation without the imposition of a suspended sentence. The suspension shall place the defendant on probation for the time of probation that the court may fix and pursuant to the terms and conditions set by § 12-19-8.1.
(b) Duration.
The period of probation for a felony shall be set for a period of time as required by law, or in accordance with judicial sentencing benchmarks. The period of probation for a misdemeanor, where no sentence is imposed or where sentence is entirely suspended, may be for any period up to the maximum time of sentence provided by applicable statutes. Where sentence is imposed and suspended in part, the term ordered to be served and the period of probation together shall not exceed the maximum time of sentence provided by applicable statutes.
(c)
[Deleted by P.L. 2017, ch. 345, § 1 and P.L. 2017, ch. 351, § 1].
History of Section.
G.L. 1938, ch. 496, § 18A; P.L. 1950, ch. 2462, § 1; G.L. 1956, § 12-19-8; P.L. 1966, ch. 182, § 1; P.L. 1974, ch. 224, § 1; P.L. 2014, ch. 518, § 1; P.L. 2014, ch. 554, § 1; P.L. 2017, ch. 345, § 1; P.L. 2017, ch. 351, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-19 - Sentence and ExecutionSection 12-19-9. - Violation of terms of probation — Notice to attorney general — Revocation or continuation of suspension.

§ 12-19-9. Violation of terms of probation — Notice to attorney general — Revocation or continuation of suspension.
(a)
Whenever any person who has been placed on probation pursuant to § 12-19-8 violates the terms and conditions of his or her probation as fixed by the court, the police or the probation authority shall inform the attorney general of the violation, and the attorney general shall cause the defendant to appear before the court. The department of corrections division of rehabilitative services shall promptly render a report relative to the conduct of the defendant, and the information contained in any report under § 12-13-24.1. The division of rehabilitative services may recommend that the time served up to that point is a sufficient response to a

violation that is not a new alleged crime. The court may order the defendant held without bail for a period not exceeding ten (10) days, excluding Saturdays, Sundays, and holidays.
(b)
The court shall conduct a hearing within thirty (30) days of arrest unless waived by the defendant to determine whether the defendant has violated the terms and conditions of his or her probation, at which hearing the defendant shall have the opportunity to be present and to respond. Upon a determination by a fair preponderance of the evidence that the defendant has violated the terms and conditions of his or her probation, the court, in open court and in the presence of the defendant, may:
(1)
Remove the suspension and order the defendant committed on the sentence previously imposed, or on a lesser sentence;
(2)
Impose a sentence if one has not been previously imposed;
(3)
Stay all or a portion of the sentence imposed after removal of the suspension;
(4)
Continue the suspension of a sentence previously imposed; or
(5)
Convert a sentence of probation without incarceration to a suspended sentence.
(c)
The court shall sentence for a violation under subsection (b) of this section in accordance with judicial sentencing benchmarks.
History of Section.
G.L. 1938, ch. 496, § 18A; P.L. 1950, ch. 2462, § 1; G.L. 1956, § 12-19-9; P.L. 1966, ch. 182, § 1; P.L. 1970, ch. 87, § 1; P.L. 1972, ch. 169, § 25; P.L. 1982, ch. 215, § 1; P.L. 2017, ch. 345, § 1; P.L. 2017, ch. 351, § 1; P.L. 2022, ch. 234, art. 2, § 5, effective June 28, 2022.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2.1 - Special Police for Private InstitutionsSection 12-2.1-1. - Appointment of special police.

§ 12-2.1-1. Appointment of special police.
The superintendent of state police, upon the petition of a private college, university, junior college, or other private educational institution of higher learning located in this state, may from time to time appoint qualified employees of those institutions as special police officers. The petition shall contain the name, address, qualifications, and personal history of the person for whom appointment is requested. Any person so appointed must have satisfactorily completed the established course of training in the police training school as established in this state. Following appointment, the person shall hold office as a special police officer until: (1) his or her appointment is revoked by the superintendent of state police; (2) until the petitioning institution shall file written notice with the superintendent that the designation of the person as a special police officer should be revoked; or (3) until his or her employment with the petitioning institution is terminated. Upon appointment of a special police officer, the superintendent shall issue to the person a license to act as a special police officer and the license shall, in the courts of this state, be evidence of the validity of the appointment of the person named in it and of his or her authority to act as a special police officer.
History of Section.
P.L. 1971, ch. 194, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2.1 - Special Police for Private InstitutionsSection 12-2.1-2. - Powers of special police officers.

§ 12-2.1-2. Powers of special police officers.
Upon issuance of a license under § 12-2.1-1, the person so designated as a special police officer shall have the same immunities and may exercise, in and upon the lands and buildings of the institution by which he or she is employed, and upon streets and highways immediately adjacent to those lands, the same powers and authority of a police officer as are conferred by the laws of this state upon members of the division of state police, including the power to arrest persons for violation of state criminal statutes or for violation of city or town ordinances of the city or town in which the institution is located.
History of Section.
P.L. 1971, ch. 194, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2.1 - Special Police for Private InstitutionsSection 12-2.1-3. - Record of appointments.

§ 12-2.1-3. Record of appointments.
A record of all appointments under this chapter shall be kept in the division of state police and shall be open to public inspection.
History of Section.
P.L. 1971, ch. 194, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2.1 - Special Police for Private InstitutionsSection

12-2.1-4. - Badges.

§ 12-2.1-4. Badges.
Any special police officer appointed under this chapter shall, when on duty and in uniform, wear in plain sight a metallic badge, inscribed with the words “college police,” “university police”, or “campus police” and the name or initials of the institution by which he or she is employed. When not in uniform, the officer must carry his or her badge on his or her person while on duty.
History of Section.
P.L. 1971, ch. 194, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2.1 - Special Police for Private InstitutionsSection 12-2.1-5. - Continuing powers of state and local police.

§ 12-2.1-5. Continuing powers of state and local police.
Appointment of special police officers under this chapter shall in no way limit the powers, authority, and responsibility of state police and police of the various cities and towns to enforce state law and municipal ordinances on property owned by the educational institutions employing the special police officers. The division of state police and city and town police shall assist the special police officers in matters relating to the detention and arraignment of prisoners for court. The special police officers shall submit reports concerning an arrest to the department processing the arrest, whether the division of state police or the police in the city or town in which the educational institution is located.
History of Section.
P.L. 1971, ch. 194, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2.1 - Special Police for Private InstitutionsSection 12-2.1-6. - Reciprocity.

§ 12-2.1-6. Reciprocity.
Any individual who has been appointed as a police officer in a sister state or one of its municipalities and who has satisfactorily completed a required course of police officer training recognized and certified by the sister state may apply, in writing, to the superintendent of state police for a certificate to the effect that the applicant has completed a course of training equivalent to that required under § 12-2.1-1. The application may be granted in whole or in part or denied. If granted in part, the exact extent of both any waiver of training and the training yet to be satisfactorily completed shall be set forth in full. The certification shall be granted only if the superintendent determines that the course of training previously taken, together with the satisfactory completion of any training not waived, is in compliance with and equivalent to the training required by § 12-2.1-1.
History of Section.
P.L. 1982, ch. 142, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2.2 - Capitol Police for Public BuildingsSection 12-2.2-1. - Appointment of capitol police.

§ 12-2.2-1. Appointment of capitol police.
The director of public safety may appoint qualified persons to act as “capitol police officers,” who shall be members of the state classified service. Upon appointment of an officer, the director shall issue to the person a license to act as a capitol police officer and the license shall, in the courts of this state, be evidence of the validity of the appointment of the person named and of his or her authority to act as a capitol police officer at any of the buildings or grounds within the jurisdiction of the division of public buildings as assigned by the chief of public buildings.
History of Section.
P.L. 1974, ch. 252, § 1; P.L. 2008, ch. 100, art. 9, § 4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2.2 - Capitol Police for Public BuildingsSection 12-2.2-2. - Powers of capitol police officers.

§ 12-2.2-2. Powers of capitol police officers.
Upon issuance of a license under § 12-2.2-1, the person so designated as a capitol police officer shall have the same immunities and may exercise, in and upon the lands and buildings owned or leased by the state of Rhode Island and assigned to the Rhode Island public buildings authority, or to any municipal or private facility in which a state agency or a state court is convening a public meeting or public hearing, and upon streets and highways immediately adjacent to those lands, the same powers and authority of a police officer, as are conferred by the laws of this state upon members of the division of state police, including the power to arrest persons for violation of state criminal statutes or for violation of city or town ordinances of the city or town in which the state property is located.
History of Section.
P.L. 1974, ch. 252, § 1; P.L. 2014, ch. 50, § 1; P.L. 2014, ch. 57, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2.2 - Capitol Police for Public BuildingsSection

12-2.2-3. - Badges.

§ 12-2.2-3. Badges.
Any capitol police officer appointed under this chapter shall, when on duty and in uniform, wear in plain sight a metallic badge, inscribed with the words “capitol police of the state of Rhode Island.” When not in uniform, the officer must carry his or her badge on his or her person while on duty.
History of Section.
P.L. 1974, ch. 252, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2.2 - Capitol Police for Public BuildingsSection 12-2.2-4. - Continuing powers of state and local police.

§ 12-2.2-4. Continuing powers of state and local police.
Appointment of capitol police officers pursuant to this chapter shall in no way limit the powers, authority, and responsibility of state police and police of the various cities and towns to enforce state law and municipal ordinances on property owned or leased by the state of Rhode Island. The division of state police and city and town police shall assist capitol police officers in matters relating to the detention and arraignment of prisoners for court. Capitol police officers shall submit reports concerning an arrest to the department of public safety and the division processing the arrest, whether the division of state police or the police in the city or town the state owned property is located.
History of Section.
P.L. 1974, ch. 252, § 1; P.L. 2008, ch. 100, art. 9, § 4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2.2 - Capitol Police for Public BuildingsSection 12-2.2-5. - Classes in law enforcement.

§ 12-2.2-5. Classes in law enforcement.
All capitol police shall be required to attend and successfully complete any law enforcement courses that the director of public safety shall require. These law enforcement courses will be conducted by either the state police or the municipal police training school for the benefit of the capitol police.
History of Section.
P.L. 1974, ch. 252, § 1; P.L. 2008, ch. 100, art. 9, § 4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2.2 - Capitol Police for Public BuildingsSection 12-2.2-6. - Temporary assignment of capitol police officers.

§ 12-2.2-6. Temporary assignment of capitol police officers.
(a)
Upon the convening of the general assembly in each year, four (4) members of the capitol police will be assigned to these branches of government for security purposes. Two (2) capitol police officers will be chosen by the speaker of the house of representatives and two (2) capitol police officers will be chosen by the president of the senate to serve in these capacities. Duties assigned, clothing to be worn, and hours to be worked will be designated by the speaker of the house of representatives and the president of the senate. These four (4) capitol police officers will be considered “on assignment” whenever officially assigned to any place used by the general assembly to conduct its business, or any place used by the committee or members of the general assembly to conduct business.
(b)
Following the adjournment of the general assembly, or at any other time designated by the speaker of the house of representatives or the president of the senate, these four (4) capitol police officers will return to their previously assigned duties as members of the capitol police.
History of Section.
P.L. 1979, ch. 315, § 1; P.L. 2001, ch. 180, § 11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2.2 - Capitol Police for Public BuildingsSection 12-2.2-7. - Powers of capitol police officers assigned to the general assembly.

§ 12-2.2-7. Powers of capitol police officers assigned to the general assembly.
(a)
Capitol police officers who are assigned to the general assembly and its members for security purposes shall have the same immunities and may exercise, in any place used by the general assembly to conduct its business, or any place used by any committee or members of the general assembly to conduct business, the same powers and authority of a police officer as are conferred by the laws of this state upon the members of the department of the state police, including the power to arrest persons for violation of ordinances of the city or town.
(b)
In conforming with the provisions of § 11-47-9 regarding the possession of firearms, the officers assigned to the general assembly

will be considered “on assignment” when on designated duties.
History of Section.
P.L. 1979, ch. 315, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2 - Railroad, Steamboat, and Bridge PoliceSection 12-2-1. - Commissioning of special police — Revocation of commission.

§ 12-2-1. Commissioning of special police — Revocation of commission.
The governor may from time to time, upon the application of any common carrier of passengers, or of the director of transportation, commission for an indefinite term one or more persons designated by that common carrier or the director of transportation who, having been duly sworn, may act at its expense as police officers upon the premises used by it in its business and upon its cars, vessels, and bridges. The commission may be revoked by and at the pleasure of the appointing or any succeeding governor, by certifying the revocation to the secretary of state, who shall notify the common carrier or the director of transportation upon whose application the commission was issued.
History of Section.
G.L. 1896, ch. 107, § 1; P.L. 1902, ch. 972, § 1; C.P.A. 1905, § 1119; P.L. 1908, ch. 1555, § 1; G.L. 1909, ch. 128, § 1; G.L. 1923, ch. 134, § 1; G.L. 1938, ch. 615, § 1; P.L. 1951, ch. 2847, § 1; G.L. 1956, § 12-2-1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2 - Railroad, Steamboat, and Bridge PoliceSection 12-2-2. - Badges to be worn or carried by officers.

§ 12-2-2. Badges to be worn or carried by officers.
Every officer commissioned under this chapter shall, when on duty and in uniform, wear in plain sight a metallic badge inscribed with the words “railroad police” and the name or initials of the corporation for which he or she is appointed, or “steamboat police” according to his or her appointment. When not in uniform, the officer must carry a badge while on duty.
History of Section.
G.L. 1896, ch. 107, § 4; G.L., ch. 107, § 2; P.L. 1902, ch. 972, § 1; G.L. 1909, ch. 128, § 2; G.L. 1923, ch. 134, § 2; G.L. 1938, ch. 615, § 2; G.L. 1956, § 12-2-2; P.L. 1987, ch. 88, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2 - Railroad, Steamboat, and Bridge PoliceSection 12-2-3. - Power to preserve order.

§ 12-2-3. Power to preserve order.
(a)
Railroad police officers may:
(1)
Preserve order within and upon the premises and cars of the corporation upon whose petition they were appointed;
(2)
Arrest without a warrant intoxicated or disorderly persons frequenting the premises or cars and by their presence or conduct, or by profane or indecent language obstructing or annoying travelers using them; and
(3)
Take the persons to the nearest police station or other place of lawful detention.
(b)
In addition to these powers, railroad police officers shall possess and exercise any other powers to arrest without a warrant on the premises, cars, vehicles, or any property in the custody or control of the corporations or companies and upon streets, highways, and lands immediately abutting the property or premises, that are conferred on police officers of the cities and towns of the state.
History of Section.
G.L. 1896, ch. 107, § 5; G.L., ch. 167, § 3; P.L. 1902, ch. 972, § 1; G.L. 1909, ch. 128, § 3; G.L. 1923, ch. 134, § 3; G.L. 1938, ch. 615, § 3; G.L. 1956, § 12-2-3; P.L. 1972, ch. 134, § 1; P.L. 1987, ch. 88, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2 - Railroad, Steamboat, and Bridge PoliceSection 12-2-4. - Arrest and detention of disorderly persons and persons refusing to pay.

§ 12-2-4. Arrest and detention of disorderly persons and persons refusing to pay.
If a passenger upon a railroad train refuses to pay his or her fare, or is noisy or disorderly, a railroad police officer may arrest him or her without a warrant, and remove him or her to the baggage or other suitable car of the train and confine him or her there until the arrival of the train at some station where the passenger can be placed in the charge of an officer, who shall take him or her to some place of lawful detention.
History of Section.
G.L. 1896, ch. 107, § 6; G.L. 1896, ch. 107, § 4; P.L. 1902, ch. 972, § 1; G.L. 1909, ch. 128, § 4; G.L. 1923, ch. 134, § 4; G.L. 1938, ch. 615, § 4; G.L. 1956, § 12-2-4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2 - Railroad, Steamboat, and Bridge

PoliceSection 12-2-5. - Powers of steamboat police.

§ 12-2-5. Powers of steamboat police.
Steamboat police officers shall have similar powers upon the vessels and boats of the carriers upon whose petition they were appointed, and upon the premises and at the wharves and landing places owned or used by the carrier, to those given by §§ 12-2-3 and 12-2-4 to railroad police officers.
History of Section.
G.L. 1896, ch. 107, § 7; G.L. 1896, ch. 107, § 5; P.L. 1902, ch. 972, § 1; G.L. 1909, ch. 128, § 5; G.L. 1923, ch. 134, § 5; G.L. 1938, ch. 615, § 5; G.L. 1956, § 12-2-5.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2 - Railroad, Steamboat, and Bridge PoliceSection 12-2-6. - Detention of persons arrested without warrant — Jurisdiction of offenses — Penalty.

§ 12-2-6. Detention of persons arrested without warrant — Jurisdiction of offenses — Penalty.
Any person arrested without a warrant under the provisions of §§ 12-2-3 — 12-2-5 may be detained until a complaint can be made against him or her, and he or she is taken upon a warrant issued upon the complaint; provided, that arrest and detention without a warrant shall not continue longer than the space of six (6) hours when the arrest is made between the hours of four o'clock (4:00) in the morning and eight o'clock (8:00) in the evening, and when made at any other hours the person arrested shall not be so detained after ten o'clock (10:00) in the morning of the following day. The district court for the division in which the person is detained shall have jurisdiction of the offenses specified in §§ 12-2-3 — 12-2-5, and any person found guilty of those offenses shall be fined not exceeding twenty dollars ($20.00).
History of Section.
G.L. 1896, ch. 107, § 8; G.L., ch. 107, § 6; as enacted by P.L. 1902, ch. 972, § 1; G.L. 1909, ch. 128, § 6; G.L. 1923, ch. 134, § 6; G.L. 1938, ch. 615, § 6; G.L. 1956, § 12-2-6; P.L. 1969, ch. 239, § 13.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2 - Railroad, Steamboat, and Bridge PoliceSection 12-2-7. - Payment of officers — Liability for misconduct.

§ 12-2-7. Payment of officers — Liability for misconduct.
Railroad and steamboat police officers shall be paid by the corporation or carrier upon whose petition they were appointed, and the corporation or carrier shall be liable to parties for any official misconduct of the officers to the same extent as for torts of agents and servants in their employment, but no town or city shall be responsible for the acts of the officers.
History of Section.
G.L. 1896, ch. 107, § 9; G.L. 1896, ch. 107, § 7; P.L. 1902, ch. 972, § 1; G.L. 1909, ch. 128, § 7; G.L. 1923, ch. 134, § 7; G.L. 1938, ch. 615, § 7; G.L. 1956, § 12-2-7.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-2 - Railroad, Steamboat, and Bridge PoliceSection 12-2-8. - Bridge police included in chapter.

§ 12-2-8. Bridge police included in chapter.
Whenever in this chapter, there appear the words "railroad police," "steamboat police," and/or "railroad and/or steamboat police,", they are deemed to include "bridge police".
History of Section.
P.L. 1951, ch. 2847, § 2; G.L. 1956, § 12-2-8; P.L. 2001, ch. 86, § 22.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-20 - CostsSection 12-20-10. - Remission of costs — Indigency — Limited ability to pay — Inherent power — Prohibition against remitting order of restitution.

§ 12-20-10. Remission of costs — Indigency — Limited ability to pay — Inherent power — Prohibition against remitting order of restitution.
(a)
The payment of court costs, assessments, and fees in criminal cases shall, upon application or sworn testimony, presented during sentencing or any time thereafter, be remitted in whole based on a determination that a defendant is indigent pursuant to the standards set forth in this section.
(1)
Qualification for and/or receipt of any of the following benefits or services by the defendant shall be prima facie evidence of the defendant's indigency:
(i)
Temporary assistance to needy families;
(ii)
Social security including supplemental security income and state supplemental payments program;
(iii)
Public assistance;

(iv)
Disability insurance; or
(v)
Food stamps.
(2)
The superior and district courts may establish additional criteria and/or procedures for the determination of an ability to pay and for the administration of this section.
(b)
If a defendant is not indigent, the payment of court costs, assessments, and fees in criminal cases may, upon sworn testimony or application during sentencing or any time thereafter, be remitted in whole or in part by any justice of the superior or district court or the justice's designee pursuant to a determination of limited or inability to pay based upon the standards set forth in this section, or any other considerations the court may deem appropriate. Provided further that any judge of a district court may remit the court costs, assessments, and fees in criminal case(s) pending in his or her court, or in the case of any prisoner sentenced by the court, where no appeal of the sentence has been taken.
(1)
In making its assessment of a defendant's limited or inability to pay, the court may consider the defendant's good faith efforts to pay, and/or his or her outstanding court orders for payments in the amount of one hundred dollars ($100) or more for any of the following:
(i)
Restitution payments to the victims of crime;
(ii)
Child support payments;
(iii)
Payments for any counseling required as a condition of the sentence imposed including, but not limited to, substance abuse, mental health, and domestic violence; or
(iv)
Fines imposed as part of the sentence.
(2)
Notwithstanding any other provision of law, this section shall not limit the court's inherent power to remit any fine, court costs, fees, assessments, or other costs of prosecution, provided no order of restitution shall be suspended by the court.
History of Section.
G.L. 1896, ch. 285, § 60; P.L. 1898, ch. 588, § 1; P.L. 1905, ch. 1241, § 1; C.P.A. 1905, § 1223; G.L. 1909, ch. 354, § 60; G.L. 1909, ch. 354, § 54; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 54; G.L. 1938, ch. 625, § 54; G.L. 1956, § 12-20-10; P.L. 2008, ch. 297, § 4; P.L. 2008, ch. 326, § 4; P.L. 2022, ch. 200, § 2, effective June 27, 2022; P.L. 2022, ch. 201, § 2, effective June 27, 2022.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-20 - CostsSection 12-20-11. - Apportionment of costs among defendants.

§ 12-20-11. Apportionment of costs among defendants.
Whenever more than one defendant in the same process shall be convicted and sentenced to fine or imprisonment in jail, the court pronouncing sentence may apportion the costs of prosecution between and among the defendants as, in its discretion, shall appear to be just and proper.
History of Section.
G.L. 1896, ch. 285, § 61; G.L. 1909, ch. 354, § 61; G.L. 1909, ch. 354, § 55; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 55; G.L. 1938, ch. 625, § 55; G.L. 1956, § 12-20-11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-20 - CostsSection 12-20-12. - Technology surcharge.

§ 12-20-12. Technology surcharge.
A technology surcharge shall be assessed as a cost against the defendant in accordance with § 8-15-11.
History of Section.
P.L. 2014, ch. 34, § 7; P.L. 2014, ch. 42, § 7.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-20 - CostsSection 12-20-3. - Sheriff's fees on commitments and habeas corpus.

§ 12-20-3. Sheriff's fees on commitments and habeas corpus.
All commitments upon process issued in criminal cases by the supreme court, the superior court within and for the counties of Providence and Newport, and the district court for the second and sixth divisions shall be made by deputy sheriffs attending upon the courts respectively, and all writs of habeas corpus issued by the supreme court, the superior court within and for the counties of

Providence and Newport, and the district court for the second and sixth divisions shall be served by deputy sheriffs attending upon the courts respectively, and the deputy sheriffs shall receive no fees for making the commitments or for serving the writs, but shall receive their actual expenses of travel, to be allowed by the court, and which shall not form a part of the bill of costs taxed against a convict under § 12-20-9.

History of Section.

G.L. 1923, ch. 417, § 11; P.L. 1926, ch. 799, § 1; P.L. 1927, ch. 1036, § 1; G.L. 1938, ch. 633, § 12; G.L. 1956, § 12-30-3; P.L. 1966, ch. 209, § 2; P.L. 1969, ch. 239, § 27.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-20 - CostsSection 12-20-4. - Sheriff's fees on scire facias.

§ 12-20-4. Sheriff's fees on scire facias.

The fees chargeable by deputy sheriffs for serving writs and executions in scire facias against bail in criminal cases shall be the same as provided for similar service of writs and executions in civil cases.

History of Section.

G.L. 1896, ch. 295, § 12; P.L. 1897, ch. 444, § 1; P.L. 1898, ch. 578, § 1; P.L. 1900, ch. 714, § 1; P.L. 1901, ch. 831, § 1; C.P.A. 1905, § 1200; G.L. 1909, ch. 364, § 11; P.L. 1918, ch. 1648, § 1; G.L. 1923, ch. 417, § 11; G.L. 1938, ch. 633, § 12; G.L. 1956, § 12-20-4; P.L. 2012, ch. 324, § 46.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-20 - CostsSection 12-20-5. - Allowance for service of precept.

§ 12-20-5. Allowance for service of precept.

Any officer charged with the service of any precept in any criminal case, either original, intermediate, or final, shall be allowed by the court out of which the precept is issued, in a sum that the court may deem just and reasonable for the actual and necessary expense incurred by him or her in serving it, and which shall not form a part of the bill of costs taxed against a convict under § 12-20-9.

History of Section.

P.L. 1907, ch. 1443, § 1; G.L. 1909, ch. 364, § 11; P.L. 1918, ch. 1648, § 1; G.L. 1923, ch. 417, § 11; G.L. 1938, ch. 633, § 12; G.L. 1956, § 12-20-5; P.L. 1966, ch. 209, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-20 - CostsSection 12-20-6. - Fees of city and town police departments and state agencies.

§ 12-20-6. Fees of city and town police departments and state agencies.

For each criminal complaint filed in the district court by a city or town police department, the state police, or a state agency, the clerk of the district court shall assess against the defendant and remit to the city or town or the state the sum of three dollars and fifty cents ($3.50), to be taxed as costs against the defendant.

History of Section.

G.L. 1896, ch. 295, § 12; P.L. 1897, ch. 444, § 1; P.L. 1898, ch. 578, § 1; P.L. 1900, ch. 714, § 1; P.L. 1901, ch. 831, § 1; C.P.A. 1905, § 1200; P.L. 1908, ch. 1580, § 1; G.L. 1909, ch. 364, § 11; P.L. 1918, ch. 1648, § 1; G.L. 1923, ch. 417, § 11; G.L. 1938, ch. 633, § 12; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 12-20-6; P.L. 1960, ch. 72, § 2; P.L. 1961, ch. 89, § 5; P.L. 1980, ch. 397, §§ 1, 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-20 - CostsSection 12-20-7. - Witness fees.

§ 12-20-7. Witness fees.

(a)

The fees of witnesses shall be:

(1)

For every day's attendance before the supreme or superior court, or before any other tribunal or magistrate, including attendance in giving depositions, except that no officer or other employee of the state or of any city or town shall be entitled to receive a fee for attendance if he or she attends during his or her regular hours of employment for which he or she is entitled to receive his or her ordinary salary or if he or she appears outside his or her regular hours of employment and is entitled to receive additional compensation from his or her employer for attendance: $ 10.00

(2)

For every mile's travel: $ 0.10

(3)

For every day's commitment in jail upon default to enter into recognizance with surety: $ 2.00

(4)

For any witness who shall come from without the jurisdiction of the state to testify in behalf of the state, in any criminal proceedings, any sum, in addition to this travel and attendance, that the court before which the proceedings are had shall deem

proper.
(b)
In addition to the fees provided in subsection (a) of this section, witnesses summoned and testifying as experts in behalf of the state, or any person acting as an interpreter, before the supreme, superior, or district court, may be allowed and paid any sum that the court may deem just and reasonable.
History of Section.
G.L. 1896, ch. 295, § 10; C.P.A. 1905, § 1199; G.L. 1909, ch. 364, § 9; G.L. 1923, ch. 417, § 9; G.L. 1938, ch. 633, § 10; P.L. 1939, ch. 715, § 7; P.L. 1956, ch. 3624, § 1; G.L. 1956, § 12-20-7; P.L. 1974, ch. 153, § 2; P.L. 1984, ch. 182, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-20 - CostsSection 12-20-8. - Payment of costs where defendant committed to correctional institutions.

§ 12-20-8. Payment of costs where defendant committed to correctional institutions.
The costs of prosecution and conviction of persons imprisoned in the adult correctional institutions shall be paid by the state, and the payment of those costs shall form no part of the sentence of convicts. Nothing in this section shall be construed so as to prevent the imposition of costs provided for in chapter 25 of this title. The cost of commitment shall be paid by the state except as otherwise provided by the general laws; provided, that persons imprisoned in the adult correctional institutions shall be responsible for any assessments made pursuant to § 23-1-3.
History of Section.
G.L. 1896, ch. 285, § 58; G.L. 1909, ch. 354, § 58; G.L. 1909, ch. 354, § 52; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 52; G.L. 1938, ch. 625, § 52; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 12-20-8; P.L. 1980, ch. 116, § 3; P.L. 1987, ch. 589, § 1; P.L. 1992, ch. 133, art. 94, § 3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-20 - CostsSection 12-20-9. - Costs as to other defendants.

§ 12-20-9. Costs as to other defendants.
The payment of costs shall, in all other cases, be a part of the sentence of a convict who shall be sentenced to be imprisoned until the costs are paid or remitted.
History of Section.
G.L. 1896, ch. 285, § 59; G.L. 1909, ch. 354, § 59; G.L. 1909, ch. 354, § 53; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 53; G.L. 1938, ch. 625, § 53; G.L. 1956, § 12-20-9.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-1. - Methods of recovering fines and forfeitures.

§ 12-21-1. Methods of recovering fines and forfeitures.
Unless otherwise specially provided:
(1)
All fines of five hundred dollars ($500) and under shall be recovered by complaint and summons;
(2)
All fines of upwards of five hundred dollars ($500), by indictment or information;
(3)
All penalties and pecuniary forfeitures, by action of debt; and
(4)
All forfeitures of personal property, by complaint and warrant or by information.
History of Section.
G.L. 1896, ch. 288, § 1; C.P.A. 1905, § 1231; G.L. 1909, ch. 357, § 1; G.L. 1923, ch. 410, § 1; G.L. 1938, ch. 631, § 1; G.L. 1956, § 12-21-1; P.L. 1974, ch. 118, § 15; P.L. 1976, ch. 173, § 4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-10. - Disposition of recoveries.

§ 12-21-10. Disposition of recoveries.
Unless otherwise specially provided:
(1)
All fines recovered shall be to the use of the state;
(2)
All penalties and pecuniary forfeitures, one-half (½) to the use of the state and one-half (½) to the use of the person who shall sue for it; and
(3)
All forfeitures of personal property shall be disposed of as provided by law.

History of Section.
G.L. 1896, ch. 288, § 3; G.L. 1909, ch. 357, § 3; G.L. 1923, ch. 410, § 3; G.L. 1938, ch. 631, § 3; G.L. 1956, § 12-21-10.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-11. - Quarterly reports and payments by district court.

§ 12-21-11. Quarterly reports and payments by district court.
The clerk of each division of the district court, shall, between the first and fifteenth days of February, May, August, and November in each year, make an itemized return in writing to the city or town treasurer of every city or town in the division of all fines received by the clerk during the preceding quarter, which or part of which shall be due to the city or town, and of costs paid by the clerk out of money belonging to the city or town, and the amount and circumstances of all of these fines received by the clerk and costs paid by the clerk and not included in any previous return. The clerk making the return shall immediately thereafter cause to be paid to the city or town treasurer the balance of all moneys belonging to the city or town.
History of Section.
C.P.A. 1905, § 183; G.L. 1909, ch. 281, § 36; G.L. 1923, ch. 331, § 36; G.L. 1938, ch. 501, § 36; G.L. 1956, § 12-21-11; P.L. 1969, ch. 239, § 28.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-12. - Payment of costs taxable to cities or towns out of fines due.

§ 12-21-12. Payment of costs taxable to cities or towns out of fines due.
All costs taxed by courts in criminal prosecutions, which by law any city or town is or may be required to pay, may be paid by the clerk to the several persons entitled to them, out of fines in his or her hands belonging to the city or town; provided, that fines received by the clerk which are by law to be applied to the support of the public schools shall not be used in the payment of these costs.
History of Section.
C.P.A. 1905, § 184; G.L. 1909, ch. 281, § 37; G.L. 1923, ch. 331, § 37; G.L. 1938, ch. 501, § 37; G.L. 1956, § 12-21-12; P.L. 1969, ch. 239, § 28.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-13. - Accounting by clerk on vacation of office.

§ 12-21-13. Accounting by clerk on vacation of office.
Whenever the clerk shall vacate his or her office he or she shall render account and pay over any money which may be due from him or her as clerk to the city or town within ten (10) days after vacating the office.
History of Section.
C.P.A. 1905, § 185; G.L. 1909, ch. 281, § 38; G.L. 1923, ch. 331, § 38; G.L. 1938, ch. 501, § 38; G.L. 1956, § 12-21-13; P.L. 1969, ch. 239, § 28.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-14. - Forfeiture for failure to account.

§ 12-21-14. Forfeiture for failure to account.
Every clerk who shall neglect or refuse to account with the city or town treasurer as required in this chapter, or to pay over to him or her all moneys due the city or town at the time when they ought to be paid, shall forfeit thrice the amount of the moneys so withheld or not paid, to be recovered by an action of debt for the use of the city or town.
History of Section.
C.P.A. 1905, § 186; G.L. 1909, ch. 281, § 39; G.L. 1923, ch. 331, § 39; G.L. 1938, ch. 501, § 39; G.L. 1956, § 12-21-14; P.L. 1969, ch. 239, § 28.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-15. - Access of city or town treasurer to district court records.

§ 12-21-15. Access of city or town treasurer to district court records.
The city or town treasurer of any city or town in the division in which the district court is situated shall have access at all times to all books and papers in the office of the division, and may examine them for the purpose of verifying the returns of the clerk.
History of Section.
C.P.A. 1905, § 187; G.L. 1909, ch. 281, § 40; G.L. 1923, ch. 331, § 40; G.L. 1938, ch. 501, § 40; G.L. 1956, § 12-21-15; P.L. 1969, ch. 239, § 28.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-16. - Payment of amounts due to the state.

§ 12-21-16. Payment of amounts due to the state.

All fines and all penalties and forfeitures to the use of the state shall be paid over to the general treasurer, unless otherwise specially provided.
History of Section.
G.L. 1896, ch. 288, § 11; G.L. 1909, ch. 357, § 11; G.L. 1923, ch. 410, § 11; G.L. 1938, ch. 631, § 11; G.L. 1956, § 12-21-17.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-17. - Payment and accounting for fines due other than to state.

§ 12-21-17. Payment and accounting for fines due other than to state.
All fines recovered under any statute of this state, the whole or any part of which may be due or payable to any city, town, or society, or to any person as complainant, shall be accounted for with the state controller, and be paid to the general treasurer. The general treasurer shall, upon the order of the state controller, pay to the city, town, society, or person so much of the amount of the fine so recovered as the city, town, society, or person may be entitled to, which order shall be drawn by the state controller whenever he or she shall receive a proper return or certificate from the clerk of the court in which the fine was imposed.
History of Section.
P.L. 1898, ch. 536, § 1; G.L. 1909, ch. 357, § 12; G.L. 1923, ch. 410, § 12; G.L. 1938, ch. 631, § 12; impl. am. P.L. 1939, ch. 660, § 65; G.L. 1956, § 12-21-17; P.L. 1969, ch. 239, § 28.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-18. - Payment of fine liquidated by labor.

§ 12-21-18. Payment of fine liquidated by labor.
Whenever a fine payable in whole or in part, to any city, town, or society, or to any person as complainant, shall have been liquidated by the labor of the person fined, or paid by him or her at any jail in the state, the general treasurer shall, upon the proper order of the state controller, pay to the city, town, society or person so much of the amount of the fine so liquidated or paid, as the city, town, society, or person may be entitled to, which order of the state controller shall be by him or her drawn on his or her receiving a proper return or certificate from the clerk of the court in which the fine was imposed, together with a proper return or certificate from the jailer.
History of Section.
P.L. 1898, ch. 536, § 2; G.L. 1909, ch. 357, § 13; G.L. 1923, ch. 410, § 13; G.L. 1938, ch. 631, § 13; impl. am. P.L. 1939, ch. 660, § 65; G.L. 1956, § 12-21-18; P.L. 1969, ch. 239, § 28.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-19. - Payment of fines to general treasurer — Accounting.

§ 12-21-19. Payment of fines to general treasurer — Accounting.
Whenever a fine is recovered under any statute of this state, the whole of which may be due the Rhode Island Society for the Prevention of Cruelty to Animals, the Children's Friend and Service, or to any other society, or the one-half (½) of which may be due the state or any society, or to any person, as complainant, the whole of the fine shall be accounted for with the state controller and paid to the general treasurer. The fine due any society, or the one-half (½) fine due any society, or to any person, as complainant, shall be paid by the general treasurer upon order of the state controller and the state controller shall draw his or her order whenever he or she shall receive a proper return or certificate from the clerk of the court in which the fine was imposed.
History of Section.
G.L. 1896, ch. 288, § 12; G.L. 1909, ch. 357, § 14; G.L. 1923, ch. 410, § 14; G.L. 1938, ch. 631, § 14; G.L. 1956, § 12-21-19; P.L. 1969, ch. 239, § 28.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-2. - Limitation of prosecutions.

§ 12-21-2. Limitation of prosecutions.
All suits or prosecutions founded upon any penal statute, which are wholly or in part for the use of the prosecutor, shall be brought within one year, and all other suits and prosecutions on a penal statute within two (2) years after the commission of the offense, unless otherwise specially provided.
History of Section.
G.L. 1896, ch. 288, § 8; G.L. 1909, ch. 357, § 8; G.L. 1923, ch. 410, § 8; G.L. 1938, ch. 631, § 8; G.L. 1956, § 12-21-2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-20. - Order to pay costs and determination of ability to pay.

§ 12-21-20. Order to pay costs and determination of ability to pay.
(a)
If, upon any complaint or prosecution before any court, the defendant shall be ordered to pay a fine, enter into a recognizance, or suffer any penalty or forfeiture, he or she shall also be ordered to pay all costs of prosecution, unless directed otherwise by law.

(b)
If a defendant is determined to be indigent by the standards set forth in § 12-20-10(a) following the defendant's sworn testimony or by submission of a financial assessment instrument, all court costs, assessments, and fees shall be waived. The financial assessment instrument shall be:
(1)
Created by the court based upon sound and generally accepted accounting principles and may be modified by the court from time to time;
(2)
Include any and all relevant information relating to the defendant's present ability to pay; and
(3)
Be certified or made by the defendant under oath.
(c)
Non-indigent defendants claiming a limited or inability to pay court costs, assessments, and fees may request the court waive court costs, assessments, and fees upon submission of a completed financial assessment instrument. Upon submission of a completed financial assessment instrument, a defendant may during sentencing or any time after the disposition of the matter request an ability to pay determination to seek the remission or reduction of any fines, court costs, assessments, fees and other costs of prosecution, or changes to the terms of a payment schedule.
(d)
[Deleted by P.L. 2022, ch. 200, § 3 and P.L. 2022, ch. 201, § 3.]
(e)
[Deleted by P.L. 2022, ch. 200, § 3 and P.L. 2022, ch. 201, § 3.]
(f)
When persons come before the court for failure to pay fines, fees, assessments and other costs of prosecution, or court ordered restitution, and their ability to pay and payment schedule has not been previously determined, the judge, the clerk of the court, or their designee shall make these determinations by use of the procedures specified in this section.
(g)
Nothing in this section shall be construed to limit the court's ability, after hearing in open court, to revise findings about a person's ability to pay and payment schedule made by the clerk of the court or designee, based upon the receipt of newly available, relevant, or other information.
History of Section.
G.L. 1896, ch. 288, § 13; G.L. 1909, ch. 357, § 15; G.L. 1923, ch. 410, § 15; G.L. 1938, ch. 631, § 15; G.L. 1956, § 12-21-20; P.L. 2008, ch. 297, § 5; P.L. 2008, ch. 326, § 5; P.L. 2022, ch. 200, § 3, effective June 27, 2022; P.L. 2022, ch. 201, § 3, effective June 27, 2022.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-21. - Guilty plea and payment of fine by person outside state.

§ 12-21-21. Guilty plea and payment of fine by person outside state.
Whenever any person who is charged with the commission of a misdemeanor punishable by a fine shall be outside the confines of this state, the defendant may, with the approval of a judge of the district court for the division in which the complaint may be pending, or with the approval of the justice of the superior court in charge of criminal appeals if the cause is pending on appeal before the superior court, by instrument in writing and duly acknowledged before an appropriate officer, authorize his or her attorney of record to appear in open court and enter on his or her behalf a plea of guilty or nolo contendere, and to pay the fine that may be assessed by the court, together with the costs of prosecution, if any, that may be assessed by the court. Every written authorization shall be filed with the clerk of the court, and shall be retained by the clerk, together with the original complaint, as a portion of the record of the case.
History of Section.
P.L. 1946, ch. 1680, § 1; G.L. 1956, § 12-21-21; P.L. 1969, ch. 239, § 28.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-22. - Payment of fines due to person or corporation from proceeds of forfeited recognizance.

§ 12-21-22. Payment of fines due to person or corporation from proceeds of forfeited recognizance.
If any recognizance shall be forfeited in any case in which, if the recognizor had been convicted, any sum might have been due to the complainant, or any person or corporation, the court in which the amount of the recognizance is, in whole or part, recovered, shall ascertain the just sum and costs, if any, which are due from the recognizor to the complainant, person, or corporation and grant a certificate for the amount, which, upon being audited by the state controller, shall be paid, upon his or her warrant for the amount upon the general treasurer.
History of Section.
G.L. 1896, ch. 288, § 14; G.L. 1909, ch. 357, § 16; G.L. 1923, ch. 410, § 16; G.L. 1938, ch. 631, § 16; impl. am. P.L. 1939, ch. 660, § 65; G.L. 1956, § 12-21-22.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-23. - Seizure and retention of forfeited property.

§ 12-21-23. Seizure and retention of forfeited property.
Whenever any personal property shall be forfeited for any violation of law, any deputy sheriff, town sergeant, or town constable, or any person by law authorized to seize the property, may take and retain the property until he or she shall deliver it to a proper officer having a warrant to take and detain the property.
History of Section.
G.L. 1896, ch. 288, § 15; G.L. 1909, ch. 357, § 17; G.L. 1923, ch. 410, § 17; G.L. 1938, ch. 631, § 17; G.L. 1956, § 12-21-23; P.L. 2012, ch. 324, § 47; P.L. 2015, ch. 260, § 25; P.L. 2015, ch. 275, § 25.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-24. - Complaint or information asking forfeiture.

§ 12-21-24. Complaint or information asking forfeiture.
The person making or directing a seizure shall without unnecessary delay make complaint on oath and in writing to a judge of the district court for the division in which the offense for which the forfeiture has accrued was committed, regardless of the value of the property seized, and jurisdiction is conferred on the district court to try and determine the matter notwithstanding the value of the property seized is in excess of five thousand dollars ($5,000).
History of Section.
G.L. 1896, ch. 288, § 16; C.P.A. 1905, § 1222; P.L. 1906, ch. 1340, § 1; G.L. 1909, ch. 357, § 18; G.L. 1923, ch. 410, § 18; G.L. 1938, ch. 631, § 18; G.L. 1956, § 12-21-24; P.L. 1965, ch. 168, § 8; P.L. 1969, ch. 239, § 28.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-25. - Issuance of warrant to take and detain forfeited property.

§ 12-21-25. Issuance of warrant to take and detain forfeited property.
Upon making a complaint or filing an information for a forfeiture, a warrant shall be issued to the proper officer, requiring him or her to take the property into his or her custody and to detain it until legally disposed of.
History of Section.
G.L. 1896, ch. 288, § 17; G.L. 1909, ch. 357, § 19; G.L. 1923, ch. 410, § 19; G.L. 1938, ch. 631, § 19; G.L. 1956, § 12-21-25.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-26. - Notice of complaint or information.

§ 12-21-26. Notice of complaint or information.
Notice of complaint or information shall be issued by the court to the owner, if known, otherwise notice shall be published in some newspaper published in the vicinity for a period of at least two (2) weeks, that all persons interested may appear, either in person or by attorney, at the time and place appointed in the notice for trial, and show cause, if they have any, why judgment of forfeiture should not be passed.
History of Section.
G.L. 1896, ch. 288, § 18; G.L. 1909, ch. 357, § 20; G.L. 1923, ch. 410, § 20; G.L. 1938, ch. 631, § 20; G.L. 1956, § 12-21-26.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-27. - Sale of property pending judgment on forfeiture.

§ 12-21-27. Sale of property pending judgment on forfeiture.
If any person shall appear and claim the property, it may be sold, by consent of parties, provided it is of such nature that it may be lawfully sold and used, and the law does not require it to be destroyed or otherwise in some special manner disposed of, or under like provision it may in any case be sold, if of a perishable, wasting, or expensive character to keep, in like manner as is provided for the sale of similar property when attached on civil process, in which case the proceeds of the sale, after deducting the charges of the sale, shall for all purposes represent the thing sold and be subject to the judgment and order of the court.
History of Section.
G.L. 1896, ch. 288, § 19; G.L. 1909, ch. 357, § 21; G.L. 1923, ch. 410, § 21; G.L. 1938, ch. 631, § 21; G.L. 1956, § 12-21-27.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-28. - Return of property to claimant on bond.

§ 12-21-28. Return of property to claimant on bond.
Unless by law the property seized is necessarily subject, upon judgment of forfeiture, to be destroyed, it shall, at the request of the claimant, be appraised by appraisers appointed for that purpose by the court and be delivered to the claimant upon his or her giving bond in double the amount of the appraised value, with sufficient sureties, running to the person or corporation to whom the property would be forfeited, or to the state, if the state is entitled in whole or part to the property upon forfeiture, to pay to them the appraised value of the property and costs in case final judgment or forfeiture is entered up.

History of Section.
G.L. 1896, ch. 288, § 20; G.L. 1909, ch. 357, § 22; G.L. 1923, ch. 410, § 22; G.L. 1938, ch. 631, § 22; G.L. 1956, § 12-21-28.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-29. - Trial and judgment.

§ 12-21-29. Trial and judgment.
The case may be tried by a jury, if in the superior court, upon the request of either party, or otherwise by the court, and the cause of forfeiture alleged being proved, the court which shall try the cause shall enter up judgment for the forfeiture and disposition of the property according to law.
History of Section.
G.L. 1896, ch. 288, § 21; C.P.A. 1905, § 1216; G.L. 1909, ch. 357, § 23; G.L. 1923, ch. 410, § 23; G.L. 1938, ch. 631, § 23; G.L. 1956, § 12-21-29.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-3. - Venue of actions based on penal statutes.

§ 12-21-3. Venue of actions based on penal statutes.
Unless otherwise specially provided, all fines of and informations founded on any penal statute shall be brought within the county in which the offense was committed, and not elsewhere; provided, that the superior court for the county of Providence shall have jurisdiction of all proceedings for the recovery of more than five hundred dollars ($500) when the offense was committed in the county of Bristol.
History of Section.
G.L. 1896, ch. 288, § 2; C.P.A. 1905, § 1190; G.L. 1909, ch. 357, § 2; G.L. 1923, ch. 410, § 2; G.L. 1938, ch. 631, § 2; G.L. 1956, § 12-21-3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-30. - Appeal from district court judgment of forfeiture.

§ 12-21-30. Appeal from district court judgment of forfeiture.
An appeal may be claimed by either party from any judgment of forfeiture rendered by the district court, to be taken in like manner as by defendants in criminal cases within the jurisdiction of the district court to try and determine, to the superior court for the same county in which the division of the district court rendering judgment is situated and like proceedings may be had as in cases of informations for forfeitures originally filed in the court.
History of Section.
G.L. 1896, ch. 288, § 22; C.P.A. 1905, § 1191; G.L. 1909, ch. 357, § 24; G.L. 1923, ch. 410, § 24; G.L. 1938, ch. 631, § 24; G.L. 1956, § 12-21-30; P.L. 1969, ch. 239, § 28.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-31. - Finality of superior court judgment.

§ 12-21-31. Finality of superior court judgment.
The judgment of the superior court shall be final in all cases of forfeitures, whether originally commenced in the court or brought there by appeal under the provisions of this chapter, unless a new trial is ordered, for cause shown, by the supreme court.
History of Section.
G.L. 1896, ch. 288, § 23; G.L. 1909, ch. 357, § 25; G.L. 1923, ch. 410, § 25; G.L. 1938, ch. 631, § 25; G.L. 1956, § 12-21-31.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-32. - Costs and damages on forfeiture action.

§ 12-21-32. Costs and damages on forfeiture action.
Costs shall be awarded to the prosecutor if a reasonable cause of seizure appear, in which shall be included the necessary expenses of the seizure and detention of the property; but in case no reasonable cause of seizure shall appear, costs and damages, as well as the restoration of the property, shall be awarded to the claimant.
History of Section.
G.L. 1896, ch. 288, § 24; G.L. 1909, ch. 357, § 26; G.L. 1923, ch. 410, § 26; G.L. 1938, ch. 631, § 26; G.L. 1956, § 12-21-32.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-33. - Suspension of operators' license for failure to pay costs, fines, fees, or assessments.

§ 12-21-33. Suspension of operators' license for failure to pay costs, fines, fees, or assessments.
A judge of the superior or district court or the traffic tribunal may order the suspension of a person's license issued pursuant to chapter 10 of title 31 if the person fails to pay court ordered costs, fines, fees, restitution or assessments within the time period provided for in an order of the court. The judge may order the suspension to be effective until the person complies with the court

order.
History of Section.
P.L. 1992, ch. 350, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-4. - Jurisdiction of district and superior courts.

§ 12-21-4. Jurisdiction of district and superior courts.
All fines, penalties, and forfeitures, whether of money or property, of five hundred dollars ($500) and under or of the value of five hundred dollars ($500) and under, shall be prosecuted before a district court; if upwards of five hundred dollars ($500) in amount or value, before the superior court, unless otherwise specially provided.
History of Section.
G.L. 1896, ch. 288, § 4; C.P.A. 1905, §§ 1216, 1231; G.L. 1909, ch. 357, § 4; G.L. 1923, ch. 410, § 4; G.L. 1938, ch. 631, § 4; G.L. 1956, § 12-21-4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-5. - Action by town or city.

§ 12-21-5. Action by town or city.
Whenever any penalty or forfeiture, or any part of a penalty or forfeiture, shall be given to any town by any penal statute, the town council may sue for the penalty or forfeiture in the name of the town, or the proper prosecuting officer in the name of any city which shall be entitled to the benefit of the penalty or forfeiture, and the town council may remit the whole of the penalty or forfeiture.
History of Section.
G.L. 1896, ch. 288, § 9; G.L. 1909, ch. 357, § 9; G.L. 1923, ch. 410, § 9; G.L. 1938, ch. 631, § 9; G.L. 1956, § 12-21-5.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-6. - Commencement of period of neglect.

§ 12-21-6. Commencement of period of neglect.
Whenever any penalty shall be imposed for neglect during any period of time, the neglect may be alleged to have commenced at any specified time, and shall be reckoned from the time so specified.
History of Section.
G.L. 1896, ch. 288, § 5; G.L. 1909, ch. 357, § 5; G.L. 1923, ch. 410, § 5; G.L. 1938, ch. 631, § 5; G.L. 1956, § 12-21-6.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-7. - Residence of court member in city or town to be benefited.

§ 12-21-7. Residence of court member in city or town to be benefited.
In actions for the recovery of any penalty or forfeiture before any court, it shall be no cause of exception that any member of the court resides or has property in the city or town in which the offense was committed, or that the penalty or any part of the penalty is recoverable to the use of the city or town.
History of Section.
G.L. 1896, ch. 288, § 6; G.L. 1909, ch. 357, § 6; G.L. 1923, ch. 410, § 6; G.L. 1938, ch. 631, § 6; G.L. 1956, § 12-21-7.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-8. - Plea of general issue.

§ 12-21-8. Plea of general issue.
The defendant to an action for a penalty may plead the general issue, and under it give any special matter in evidence.
History of Section.
G.L. 1896, ch. 288, § 7; G.L. 1909, ch. 357, § 7; G.L. 1923, ch. 410, § 7; G.L. 1938, ch. 631, § 7; G.L. 1956, § 12-21-8.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-21 - Recovery of Fines, Penalties, and ForfeituresSection 12-21-9. - Commitment for failure to obey judgment or sentence.

§ 12-21-9. Commitment for failure to obey judgment or sentence.
If any person against whom sentence is passed or judgment rendered, under any penal statute, shall refuse or neglect to perform the sentence or to pay the judgment, he or she shall, by order of the court passing the sentence or by the officer charged with the execution issued on the judgment, be committed to the adult correctional institutions, and be imprisoned there until the sentence is performed or he or she is discharged by due course of law.
History of Section.
G.L. 1896, ch. 288, § 10; G.L. 1909, ch. 357, § 10; G.L. 1923, ch. 410, § 10; G.L. 1938, ch. 631, § 10; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 12-21-9.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-22 - Appeals in Criminal CasesSection 12-22-1.1. - Review by supreme court — Violations.

§ 12-22-1.1. Review by supreme court — Violations.
Every person aggrieved by the imposition of a fine by the district court upon the finding of a violation may, within twenty (20) days after entry of judgment imposing the fine, petition the supreme court of the state of Rhode Island for a writ of certiorari to review any errors involved. The petition for a writ of certiorari shall set forth the errors claimed. Upon the filing of a petition with the clerk of the supreme court, the supreme court may, if it sees fit, issue its writ of certiorari to the district court to certify to the supreme court the record of the proceedings in the case together with any transcript of the proceedings furnished by the petitioner at his expense.
History of Section.
P.L. 1976, ch. 173, § 6.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-22 - Appeals in Criminal CasesSection 12-22-1. - Right to appeal from district to superior court.

§ 12-22-1. Right to appeal from district to superior court.
Every person aggrieved by the sentence of the district court for any offense other than a violation may, within five (5) days after the sentence, appeal from the district court to the superior court for the county in which the division of the district court is situated, by claiming an appeal in the court or in the office of the clerk of the court appealed from or at any of the penal institutions of the state, before any justice of the supreme or superior court, or before a justice or clerk of the court appealed from, or before any of the persons authorized to take bail at the penal institutions.
History of Section.
C.P.A. 1905, § 461; G.L. 1909, ch. 296, § 1; G.L. 1923, ch. 346, § 1; G.L. 1938, ch. 630, § 1; G.L. 1956, § 12-22-1; P.L. 1969, ch. 239, § 29; P.L. 1976, ch. 173, § 5.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-22 - Appeals in Criminal CasesSection 12-22-11. - Failure to prosecute constitutional objection.

§ 12-22-11. Failure to prosecute constitutional objection.
If the party raising any certified constitutional question shall fail to appear in the supreme court and prosecute the cause in which the question is raised, the cause shall be remanded to the court from which it was certified, and the court shall then proceed in the same manner as if the question had not been raised; and the question shall not be raised again in the cause.
History of Section.
C.P.A. 1905, § 476; G.L. 1909, ch. 298, § 3; G.L. 1923, ch. 348, § 3; G.L. 1938, ch. 545, § 3; G.L. 1956, § 12-22-11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-22 - Appeals in Criminal CasesSection 12-22-12. - Additional bail on motion for new trial or appeal.

§ 12-22-12. Additional bail on motion for new trial or appeal.
Whenever a person convicted of any crime shall file a motion for a new trial or notice of his or her intentions to appeal, the superior court may require the person to give additional bail.
History of Section.
C.P.A. 1905, § 476; G.L. 1909, ch. 298, § 3; G.L. 1923, ch. 348, § 3; G.L. 1938, ch. 545, § 3; G.L. 1956, § 12-22-11; P.L. 1972, ch. 169, § 27.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-22 - Appeals in Criminal CasesSection 12-22-13. - Errors in pleading.

§ 12-22-13. Errors in pleading.
No judgment, verdict, or decision shall be set aside, reversed, or new trial granted, in any criminal proceedings, for error as to any matter of pleading, unless in the opinion of the supreme court, after an examination of the entire cause, it shall appear that the error complained of has resulted in a miscarriage of justice.
History of Section.
G.L. 1909, ch. 354, § 14; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 14; G.L. 1938, ch. 625, § 14; G.L. 1956, § 12-22-13.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-22 - Appeals in Criminal CasesSection 12-22-14. - Refund of fine and costs.

§ 12-22-14. Refund of fine and costs.
The superior court, in any criminal case appealed to that court in which the defendant paid his or her fine and costs in the lower court, may, upon application made within three (3) years after a finding of not guilty or the deferring or suspension of sentence, order the amount of the fine and costs to be refunded to the defendant, and in that case the clerk of the superior court shall submit a properly authenticated voucher to the state controller who is authorized and directed to draw his or her order upon the general

treasurer for the payment of that sum. The general assembly shall annually appropriate any sum that it shall deem necessary to carry out the provisions of this section.
History of Section.
P.L. 1962, ch. 128, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-22 - Appeals in Criminal CasesSection 12-22-2. - Notation as to time of claiming appeal — Transmission of claim.

§ 12-22-2. Notation as to time of claiming appeal — Transmission of claim.
If an appeal is claimed in the court or in the office of the clerk of the court appealed from, the claim and the time when made shall be noted upon the complaint, and also upon the mittimus, if any, issued upon the sentence appealed from; and if claimed at any other place, it shall be claimed in writing, and the person before whom it is claimed shall note upon the claim of appeal the time when made and shall immediately transmit the claim to the court which passed the sentence.
History of Section.
C.P.A. 1905, § 462; G.L. 1909, ch. 296, § 2; G.L. 1923, ch. 346, § 2; G.L. 1938, ch. 630, § 2; G.L. 1956, § 12-22-2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-22 - Appeals in Criminal CasesSection 12-22-3. - Fixing recognizance required for discharge pending appeal.

§ 12-22-3. Fixing recognizance required for discharge pending appeal.
When a district court shall sentence a person for an offense, it shall fix the amount of the recognizance which shall be required to discharge the person from imprisonment if an appeal shall be claimed, and shall note the amount upon any mittimus issued upon the sentence.
History of Section.
C.P.A. 1905, § 463; G.L. 1909, ch. 296, § 3; G.L. 1923, ch. 346, § 3; G.L. 1938, ch. 630, § 3; G.L. 1956, § 12-22-3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-22 - Appeals in Criminal CasesSection 12-22-4. - Giving of recognizance for discharge pending appeal.

§ 12-22-4. Giving of recognizance for discharge pending appeal.
Upon a claim of appeal from the sentence of a district court, the appellant, in order to be discharged from immediate imprisonment upon the sentence, shall enter into a recognizance before one of the persons before whom an appeal may be claimed, in the sum fixed by the court, with or without surety or sureties to the satisfaction of the person taking the recognizance, conditioned that the appellant shall appear in the superior court upon the assignment day for the appeal, the exact date of the assignment day to be stated in the recognizance, and whenever his or her appeal is called for trial, and there prosecute the appeal with effect, and abide or perform the order or sentence which the superior court may make or impose in the case, and that he or she will in the meantime keep the peace.
History of Section.
C.P.A. 1905, § 464; P.L. 1906, ch. 1337, § 1; G.L. 1909, ch. 296, § 4; G.L. 1923, ch. 346, § 4; G.L. 1938, ch. 630, § 4; G.L. 1956, § 12-22-4; P.L. 1967, ch. 85, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-22 - Appeals in Criminal CasesSection 12-22-5. - Commitment pending appeal — Discharge on payment of fine and costs by labor.

§ 12-22-5. Commitment pending appeal — Discharge on payment of fine and costs by labor.
Every person claiming an appeal from a sentence of the district court who shall fail to enter into a recognizance in the court or in the office of the clerk of the court appealed from shall upon sentence immediately be committed to the penal institution as sentenced, there to remain until he or she enters into a recognizance as provided in this chapter or is discharged pursuant to law; provided, that in the counties of Newport and Washington any person before removal from the county or division in which sentence is entered may claim an appeal from the sentence of the district court to the superior court by claiming the appeal and entering into recognizance in like manner as required by law before the clerk of the court appealed from, or at the adult correctional institutions, before the clerk of the court from which the appeal is taken, or before any of the persons authorized by law to take bail. Whenever an appellant has earned by labor at any penal institution a sum equal to the amount of the fine and costs in the case in which he or she was committed, including all costs accruing at that institution, and has served the full term of imprisonment for which he or she was sentenced, the warden or other person having charge of the institution shall apply with the consent of the appellant the amount so earned by him or her to the settlement of the fines and costs, and the appellant shall then be discharged.
History of Section.
C.P.A. 1905, § 465; G.L. 1909, ch. 296, § 5; P.L. 1920, ch. 1936, § 1; G.L. 1923, ch. 346, § 5; G.L. 1938, ch. 630, § 5; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 12-22-5; P.L. 1969, ch. 239, § 29.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-22 - Appeals in Criminal CasesSection 12-22-6. - Forwarding and notice of recognizance to courts — Transmission of papers to superior court.

§ 12-22-6. Forwarding and notice of recognizance to courts — Transmission of papers to superior court.
The person taking a recognizance shall immediately send it to the superior court, and if the recognizance is taken before some person other than a justice or clerk of the court appealed from, notice of the taking of the recognizance shall be certified under the hand of the person to the clerk or a justice of the court appealed from. On notice of a claim of appeal or of the taking of a recognizance, the clerk of the court appealed from shall immediately certify and transmit all the papers in the case to the clerk of the superior court, who shall receipt for the papers.
History of Section.
C.P.A. 1905, § 466; G.L. 1909, ch. 296, § 6; G.L. 1923, ch. 346, § 6; G.L. 1938, ch. 630, § 6; G.L. 1956, § 12-22-6; P.L. 1969, ch. 239, § 29.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-22 - Appeals in Criminal CasesSection 12-22-7. - Assignment day in superior court — Trial by attorney general.

§ 12-22-7. Assignment day in superior court — Trial by attorney general.
The assignment day for appeals in criminal cases in the superior court shall be the assignment day in that court which occurs next after ten (10) days from the date of the sentence appealed from. All appeals shall be tried by the attorney general, except as otherwise provided.
History of Section.
C.P.A. 1905, § 467; G.L. 1909, ch. 296, § 7; G.L. 1923, ch. 346, § 7; G.L. 1938, ch. 630, § 7; G.L. 1956, § 12-22-7.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-22 - Appeals in Criminal CasesSection 12-22-8. - Admission of guilt before appellate court.

§ 12-22-8. Admission of guilt before appellate court.
Whenever any appellant who has been sentenced to pay a fine and costs only, having given recognizance, shall at any time before the assignment day of the appeal appear before the court to which the appeal was taken and plead guilty to the complaint upon which the appeal was taken, or shall admit that the state has sufficient evidence to convict him or her on the complaint, the court shall adjudge him or her guilty of the offense as charged in the complaint, and shall sentence the appellant to pay the same fine that was imposed in the court from which his or her appeal was taken, together with all costs.
History of Section.
C.P.A. 1905, § 468; G.L. 1909, ch. 296, § 8; P.L. 1915, ch. 1258, § 3; G.L. 1923, ch. 346, § 8; G.L. 1938, ch. 630, § 8; G.L. 1956, § 12-22-8.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-22 - Appeals in Criminal CasesSection 12-22-9. - Appeals from courts having jurisdiction of ordinance violations.

§ 12-22-9. Appeals from courts having jurisdiction of ordinance violations.
All appeals from any court having jurisdiction of offenses against town or city ordinances shall be taken and shall proceed according to the provisions of this chapter, and in those appeals the recognizance may be taken by either of the officers or persons designated and authorized to take recognizances.
History of Section.
C.P.A. 1905, § 470; G.L. 1909, ch. 296, § 10; G.L. 1923, ch. 346, § 10; G.L. 1938, ch. 630, § 9; G.L. 1956, § 12-22-9.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-23 - Criminal Law Advisory CommissionSection 12-23-1. - Commission created — Composition.

§ 12-23-1. Commission created — Composition.
A commission is created to be known as the criminal law advisory commission and to consist of seven (7) members who shall be qualified electors of the state, six (6) of whom shall be appointed by the governor and the seventh member shall be the law revision director from the joint committee on legislative services, who shall be ex officio a member of the commission and its secretary.
History of Section.
P.L. 1927, ch. 950, § 1; G.L. 1938, ch. 14, § 1; G.L. 1956, § 12-23-1; P.L. 1985, ch. 151, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-23 - Criminal Law Advisory CommissionSection 12-23-2. - Appointment and terms of members — Vacancies.

§ 12-23-2. Appointment and terms of members — Vacancies.
At the January session in each odd-numbered year the governor shall, with the advice and consent of the senate, appoint two (2) members of the commission to succeed the members whose terms will next expire and to hold office until the first day of February in the sixth year after their appointment. Any vacancy which may occur in the commission when the senate is not in session shall be filled by the governor until the next session of the general assembly, when he or she shall, with the advice and consent of the senate, appoint some person to fill the vacancy for the remainder of the term.
History of Section.

P.L. 1927, ch. 950, § 1; G.L. 1938, ch. 14, § 1; G.L. 1956, § 12-23-2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-23 - Criminal Law Advisory CommissionSection 12-23-3. - Organization meeting — Chairperson.

§ 12-23-3. Organization meeting — Chairperson.
The members of the commission shall meet for organization at the call of the secretary within two (2) weeks after each appointment by the governor, and shall at the meeting elect a chairperson who shall hold office during the pleasure of the commission.
History of Section.
P.L. 1927, ch. 950, § 1; G.L. 1938, ch. 14, § 1; G.L. 1956, § 12-23-3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-23 - Criminal Law Advisory CommissionSection 12-23-4. - Studies and surveys.

§ 12-23-4. Studies and surveys.
For the purpose of improving and rendering more effective and efficient the administration of the criminal law in this state, the commission is authorized to make a complete study and survey of the subject including the detection, prosecution, and punishment of offenders, the probation, parole, and pardoning systems, and the duties, methods, and practices of the officers and agencies directly and indirectly connected with the enforcement of law, the suppression and prevention of crime and the care and treatment of the criminal, and for this purpose the commission may make any inquiry that it may deem necessary into the administration of the criminal law by the authorities of other states, the United States, and other countries.
History of Section.
P.L. 1927, ch. 950, § 2; G.L. 1938, ch. 14, § 2; G.L. 1956, § 12-23-4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-23 - Criminal Law Advisory CommissionSection 12-23-5. - Cooperation of public officers — Visitation and inspection powers.

§ 12-23-5. Cooperation of public officers — Visitation and inspection powers.
It shall be the duty of all officers of the state and of any city or town directly or indirectly connected with the administration of the criminal law to cooperate with the commission in the study and survey authorized by this chapter, and those officers shall furnish the commission upon request all records, data, and other information at their disposal relating to matters under consideration by the commission. Members of the commission may at any time visit and inspect the institutions and places in the state where criminals are confined and may interview the officers in charge of those institutions.
History of Section.
P.L. 1927, ch. 950, § 4; G.L. 1938, ch. 14, § 4; G.L. 1956, § 12-23-5.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-23 - Criminal Law Advisory CommissionSection 12-23-6. - Advisory committees — Hearings — General powers.

§ 12-23-6. Advisory committees — Hearings — General powers.
The commission may appoint advisory committees of judges, lawyers, or lay persons to consider and report upon special subjects within the scope of the study and survey, and may hold hearings and compel the attendance of witnesses and the production of books and papers and generally shall have any authority and power that may be necessary to carry out the purpose of this chapter.
History of Section.
P.L. 1927, ch. 950, § 4; G.L. 1938, ch. 14, § 4; G.L. 1956, § 12-23-6.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-23 - Criminal Law Advisory CommissionSection 12-23-7. - Annual report to general assembly.

§ 12-23-7. Annual report to general assembly.
The commission shall annually make a report to the general assembly of the results of its study and survey, together with any recommendations for changes in the laws and in the duties, methods, practices, and procedure of officers and other agencies that it may deem advisable or necessary to carry out the purpose of this chapter.
History of Section.
P.L. 1927, ch. 950, § 2; G.L. 1938, ch. 14, § 2; G.L. 1956, § 12-23-7.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-23 - Criminal Law Advisory CommissionSection 12-23-8. - Expenses of commission — Printing.

§ 12-23-8. Expenses of commission — Printing.
The members of the commission shall not receive any pay for their services under the provisions of this chapter, but the general assembly shall from time to time appropriate any sums that may be necessary for clerical assistance and other actual expenses incurred by the members of the commission in the performance of their duties. All printing required by the commission, including the printing of its reports to the general assembly, shall be paid out of the appropriation for state printing upon vouchers approved by

the chairperson of the commission and the state purchasing agent.
History of Section.
P.L. 1927, ch. 950, § 3; G.L. 1938, ch. 14, § 3; G.L. 1956, § 12-23-8.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-24 - Uniform Crime Reporting SystemSection 12-24-1. - Reporting system.

§ 12-24-1. Reporting system.
A uniform crime reporting system shall be established under the direction, control, and supervision of the superintendent of state police. The superintendent of state police shall have the power and duty, by any rules and regulations that he or she may deem necessary to collect and gather any information from local police departments and the enforcement division of the department of environmental management that may be and is prescribed in this chapter.
History of Section.
P.L. 1969, ch. 39, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-24 - Uniform Crime Reporting SystemSection 12-24-2. - Reports.

§ 12-24-2. Reports.
The police department of each city and town and the enforcement division of the department of environmental management, once each quarter, upon a date and form prescribed and furnished by the superintendent of state police, shall forward to the division of state police a crime report. Each reporting department shall report only on cases within its jurisdiction and upon which it is making, or has made, the primary police investigation. The report shall be called the uniform crime report and shall cover crimes reported and otherwise processed during the reporting period. It shall contain the number and nature of offenses committed, the disposition of those offenses, and any other information that the superintendent of state police shall specify relating to the method, frequency, cause, and prevention of crime. Under no circumstances shall the name of any person be reported.
History of Section.
P.L. 1969, ch. 39, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-24 - Uniform Crime Reporting SystemSection 12-24-3. - Compilation of reports.

§ 12-24-3. Compilation of reports.
Upon receipt of the quarterly uniform crime reports from the reporting agencies, the division of state police shall prepare a statewide compilation of the statistics contained in the reports, and the resulting statistical compilation shall be available to any governmental law enforcement agency in the state, the judiciary committees of the senate and the house of representatives, and the Federal Bureau of Investigation, upon request. The statistics made available through the uniform crime report shall be used for the purpose of studying the causes, trends, and effects of crime in this state and for intelligence upon which to base a sounder program of crime detection and prevention and the apprehension of criminals.
History of Section.
P.L. 1969, ch. 39, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-24 - Uniform Crime Reporting SystemSection 12-24-4. - Other agencies.

§ 12-24-4. Other agencies.
Any governmental agency, not falling within the description of those required to submit the quarterly uniform crime report set forth in § 12-24-2, which desires to submit a report, shall be furnished with the proper forms by the division of state police. When a report is received by the division of state police from a governmental police agency not required to make a report, the information contained in the report shall be included within the monthly compilation provided for in § 12-24-3.
History of Section.
P.L. 1969, ch. 39, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25.1 - Criminal RoyaltiesSection 12-25.1-1. - Short title.

§ 12-25.1-1. Short title.
This chapter may be cited as the “Criminal Royalties Distribution Act.”
History of Section.
P.L. 1983, ch. 328, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25.1 - Criminal RoyaltiesSection 12-25.1-10. - Subterfuge.

§ 12-25.1-10. Subterfuge.
Any action taken by or on behalf of any criminally responsible person to circumvent, impede, or frustrate the purpose of this chapter shall be null and void.
History of Section.
P.L. 1983, ch. 328, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25.1 - Criminal RoyaltiesSection 12-25.1-11. - Failure to comply.

§ 12-25.1-11. Failure to comply.
Every person, firm, corporation, partnership, association, or other legal entity which enters into a contract within the scope of § 12-25.1-3 but fails to comply with the provisions of this chapter shall be liable to the criminal royalties fund for double the amount which the person or entity should have paid over to the general treasurer pursuant to the contract.
History of Section.
P.L. 1983, ch. 328, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25.1 - Criminal RoyaltiesSection 12-25.1-12. - Severability.

§ 12-25.1-12. Severability.
If any of the provisions of this chapter or its application to any person or circumstances is held invalid, its invalidity shall not affect other provisions or application of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of the chapter are declared to be severable.
History of Section.
P.L. 1983, ch. 328, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25.1 - Criminal RoyaltiesSection 12-25.1-2. - Definitions.

§ 12-25.1-2. Definitions.
For purposes of this chapter:
(1)
“Alleged criminally responsible person” means a person who has been indicted or against whom a criminal information has been proferred for the commission of a felony committed within the state of Rhode Island which caused another person to suffer personal injury or loss of property, but who has not yet been either convicted or acquitted of the charge nor had the charge dismissed.
(2)
“Child” means an unmarried person who is under eighteen (18) years of age and includes a stepchild or an adopted child.
(3)
“Commercial exploitation” means any significant commercial exploitation by means of any publication, reenactment, dramatization, interview, depiction, explanation, or expression through any medium of communication which is undertaken for financial consideration, except tangential and incidental references to a crime. The term includes, but is not limited to, a movie, book, magazine or newspaper article, tape recording, still photograph, radio or television program, live presentation, or reproduction or presentation of any kind.
(4)
“Convicted,” as used in this chapter only, means a person who has entered a plea of guilty or nolo contendere to a charge of a felony offense, regardless of the fine, sentence or other punishment imposed or who has been found guilty after a trial on a charge of a felony offense.
(5)
“Court” means the superior court.
(6)
“Criminally responsible person” means a person who has been convicted of a felony committed within the state of Rhode Island which caused another person to suffer personal injury or loss of property, or who has been adjudicated not guilty by reason of insanity after a trial on a charge of the offense, or who has voluntarily admitted the commission of the offense.
(7)
“Dependent” means a person wholly or partially dependent upon the income of the victim at the time of his or her death or would have been so dependent but for the incapacity due to the injury from which the death resulted, and includes a child of the victim born after the death of the victim.
(8)
“Pecuniary loss” includes:
(i)
For personal injury:
(A)

Medical expenses (including psychiatric care);
(B)
Hospital expenses;
(C)
Loss of past earnings; and
(D)
Loss of future earnings because of a disability resulting from personal injury;
(ii)
For death:
(A)
Funeral and burial expenses; and
(B)
Loss of support to the dependents of the victim; and
(iii)
Any other expenses actually and necessarily incurred as a result of the personal injury or death.
(9)
“Personal injury” means actual bodily harm, mental or nervous shock, or a pregnancy.
(10)
“Relative” means a spouse, parent, grandparent, stepfather, stepmother, child, grandchild, brother, sister, half-brother, half-sister, and a spouse’s parents.
(11)
“Victim” means a person who suffers personal injury or loss of property as a direct result of the conduct of another person in perpetration of a criminal offense.
History of Section.
P.L. 1983, ch. 328, § 1; P.L. 2001, ch. 240, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25.1 - Criminal RoyaltiesSection 12-25.1-3. - Confiscation of criminal royalties — Criminal royalties fund — Priority of claims against criminal royalties fund.

§ 12-25.1-3. Confiscation of criminal royalties — Criminal royalties fund — Priority of claims against criminal royalties fund.
(a)
Every person, firm, corporation, partnership, association, or other legal entity contracting with a criminally responsible person, alleged criminally responsible person, or with the legal representative or assignee of the person regarding the commercial exploitation of the events and circumstances constituting and/or surrounding and/or motivating the crime or alleged crime shall submit a copy of the contract, within ten (10) days of the making of the contract, to the general treasurer and shall pay over to the general treasurer, within ten (10) days of it becoming due and payable, any and all monies or other compensation which would otherwise by the terms of the contract be due and payable to or distributed at the direction of that person. All rights, causes of action, or other entitlements accruing to any criminally responsible person, alleged criminally responsible person, or the legal representative or assignee of the person for the commercial exploitation shall inure to and be enforceable by the general treasurer for the benefit of the criminal royalties fund established by this chapter.
(b)
All monies paid to or recovered by the general treasurer pursuant to subsection (a) of this section shall be collectively known as the “criminal royalties fund.” Except as required for payment of awards under this chapter, the general treasurer shall manage and invest the criminal royalties fund in accordance with § 35-10-11.
(c)(1)
Claims against any portion of the criminal royalties fund attributable to a specific criminally responsible person shall have the following priorities:
(i)
Claims by the state for costs incurred in providing defense counsel for the criminally responsible person by means of the public defender or a court appointed attorney;
(ii)
Claims by the state and its political subdivisions for costs incurred in the investigation of the crime and the prosecution and trial of the criminally responsible person;
(iii)
Claims by the victim or victims of the criminally responsible person pursuant to § 12-25.1-4;
(iv)
Claims by the state pursuant to § 12-25-26;
(v)
Civil judgments in favor of the victim or victims of the criminally responsible person;
(vi)

After claims arising under paragraphs (i) — (v) of this subdivision have been resolved and the statute of limitations for the claims has expired, one-half (
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) of the remainder of the funds attributable to a specific criminally responsible person shall be transferred to the violent crimes indemnity fund established by § 12-25-28;
(vii)
Claims by other creditors of the criminally responsible person; and
(viii)
Claims by the criminally responsible person or persons claiming through him or her.
(2)
Claims against the criminal royalties fund shall be made against the portion of the fund attributable to the specific criminally responsible person and not against the fund as a whole. No payment shall be made out of the fund when that payment would be in derogation of claims, either present or pending, entitled to a higher priority under this subsection. The general treasurer may bring an action of interpleader or an action for a declaratory judgment where he or she cannot determine the priority of claims and the proper disposition of funds. Monies in the fund shall not be subject to execution, levy, attachment, or lien except in accordance with the priorities set forth in this subsection. Any party aggrieved by a final determination and order of the general treasurer arising from his administration of the criminal royalties fund may seek judicial review of the decision pursuant to The Administrative Procedures Act, chapter 35 of title 42.
History of Section.
P.L. 1983, ch. 328, § 1; P.L. 2001, ch. 86, § 24.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25.1 - Criminal RoyaltiesSection 12-25.1-4.1. - Assets available.

§ 12-25.1-4.1. Assets available.
A victim, his or her guardian, or in the case of a deceased victim, his or her legal representative, in addition to any rights conveyed pursuant to this chapter, may seek recovery from any of the criminally responsible person’s assets. A victim may proceed against the defendant’s assets, whether or not these assets represent royalties obtained from the commercial exploitation of the crime.
History of Section.
P.L. 2001, ch. 240, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25.1 - Criminal RoyaltiesSection 12-25.1-4. - Awards of compensation from the criminal royalties fund.

§ 12-25.1-4. Awards of compensation from the criminal royalties fund.
(a)
A victim, his or her guardian, or in the case of a deceased victim, his or her legal representative, within three (3) years of the last payment to or recovery by the criminal royalties fund of monies attributable to the criminally responsible person whose portion of the fund is to be charged, may petition the court for compensation from that portion of the fund. Notice of the action shall be accorded the criminally responsible person in the manner and in the form prescribed by the court after filing of the petition. In the event that the whereabouts of the criminally responsible person are neither known nor discoverable through diligent and reasonable inquiry, the circumstance shall be made a matter of record by affidavit to the court. The criminally responsible person whose portion of the fund is to be charged shall have the right to contest any petition pursuant to this section.
(b)
No award of compensation may be entered unless the court, sitting without a jury, finds that:
(1)
The victim did suffer personal injury or loss of property as a result of conduct in this state in perpetration of a criminal offense by the criminally responsible person whose portion of the fund is to be charged;
(2)
That the victim was not a co-conspirator with or an accessory to the criminally responsible person in the perpetration of the criminal offense;
(3)
That the person whose portion of the fund is to be charged has been convicted of the criminal offense or otherwise determined to be the criminally responsible person within the meaning of this chapter; and
(4)
The portion of the criminal royalties fund sought to be charged is attributable to the criminally responsible person shown to have caused the victim’s personal injury.
(c)(1)
The court may award compensation:

(i)
To or on behalf of the victim, or his or her guardian;
(ii)
In the case of the personal injury of the victim, where the compensation is for pecuniary loss suffered or expenses incurred by any person responsible for the maintenance of the victim, to that person; or
(iii)
In the case of the death of the victim, to or for the benefit of the dependents or closest relative of the deceased victim, or any one or more of those dependents, or to the legal representative of the victim.
(2)
An award of compensation shall be limited to:
(i)
Expenses actually and reasonably incurred as a result of the personal injury or death of the victim;
(ii)
Pecuniary loss to the personally injured victim or the dependents of the deceased victim;
(iii)
Pain and suffering of the personally injured victim;
(iv)
Any other pecuniary loss resulting from the personal injury or death of the victim, the amount of which the court finds upon the evidence to be reasonable and necessary; and
(v)
The amount of the fair market value of the lost or stolen property.
(3)
In determining the amount of an award, the court may consider any circumstances it determines to be relevant, including the behavior of the victim which directly or indirectly contributed to his or her injury or death or loss of property, unless the injury or death resulted from the victim's lawful attempt to prevent the commission of a crime or to apprehend a criminally responsible person. No interest shall be included in or added to an award of compensation under this chapter. No compensation shall be awarded if the victim was at the time of the personal injury or death or loss of property of the victim living with the criminally responsible person as his wife or her husband or in other situations, when the court, in its discretion, feels unjust enrichment to or on behalf of the criminally responsible person would result. Compensation under this chapter shall not be awarded to any victim or dependent relative or legal representative if the award would, directly or indirectly, inure to the benefit of the criminally responsible person.
(d)
Upon certification by the court, the general treasurer shall pay to the person named in the award the amount specified in it from the appropriate portion of the criminal royalties fund.
History of Section.
P.L. 1983, ch. 328, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25.1 - Criminal RoyaltiesSection 12-25.1-5. - Attorneys' fees.

§ 12-25.1-5. Attorneys' fees.
At the conclusion of the proceedings under § 12-25.1-4, the attorney representing a claimant who has received an award of compensation shall file a statement with the court setting forth the amount of fee proposed to be charged in connection with his or her efforts and services rendered in the proceedings. After the fee information is filed by the attorney, the court shall determine whether the proposed fee is reasonable. If the court initially determines that the proposed fee is unreasonable, the court shall, upon notice to the attorney, determine the amount of a reasonable fee. Upon certification by the court to the effect that the fee has been established, the general treasurer shall pay to the attorney named in the certification the amount of the counsel fee which shall be paid from the appropriate portion of the criminal royalties fund. Any attorney who charges, demands, receives, or collects for services rendered in connection with any proceedings under this chapter any amount in excess of that allowed under this section, if any compensation is paid, shall be subject to disciplinary action and other appropriate action to be taken by the supreme court of the state of Rhode Island.
History of Section.
P.L. 1983, ch. 328, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25.1 - Criminal RoyaltiesSection 12-25.1-6. - Return of monies to criminally responsible person.

§ 12-25.1-6. Return of monies to criminally responsible person.
(a)
No funds attributable to a specific alleged criminally responsible person shall be distributed unless and until that person is determined to be criminally responsible as defined in this chapter. Immediately upon the dismissal of charges or the acquittal of the person for the crime which was the subject of the commercial exploitation, all funds recovered by the general treasurer attributable

to that person shall be paid to him or her together with any interest which accrued on those funds.
(b)
Subject to the disposition of all claims and pending claims which have been brought against the funds attributable to the criminally responsible person, he or she may recover the remainder of the funds pursuant to § 12-25.1-3(c)(1)(viii) three (3) years and six (6) months following the last payment to or recovery by the general treasurer of the funds.
History of Section.
P.L. 1983, ch. 328, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25.1 - Criminal RoyaltiesSection 12-25.1-7. - Statute of limitations.

§ 12-25.1-7. Statute of limitations.
Notwithstanding any inconsistent provision of the general or public laws with respect to the timely bringing of an action, all claims brought against the criminal royalties fund shall be brought within three (3) years of accrual or three (3) years of the last payment to or recovery by the general treasurer of funds or other compensation attributable to the criminally responsible person, whichever is later.
History of Section.
P.L. 1983, ch. 328, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25.1 - Criminal RoyaltiesSection 12-25.1-8. - Public notice.

§ 12-25.1-8. Public notice.
The general treasurer, at least once every six (6) months for three (3) years from the date he or she receives those moneys, shall cause to have published a legal notice in a newspaper of general circulation in the state advising potential claimants that those funds are available to satisfy money judgments pursuant to this chapter. The general treasurer may, in his or her discretion, provide for any additional notice that he or she deems necessary. The expenses of the advertisements shall be charged against the appropriate portion of the fund.
History of Section.
P.L. 1983, ch. 328, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25.1 - Criminal RoyaltiesSection 12-25.1-9. - Legal expenses of criminally responsible person.

§ 12-25.1-9. Legal expenses of criminally responsible person.
Notwithstanding any other provision of this chapter, the general treasurer shall make payments from the portion of the criminal royalties fund attributable to a criminally responsible person to that person upon order of the court after a showing that the monies shall be used exclusively for the purpose of retaining legal representation at any stage of the criminal proceedings against the person with respect to the events or conduct being the subject of the commercial exploitation giving rise to the monies paid to or recovered by the criminal royalties fund; provided, that the total of all payments made pursuant to this section shall not exceed twenty percent (20%) of the total monies in the applicable portion of the criminal royalties fund.
History of Section.
P.L. 1983, ch. 328, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-1.1. - Transition to the Criminal Injuries Compensation Act of 1996.

§ 12-25-1.1. Transition to the Criminal Injuries Compensation Act of 1996.
New cases shall be filed through the Criminal Injuries Compensation Act of 1996, established pursuant to §§ 12-25-16 — 12-25-30.
History of Section.
P.L. 1996, ch. 434, § 3; P.L. 2000, ch. 109, § 18.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-16. - Short title.

§ 12-25-16. Short title.
This chapter may be cited as the “Criminal Injuries Compensation Act.”
History of Section.
P.L. 1996, ch. 434, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-17. - Definitions.

§ 12-25-17. Definitions.

As used in this chapter:
(1)
“Administrator” means the program administrator of this chapter.
(2)
“Child” means an unmarried person who is under eighteen (18) years of age and includes a stepchild or an adopted child.
(3)
“Court” means the superior court.
(4)
“Dependent” means a person wholly or partially dependent upon the income of the victim at the time of his or her death or would have been so dependent but for the incapacity due to the injury from which the death resulted. The term includes a child of the victim born after the death of the victim.
(5)
“Medical forensic examination” means an examination of a sexual assault victim completed by a healthcare provider, who has specialized education and clinical experience in the collection of forensic evidence and treatment of these victims, which includes:
(i)
Gathering information from the victim for the medical forensic history;
(ii)
An examination;
(iii)
Documentation of biological and physical finding, and collection of evidence from the patient; and
(iv)
Documentation of findings.
(6)
“Office” means the office of the general treasurer.
(7)
“Pecuniary loss” includes:
(i)
For personal injury:
(A)
Medical expenses (including psychiatric care) for which the victim is not compensated by any other source;
(B)
Hospital expenses for which the victim is not compensated by any other source;
(C)
Loss of past earnings for which the victim is not compensated by any other source;
(D)
Loss of future earnings because of a disability resulting from the personal injury for which the victim is not compensated by any other source; and
(E)
Direct expenses related to the delivery or obtainment of medical or counseling services, or participation in criminal justice proceedings.
(ii)
For death:
(A)
Funeral and burial expenses for which the victim’s estate is not compensated by any other source;
(B)
Loss of support to the dependents of the victim for which the dependents are not compensated by any other source; and
(C)
Direct expenses related to the participation in funeral services, counseling, or criminal justice proceedings.
(iii)
Any other expenses actually and necessarily incurred as a result of the personal injury or death for which the victim or his or her estate is not compensated by any other source, but it does not include property damage.
(8)
“Personal injury” means actual bodily harm, mental or nervous shock, and a pregnancy resulting from sexual attack.
(9)
“Relative” means a spouse, parent, grandparent, stepfather, stepmother, child, grandchild, brother, sister, half-brother, half-sister, and a spouse’s parents.
(10)
“Resident” means any person who has his or her residence within the state of Rhode Island.
(11)

“Secondary victim” means a child who suffers an emotional injury as a direct result of witnessing a homicide or incident of domestic violence.
(12)
“State” includes the District of Columbia, the fifty (50) states, and the United States’ territories and possessions.
(13)
“Treasurer” means the general treasurer of the state of Rhode Island or his or her designee.
(14)
“Victim” means a person who is injured or killed by any act of a person or persons that is within the description of any of the offenses specified in § 12-25-20 and which act occurs in the state of Rhode Island. “Victim” also means a resident of the state of Rhode Island who is a victim of an act of terrorism as defined in 18 U.S.C. § 2331 occurring outside the United States or within the United States as referred to in 34 U.S.C. § 20105.
(15)
“1972 Act” means the Criminal Injuries Compensation Act of 1972, established pursuant to former §§ 12-25-1 — 12-25-12.1.
(16)
“1996 Act” means the Criminal Injuries Compensation Act of 1996, established pursuant to §§ 12-25-16 — 12-25-31.
History of Section.
P.L. 1996, ch. 434, § 3; P.L. 1997, ch. 183, § 1; P.L. 1997, ch. 317, § 1; P.L. 2016, ch. 16, § 1; P.L. 2016, ch. 18, § 1; P.L. 2017, ch. 110, § 1; P.L. 2017, ch. 174, § 1; P.L. 2017, ch. 341, § 1; P.L. 2017, ch. 350, § 1; P.L. 2017, ch. 451, § 4; P.L. 2024, ch. 338, § 1, effective June 25, 2024; P.L. 2024, ch. 339, § 1, effective June 25, 2024.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-18. - Program established.

§ 12-25-18. Program established.
(a)
This chapter shall be administered by the office of the general treasurer.
(b)
The office shall administer this chapter in accordance with the provisions of §§ 12-25-16 — 12-25-30. The treasurer shall designate a program administrator.
(c)
The administrator shall promulgate all rules and regulations necessary to effectuate the provisions and overall purpose of this chapter. The rules and regulations shall be promulgated in accordance with the Administrative Procedures Act, chapter 42 of title 35.
(d)
The rules and regulations shall include, but not be limited to, an application process for victims that is easy to understand. The process shall include, but not be limited to, the filing of claim forms, reference to bills and other documentation supporting the claim, and proof of dependency, if relevant. All claims must contain a release of information necessary to investigate the claim.
(e)
All state and municipal departments and agencies, including law enforcement agencies, as well as hospitals, physicians, and other service providers, shall cooperate with the office in the investigation of claims filed pursuant to this chapter.
(f)
The administrator shall investigate each application for compensation, verify the information contained on the application and in all supporting documentation and award or deny compensation under this chapter. The administrator shall mail notice by certified mail, return receipt requested, and first class mail, stating the amount of compensation to be awarded or denied, and the reasons for the award or denial.
(g)
Within fifteen (15) days of the date of receipt of the notice of award or denial, the applicant may appeal the administrator’s decision, in writing, to the treasurer or the treasurer’s designee. The treasurer or treasurer’s designee shall reconsider any award of compensation for which an appeal is received. After reconsideration of the award, the treasurer or treasurer’s designee shall affirm the award or issue an amended award or denial.
(h)
The administrator shall notify the applicant by certified mail, return receipt requested, and first class mail, of the decision upon appeal within thirty (30) days of receipt of the appeal. The notice shall include information regarding the applicants right to judicial review of the decision.
(i)
Appeals of the treasurer’s or treasurer designee’s decision may be brought to superior court pursuant to the Administrative Procedures Act, chapter 35 of title 42.
History of Section.
P.L. 1996, ch. 434, § 3; P.L. 1999, ch. 125, § 2; P.L. 1999, ch. 128, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-19. - Awarding compensation.

§ 12-25-19. Awarding compensation.

(a)

In any case in which a person is injured or killed by any act of a person or persons that is within the description of the offenses listed in § 12-25-20, the victim, his or her guardian, the child advocate as provided in § 42-73-9.1, or in the case of his or her death, a legal representative, may apply to the office for compensation. Additionally, a secondary victim or their guardian, the child advocate as provided in § 42-73-9.1 or a legal representative on behalf of a secondary victim, may apply to the office for compensation. The office shall provide notice of the application to the attorney general. The office may award compensation in accordance with the provisions of this chapter if the act occurs:

(1)

Within the physical confines of the state of Rhode Island;

(2)

Within the maritime jurisdiction of the state of Rhode Island;

(3)

Outside the state of Rhode Island to any victim who has his or her residence in the state of Rhode Island and had the residence in the state at the time that the offense occurred, and is not entitled to compensation of any kind from the state, possession, or territory or district of the United States in which the offense occurred; or

(4)

Outside the state of Rhode Island to any victim, who had his or her residence in the state of Rhode Island at the time the offense occurred, who is injured or killed by an act of terrorism occurring either outside of the United States, as defined in 18 U.S.C. § 2331, or within the United States as referred to in 34 U.S.C. § 20105.

(b)

The office may award compensation as described in this section:

(1)

To or on behalf of the injured person, or his or her guardian;

(2)

In the case of the personal injury of the victim where the compensation is for pecuniary loss suffered or expenses incurred by any person responsible for the maintenance of the victim, to that person; or

(3)

In the case of the death of the victim, to or for the benefit of the dependents or closest relative of the deceased victim, or any one or more of the dependents or to the legal representative of the victim.

(c)

For the purposes of this chapter, a person shall be deemed to have intended an act notwithstanding that, by reason of age, insanity, drunkenness, or otherwise, he or she was legally incapable of forming a criminal intent.

(d)(1)

In determining whether to award compensation as described in this section and the amount of compensation, the office shall consider any circumstances it determines to be relevant, including, but not limited to:

(i)

Compliance by the victim with the reasonable requests of law enforcement agencies and personnel;

(ii)

Violent felonious criminal conduct of the victim committed within the past five (5) years or subsequent to his or her injury;

(iii)

Any conviction of a crime of violence by the victim; and

(iv)

The behavior of the victim, including past behavior, that directly or indirectly contributed to his or her injury or death, unless the injury or death resulted from the victim's lawful attempt to prevent the commission of a crime or to apprehend an offender. The office may reduce or deny an award based on these circumstances.

(2)

Any individual who is incarcerated at any criminal institutional facility at the time of his or her injury shall be deemed ineligible to receive an award of compensation as described in this section.

(e)

No compensation may be awarded unless the office so directs upon a finding that:

(1)

The act did occur; and

(2)

The injury or death resulted from the act.

(f)

An award may be made under this section whether or not any person is prosecuted or convicted of any offense arising out of the act,

or if the act is the subject of any other legal action. Upon application from the attorney general, the office shall suspend proceedings under this chapter until the application is withdrawn or until a prosecution for an offense arising out of the act is no longer pending or imminent. The office may suspend proceedings in the interest of justice if a criminal or civil action arising from the act is pending or imminent.

(g)

The office shall pay to the person named in the award of compensation, and the payments shall be made from the violent crimes indemnity account and from any federal moneys available as coordinated by the office.

(h)

Where compensable medical services have been rendered, any award made payable to a medical provider shall be based on the current final adjustment to charge ratio approved by the department of labor and training pursuant to chapter 33 of title 28 and applied by the Rhode Island workers' compensation unit in establishing payout ratios for inpatient charges, emergency room charges, and ambulatory surgery charges. Amounts awarded for all other medical services shall be based on the current Rhode Island workers' compensation medical fee schedule. If the provider employs a sliding scale fee structure for any category of patient or service, the award shall not exceed the amount the applicant would be charged if he or she qualified under the provider's sliding scale fee structure. Medical service providers shall be required to accept these awards as full payment for services rendered and shall be prohibited from assessing any additional charges against the victim or secondary victim.

History of Section.

P.L. 1996, ch. 434, § 3; P.L. 1997, ch. 183, § 1; P.L. 1997, ch. 317, § 1; P.L. 1999, ch. 125, § 2; P.L. 1999, ch. 128, § 2; P.L. 2017, ch. 110, § 1; P.L. 2017, ch. 174, § 1; P.L. 2017, ch. 341, § 1; P.L. 2017, ch. 350, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-20. - Offenses to which chapter applies.

§ 12-25-20. Offenses to which chapter applies.

The office may award compensation in accordance with the provisions of this chapter for personal injury or death which resulted from offenses in the following categories:

(1)

Assault with intent to commit murder, robbery, or rape;

(2)

Assault with a dangerous weapon;

(3)

Assault and battery;

(4)

Mayhem;

(5)

Indecent assault and battery on a child under thirteen (13) years of age;

(6)

Arson or statutory burning;

(7)

Kidnapping;

(8)

Robbery or larceny from that person;

(9)

Murder;

(10)

Manslaughter;

(11)

First or second degree sexual assault;

(12)

Child molestation, first or second degree;

(13)

The abominable and detestable crime against nature or assault with intent to commit the abominable and detestable crime against nature;

(14)

Driving under the influence of alcohol or drugs;

(15)

Refusal by a driver to submit to a chemical test for alcohol or drugs in the immediate aftermath of a collision;

(16)

Driving so as to endanger, resulting in death, pursuant to § 31-27-1;

(17)

Driving so as to endanger, resulting in personal injury, pursuant to § 31-27-1.1;
(18)
Any other crime excluding motor vehicle offenses other than those enumerated in this section which results in personal injury or death; and
(19)
Failure to stop by a driver in circumstances which result in the death of any person, pursuant to § 31-26-1.
History of Section.
P.L. 1996, ch. 434, § 3; P.L. 1997, ch. 183, § 1; P.L. 1997, ch. 317, § 1; P.L. 1999, ch. 125, § 2; P.L. 1999, ch. 128, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-21.1. - Emergency fund for victims.

§ 12-25-21.1. Emergency fund for victims.
(a)
The office may award emergency compensation under this chapter for the: (1) Burial expenses of a victim who dies as a direct result of a violent crime as defined in this chapter; (2) Cost of the crime scene clean up; (3) Relocation expenses; and (4) Compensation for modifications to a victim's residence necessary to ensure safety.
(b)
The award for emergency compensation shall be awarded at the sole discretion of the program administrator. The administrator may promulgate rules and regulations to administer the provisions of this section.
(c)
An award for emergency compensation for burial expenses shall not exceed the sum of ten thousand dollars ($10,000).
(d)
An award for emergency compensation for crime scene clean up shall not exceed two thousand dollars ($2,000).
(e)
An award for emergency compensation for relocation costs shall not exceed five thousand dollars ($5,000).
(f)
An award for expenses associated with reasonable modifications to the victim's residence necessary to ensure victim safety shall not exceed one thousand dollars ($1,000) and shall not be awarded in addition to an award for emergency compensation for relocation costs. Further, any ongoing costs or expenses associated with maintaining or monitoring any modification made pursuant to this subsection shall be borne exclusively by the victim.
(g)
The award for emergency compensation for burial expenses, crime scene clean up, and relocation costs shall be deducted from the final award. In the event the victim is not eligible for an award, the victim shall repay the amount of the emergency award to the fund.
(h)
Any payments made for the emergency compensation shall be deducted from the final award. In no event shall the final award exceed the maximum award of twenty-five thousand dollars ($25,000).
History of Section.
P.L. 1999, ch. 125, § 3; P.L. 1999, ch. 128, § 3; P.L. 2011, ch. 187, § 1; P.L. 2011, ch. 299, § 1; P.L. 2013, ch. 272, § 1; P.L. 2013, ch. 356, § 1; P.L. 2016, ch. 15, § 1; P.L. 2016, ch. 17, § 1; P.L. 2024, ch. 31, § 1, effective May 28, 2024; P.L. 2024, ch. 32, § 1, effective May 28, 2024.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-21. - Nature of compensation.

§ 12-25-21. Nature of compensation.
(a)
The office may award compensation under this chapter for:
(1)
Expenses actually and reasonably incurred as a result of the personal injury or death of the victim;
(2)
Pecuniary loss to the dependents of the deceased victim;
(3)
Any other pecuniary loss resulting from the personal injury or death of the victim, the amount of which the office finds upon the evidence to be reasonable and necessary;
(4)
The administrator may issue a supplemental award for compensation for additional medical expenses, including psychiatric care and mental health counseling, provided that the victim provides proper documentation that the additional medical expenses have been actually and reasonably incurred as a direct result of the personal injury. The administrator shall issue a supplemental award as long as the total award does not exceed the maximum award allowable under this chapter;

(5)
The administrator may issue an award for expenses related to psychiatric care and mental health counseling for a parent, spouse, sibling or child of a victim who dies as a direct result of a violent crime as defined in this chapter, provided that the parent, spouse, sibling or child provide proper documentation that the psychiatric care and mental health counseling have been actually and reasonably incurred as a direct result of the death of the victim; and
(6)
The administrator may issue an award for expenses related to psychiatric care and mental health counseling for a secondary victim, provided that the secondary victim provides proper documentation that the psychiatric care and mental health counseling have been actually and reasonably incurred as a direct result of witnessing the homicide of a victim or the domestic violence incident against a victim. An award issued to a secondary victim for psychiatric care and mental health counseling shall not exceed one thousand five hundred dollars ($1,500) and shall not be paid upon a secondary victim reaching the age of eighteen (18).
(b)
In determining the amount of the judgment or order approving a settlement, the office shall take into consideration the rates and amounts payable for injuries and death under other statutes of this state and of the United States, and the amount of revenue in the violent crimes indemnity account and the number and nature of claims pending against it. The office shall make every effort to ensure that compensation awards are paid within six (6) months of the date of application.
History of Section.
P.L. 1996, ch. 434, § 3; P.L. 1999, ch. 125, § 2; P.L. 1999, ch. 128, § 2; P.L. 2008, ch. 125, § 1; P.L. 2008, ch. 205, § 1; P.L. 2017, ch. 110, § 1; P.L. 2017, ch. 174, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-22. - Limitations upon awarding compensation.

§ 12-25-22. Limitations upon awarding compensation.
(a)
Actions for compensation under this chapter shall be commenced within three (3) years after the date of the injury or death, and no compensation shall be awarded for an injury or death resulting from a crime that was not reported to the appropriate law enforcement authority within fifteen (15) days of its occurrence; provided, that the office shall have the authority to allow a claim that was not reported pursuant to this section when a victim of a sexual assault receives a medical forensic examination within fifteen (15) days of the crime, when the victim or secondary victim was below the age of eighteen (18) years of age, or of unsound mind, or for good cause shown.
(b)
No compensation shall be awarded under this chapter to the victim, or in the case of death to dependent relatives or to the legal representative, in a total amount in excess of twenty-five thousand dollars ($25,000) plus any attorney fees awarded upon appeal to the treasurer or to the superior court pursuant to § 12-25-25.
(c)
No compensation shall be awarded under this chapter to a secondary victim in a total amount in excess of one thousand five hundred dollars ($1,500).
(d)
No compensation shall be awarded when the office, in its discretion, determines that unjust enrichment to or on behalf of the offender would result. Compensation under this chapter shall not be awarded to any victim or dependent relative or legal representative if the award would directly or indirectly inure to the benefit of the offender.
(e)
No interest shall be included in or added to an award of compensation under this chapter.
(f)
When the plaintiff is the victim’s estate, it shall only be awarded compensation for the victim’s actual medical, hospital, funeral, and burial expenses for which the victim or his or her estate is not compensated by any other source and for the loss of support to the dependents of the victim.
History of Section.
P.L. 1996, ch. 434, § 3; P.L. 1999, ch. 125, § 2; P.L. 1999, ch. 128, § 2; P.L. 2017, ch. 110, § 1; P.L. 2017, ch. 174, § 1; P.L. 2017, ch. 341, § 1; P.L. 2017, ch. 350, § 1; P.L. 2024, ch. 338, § 1, effective June 25, 2024; P.L. 2024, ch. 339, § 1, effective June 25, 2024.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-23. - Terms of the award.

§ 12-25-23. Terms of the award.
(a)
Except as otherwise provided in this section, any award of compensation under this chapter may be made on terms that the office deems appropriate.
(b)

The Criminal Injuries Compensation Act shall be regarded as a fund of last resort. Accordingly, the office shall deduct from any payments awarded under this chapter any payments received by the victim or by any of his or her dependents from the offender or from any person on behalf of the offender, or from the United States (except those received under this chapter), the state of Rhode Island or any state or any of its subdivisions, or from any insurance carrier, for personal injury or death compensable under this chapter, including lost wages, but only to the extent that the sum of the payments and any award under this chapter are in excess of the total compensable injuries suffered by the victim as determined by the office.
(c)
Any person who: (1) submits a false or fraudulent application; (2) intentionally makes or causes to be made any false statement or representation of a material fact in relation to any claim pending before the office; or (3) intentionally conceals or fails to disclose information affecting the amount or the initial or continued right to any award; shall be punished by a fine of not more than one thousand dollars ($1,000) or imprisonment for not more than six (6) months, or both.
History of Section.
P.L. 1996, ch. 434, § 3; P.L. 1999, ch. 125, § 2; P.L. 1999, ch. 128, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-24. - Subrogation — Prohibited.

§ 12-25-24. Subrogation — Prohibited.
No third party which has provided any compensation to the injured victim shall have any claim against the funds awarded pursuant to this chapter to the victim or in the case of death to the victim’s estate.
History of Section.
P.L. 1996, ch. 434, § 3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-25. - Attorneys’ fees.

§ 12-25-25. Attorneys’ fees.
(a)
The treasurer may award attorneys’ fees pursuant to this section from the violent crimes indemnity account for successful appeals of the administrator’s awards of compensation brought pursuant to § 12-25-18(g).
(b)
The superior court may award attorneys’ fees pursuant to this section from the violent crimes indemnity account for successful appeals of treasurer’s office awards of compensation brought pursuant to § 12-25-18(i).
(c)(1)
At the conclusion of the appeal proceedings, the attorney representing the plaintiff shall file a statement with the treasurer or court setting forth the amount of fee proposed to be charged in connection with his or her efforts and services rendered in the proceedings.
(2)
In determining the amount of compensation to be awarded an attorney, the treasurer or the court shall consider the time expended by the plaintiff ’s attorney in preparation, in settlement negotiations, and in court or hearing attendance, the total amount awarded to the plaintiff for injuries incurred, and the amount of revenue in the violent crimes indemnity account, together with the number and the nature of claims pending against it.
(3)
The amount of compensation awarded to plaintiff ’s attorney shall not exceed fifteen percent (15%) of the total amount awarded to the plaintiff, or fifteen hundred dollars ($1,500), whichever is less; provided, that in unusual circumstances, the treasurer or court may award a larger attorney’s fee if it finds that a departure from the limits set forth in this subsection is warranted, stating specific reasons upon which the finding and award is based.
(4)
Attorneys’ fees shall not be awarded in those cases brought by the office of the child advocate.
(d)
After the fee information is filed by an attorney under subsection (a) of this section, the treasurer or court shall determine whether the proposed fee conforms with the standards set forth in subsection (a) of this section. If the treasurer or court initially determines that the proposed fee does not so conform, the treasurer or court shall, upon notice to the attorney, determine the amount of a reasonable fee to be awarded in accordance with those standards.
(e)
Any attorney who charges, demands, receives or collects for services rendered in connection with any proceedings under this chapter any amount in excess of that allowed under this section, if any compensation is paid, shall be subject to disciplinary action and other appropriate action to be taken by the bar association of the state of Rhode Island.
(f)
Upon certification by the treasurer or court to the effect that the fee has been established, the administrator shall pay to the attorney named in the certification the amount of the counsel fee which shall be paid from the violent crimes indemnity account.
History of Section.

P.L. 1996, ch. 434, § 3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-26. - Recovery from offender.

§ 12-25-26. Recovery from offender.
(a)
Whenever any person is convicted of an offense and compensation is awarded under this chapter or under the 1972 Act for a personal injury or death resulting from the act constituting the offense, the state of Rhode Island shall institute an action against that person for the recovery of the whole or any specified part of the compensation in the superior court of the state of Rhode Island in any county, or in the state or federal court of any other state or district in which that person resides or is found, or make a finding in writing, of the reasons why it is impractical or impossible to institute that action. The office shall pursue the recovery whenever possible in order to provide additional funds for the violent crimes indemnity account. The administrator shall develop rules and regulations pursuant to the Administrative Procedures Act, chapter 35 of title 42, to identify those so convicted, determine their ability to compensate the fund, and file whatever action is appropriate to recoup those funds.
(b)
Process of the superior court for any county in any action under this section may be served by the sheriff of the county. Whenever it appears to the court in which any action under this section is pending that other parties should be brought before the court in the action, the court may cause those other parties to be summoned.
(c)
An order for the payment of compensation under this chapter or under the 1972 Act shall not affect the right of any person to recover damages from any other person by a civil action for the injury or death.
(d)
An action instituted by the state of Rhode Island against any person for the recovery of the whole or any specified part of the compensation awarded under this chapter or under the 1972 Act shall be commenced within ten (10) years from the date compensation is awarded, and not thereafter.
History of Section.
P.L. 1996, ch. 434, § 3; P.L. 1999, ch. 125, § 2; P.L. 1999, ch. 128, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-27. - Reports to the senate and the house of representatives.

§ 12-25-27. Reports to the senate and the house of representatives.
The office shall coordinate the violent crimes indemnity funds and any federal moneys available, and shall transmit to the governor and to the legislature an annual report setting forth:
(1)
The amount of money in the fund at the start of the year;
(2)
The amount of payments ordered to be contributed to the fund during the year;
(3)
The amount of funds collected during the year;
(4)
The number of claims filed during the year;
(5)
The number of claims adjudicated during the year;
(6)
The number of claims adjudicated in which the victim was awarded compensation;
(7)
The number of claims adjudicated in which the victim was denied compensation;
(8)
The total amount of money disbursed from the fund during the year;
(9)
The projected wait to receive compensation for cases filed that year; and
(10)
Any proposed legislative and other changes in the program.
History of Section.
P.L. 1996, ch. 434, § 3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-28. - Special indemnity account for criminal injuries compensation.

§ 12-25-28. Special indemnity account for criminal injuries compensation.

(a)
It is provided that the general treasurer establish a violent crimes indemnity account within the general fund for the purpose of paying awards granted pursuant to this chapter. The court shall assess as court costs in addition to those provided by law, against all defendants charged with a felony, misdemeanor, or petty misdemeanor, whether or not the crime was a crime of violence, and who plead nolo contendere, guilty or who are found guilty of the commission of those crimes as follows:
(1)
Where the offense charged is a felony and carries a maximum penalty of five (5) or more years imprisonment, one hundred and fifty dollars ($150) or fifteen percent (15%) of any fine imposed on the defendant by the court, whichever is greater.
(2)
Where the offense charged is a felony and carries a maximum penalty of less than five (5) years imprisonment, ninety dollars ($90.00) or fifteen percent (15%) of any fine imposed on the defendant by the court, whichever is greater.
(3)
Where the offense charged is a misdemeanor, thirty dollars ($30.00) or fifteen percent (15%) of any fine imposed on the defendant by the court, whichever is greater.
(b)
These costs shall be assessed whether or not the defendant is sentenced to prison and in no case shall they be waived by the court unless the court finds an inability to pay.
(c)
When there are multiple counts or multiple charges to be disposed of simultaneously, the judge shall have the authority to suspend the obligation of the defendant to pay on all counts or charges above two (2).
(d)
Up to fifteen percent (15%) of the state funds raised under this section, as well as federal matching funds, shall be available to pay administrative expenses necessary to operate this program. Federal funds for this purpose shall not supplant currently available state funds, as required by federal law.
History of Section.
P.L. 1996, ch. 434, § 3; P.L. 2008, ch. 100, art. 25, § 1; P.L. 2008, ch. 297, § 6; P.L. 2008, ch. 326, § 6.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-29. - Use of funds to inform victims of their rights.

§ 12-25-29. Use of funds to inform victims of their rights.
There is appropriated to the annual budget of the administrative office of the state courts fifteen percent (15%) of the fund collected annually under § 12-25-28, not to exceed one hundred fifty thousand dollars ($150,000), to be used at the direction of the chief justice of the supreme court for the purpose of informing the victims of crime of their rights established by chapter 28 of this title and assisting victims in the exercise of these rights. In addition, the treasurer and administrator shall seek to inform victims of violent crime of this chapter using every available means at their disposal.
History of Section.
P.L. 1996, ch. 434, § 3; P.L. 2012, ch. 365, § 1; P.L. 2012, ch. 387, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-30.1. - Disclosure of records as to claims; confidentiality.

§ 12-25-30.1. Disclosure of records as to claims; confidentiality.
All medical records, mental health counseling records, employment information, personal financial information and investigative records received, obtained or maintained by the administrator in connection with any application for compensation shall be maintained as confidential investigative material and shall not be released or disclosed to any person or entity whatsoever, except as authorized by the applicant or as otherwise provided by law. The application and the notice of award or denial shall be deemed public records.
History of Section.
P.L. 1999, ch. 125, § 3; P.L. 1999, ch. 128, § 3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-30. - Deposit of funds.

§ 12-25-30. Deposit of funds.
All moneys assessed pursuant to § 12-25-28 as costs against defendants as provided in this chapter shall be paid by the clerks of the family, district and superior courts to the treasurer, who shall keep the funds in the violent crimes indemnity account. Funds received by the treasurer in excess of thirty thousand dollars ($30,000) shall be made available and distributed within thirty (30) days of receipt in accordance with the provisions of this chapter.
History of Section.
P.L. 1996, ch. 434, § 3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-25 - Criminal Injuries CompensationSection 12-25-31. - Severability.

§ 12-25-31. Severability.
If any provision to this chapter or its application to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of this chapter, which can be given effect without the invalid provisions or application, and to this end the provisions of this chapter are declared to be severable.
History of Section.
P.L. 1997, ch. 183, § 2; P.L. 1997, ch. 317, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-26 - Special Commission on Criminal JusticeSection 12-26-1. - Special commission on criminal justice established.

§ 12-26-1. Special commission on criminal justice established.
(a)
There is created a commission to be known as the special commission on criminal justice. The commission shall consist of nineteen (19) members: three (3) of whom shall be from the house of representatives, not more than two (2) of whom shall be from the same political party, to be appointed by the speaker; three (3) of whom shall be from the senate, not more than two (2) of whom shall be from the same political party, to be appointed by the president of the senate; eight (8) of whom shall be the chief justice of the supreme court, the presiding justice of the superior court, the chief judge of the family court, the chief judge of the district court, the attorney general, the public defender, the mental health advocate, and the state court administrator, all of whom shall serve ex officio; one of whom shall be a member of the bar association who has experience in criminal practice to be appointed by the governor; four (4) of whom shall be representative of the public to be appointed by the governor and to serve for terms of two (2) years. All ex officio members shall have the right to vote on all matters which are considered by the commission.
(b)
Vacancies on the commission shall be filled in like manner as the original appointment.
History of Section.
P.L. 1977, ch. 113, § 1; P.L. 2001, ch. 180, § 12.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-26 - Special Commission on Criminal JusticeSection 12-26-2. - Purpose.

§ 12-26-2. Purpose.
The purpose of the commission established by this chapter shall be to develop and implement, on a continuing basis, standards and priorities designed to accomplish the comprehensive and orderly reform of the criminal justice system, and to make recommendations to both the general assembly and the courts for the improvement of the criminal justice system.
History of Section.
P.L. 1977, ch. 113, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-26 - Special Commission on Criminal JusticeSection 12-26-3. - Organization.

§ 12-26-3. Organization.
The members of the commission shall meet at the call of the speaker of the house of representatives and organize and shall select a chairperson from among themselves.
History of Section.
P.L. 1977, ch. 113, § 1; P.L. 2000, ch. 109, § 19.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-26 - Special Commission on Criminal JusticeSection 12-26-4. - Duties.

§ 12-26-4. Duties.
The duties of the commission shall include:
(1)
Completion and publication of a comparative analysis of Rhode Island’s criminal procedures and practices with those standards for criminal justice recommended by the American Bar Association and by the President’s National Advisory Commission on Criminal Justice Standards and Goals;
(2)
Conducting a study for the purpose of revising the statutes relating to crimes and punishments;
(3)
Conducting a study of sentencing criteria and procedures;
(4)
Reviewing court organization;

(5)
Developing a comprehensive strategy to resolve problems encountered in the administration of criminal justice;
(6)
Studying any matter relating to the criminal justice system deemed worthy by the commission; and
(7)
Recommending legislation and rules of court for the improvement of criminal justice.
History of Section.
P.L. 1977, ch. 113, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-26 - Special Commission on Criminal JusticeSection 12-26-5. - Annual report.

§ 12-26-5. Annual report.
The commission shall report its findings and recommendations to the general assembly annually, on or before April 1 of each year.
History of Section.
P.L. 1977, ch. 113, § 1; P.L. 2000, ch. 109, § 19.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-26 - Special Commission on Criminal JusticeSection 12-26-6. - Compensation — Clerical assistance — Cooperation of departments and agencies — Quarters.

§ 12-26-6. Compensation — Clerical assistance — Cooperation of departments and agencies — Quarters.
(a)
The membership of the commission shall receive no compensation for their services but shall be allowed their travel and necessary expenses.
(b)
The commission may engage any clerical, technical, and other assistance that it may deem necessary, and spend other funds to accomplish its purpose.
(c)
All departments and agencies of the state shall furnish any advice and information, documentary and otherwise, to the commission and its agents that is deemed necessary or desirable by the commission to facilitate the purposes of this chapter.
(d)
The director of administration is authorized and directed to provide suitable quarters for the commission.
History of Section.
P.L. 1977, ch. 113, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-27 - Adjudication of Obscene PublicationsSection 12-27-1. - Authority of attorney general.

§ 12-27-1. Authority of attorney general.
Whenever the attorney general has reasonable cause to believe that a person is engaged in the sale, exhibition, or commercial distribution of any obscene book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material, the attorney general may institute a proceeding in the superior court in the county in which the sale, exhibition, or commercial distribution of the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material occurs for an adjudication of the obscenity of the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material.
History of Section.
P.L. 1963, ch. 68, § 1; P.L. 1966, ch. 257, § 1; G.L. 1956, § 11-31.1-1; P.L. 1981, ch. 300, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-27 - Adjudication of Obscene PublicationsSection 12-27-10. - Sale while order or decree in effect.

§ 12-27-10. Sale while order or decree in effect.
While a temporary restraining order made pursuant to § 12-27-4 is in effect, or after the entry of a decree or order pursuant to § 12-27-6, or after the entry of a decree or order pursuant to § 12-27-9(a), any person who sells, exhibits, commercially distributes, or commercially publishes or who has the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material with intent to sell, exhibit, or commercially distribute or commercially publish it, is presumed to have knowledge that it is obscene under chapter 31 of title 11.
History of Section.
P.L. 1963, ch. 68, § 1; P.L. 1966, ch. 257, § 1; G.L. 1956, § 11-31.1-10; P.L. 1981, ch. 300, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-27 - Adjudication of Obscene PublicationsSection 12-27-11. - Appeals.

§ 12-27-11. Appeals.
Any party to the proceeding, including the petitioner, may appeal to the supreme court, as provided by law, from the decree or order of the court entered pursuant to § 12-27-9(a).
History of Section.
P.L. 1963, ch. 68, § 1; P.L. 1966, ch. 257, § 1; G.L. 1956, § 11-31.1-11; P.L. 1981, ch. 300, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-27 - Adjudication of Obscene PublicationsSection 12-27-12. - Applicability.

§ 12-27-12. Applicability.
The provisions of this chapter shall not be construed to be a necessary prerequisite to the filing of criminal charges under any other statute.
History of Section.
P.L. 1963, ch. 68, § 1; P.L. 1966, ch. 257, § 1; G.L. 1956, § 11-31.1-12; P.L. 1981, ch. 300, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-27 - Adjudication of Obscene PublicationsSection 12-27-2. - Contents of petition.

§ 12-27-2. Contents of petition.
The proceedings shall be instituted by filing with the court a petition:
(1)
Directed against the book, print, picture, films, motion picture film, magazine, pamphlet, ballard, printed paper, written material, photograph, figment, or other material;
(2)
Alleging its obscene nature; and
(3)
Listing the names and addresses if known, of the author, publisher, and all other persons interested in its sale, exhibition, or commercial distribution.
History of Section.
P.L. 1963, ch. 68, § 1; P.L. 1966, ch. 257, § 1; G.L. 1956, § 11-31.1-2; P.L. 1981, ch. 300, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-27 - Adjudication of Obscene PublicationsSection 12-27-3. - Court examination — Order of notice.

§ 12-27-3. Court examination — Order of notice.
Upon the filing of a petition pursuant to § 12-27-2, the court shall immediately examine the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material alleged to be obscene. If an examination is not possible, the court may rely upon sworn allegations contained in the petition. If the court finds no probable cause to believe that the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material is obscene, the court shall dismiss the petition. If the court finds that there is reasonable cause to believe that the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material is obscene, the court may issue an order of notice returnable in or within thirty (30) days, directed against the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photographs, figment, or other material by name or suitable identity, and addressed to all persons interested in the publication, sale, distribution, or exhibition of it. The petition shall then come on for a hearing to determine whether or not the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material is obscene. Notice of the order shall be published once a week for two (2) successive weeks in a newspaper of general circulation within the county or city in which the proceeding is filed, and if their names and addresses are known a copy of the order shall be served by registered mail upon the author, publisher, exhibitor, and all other persons interested in the sale or commercial distribution of the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material.
History of Section.
P.L. 1963, ch. 68, § 1; P.L. 1966, ch. 257, § 1; G.L. 1956, § 11-31.1-3; P.L. 1981, ch. 300, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-27 - Adjudication of Obscene PublicationsSection 12-27-4. - Restraining order.

§ 12-27-4. Restraining order.
When an order of notice is issued pursuant to § 12-27-3, the court may issue a temporary restraining order against the sale, exhibition, or commercial distribution of the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material alleged to be obscene; and in that event, the matter shall be heard on the question of whether or not the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written

material, photograph, figment, or other material is obscene one day after the joinder of issue, and the court shall render a decision within forty-eight (48) hours of the conclusion of the hearing. If, in the event that a restraining order is issued, no hearing on the question of obscenity is commenced within one day after the joinder of issue through no fault of the respondent, or within forty-eight (48) hours of the conclusion of the hearing no decision is rendered by the court, the restraining order shall expire and it shall not be renewed. In determining the time periods set forth in this section, Saturdays, Sundays, and court holidays shall not be counted, and the court shall not be required to hear matters on those days.
History of Section.
P.L. 1963, ch. 68, § 1; P.L. 1966, ch. 257, § 1; G.L. 1956, § 11-31.1-4; P.L. 1981, ch. 300, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-27 - Adjudication of Obscene PublicationsSection 12-27-5. - Parties to hearing.

§ 12-27-5. Parties to hearing.
On or before the return date specified in the order of notice issued pursuant to § 12-27-3, the author, publisher, and any person interested in the sale, exhibition, or commercial distribution of the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material may appear and file an answer. The court shall by order permit any other person or persons, not to exceed five (5), to appear and file answers as amicus curiae. In the absence of any other answer having been filed in the court, amicus curiae may participate in hearings thereafter as a party or parties.
History of Section.
P.L. 1963, ch. 68, § 1; P.L. 1966, ch. 257, § 1; G.L. 1956, § 11-31.1-5; P.L. 1981, ch. 300, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-27 - Adjudication of Obscene PublicationsSection 12-27-6. - Unanswered cases.

§ 12-27-6. Unanswered cases.
If no one appears and files an answer on or before the return date specified in the order of notice, the court, upon being satisfied that the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material is obscene, may order the clerk of court to enter a decree or order that the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material is obscene, but the court, in its discretion, may except from its decree a restricted category of persons to whom the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material may be exhibited, sold, or distributed.
History of Section.
P.L. 1963, ch. 68, § 1; P.L. 1966, ch. 257, § 1; G.L. 1956, § 11-31.1-6; P.L. 1981, ch. 300, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-27 - Adjudication of Obscene PublicationsSection 12-27-7. - Hearing in answered case.

§ 12-27-7. Hearing in answered case.
If an appearance is entered and an answer filed, the court shall order the proceedings set on the calendar for a prompt hearing, which in the event a temporary restraining order has been issued, shall occur within the time limit specifically set forth in § 12-27-4. The court shall conduct the hearing in accordance with the rules of civil procedure applicable to the trial of cases by the court without a jury. At the hearing, the court shall receive evidence, pertaining to the obscenity involved, as the term “obscene” is defined in § 11-31-1.
History of Section.
P.L. 1963, ch. 68, § 1; P.L. 1966, ch. 257, § 1; G.L. 1956, § 11-31.1-7; P.L. 1981, ch. 300, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-27 - Adjudication of Obscene PublicationsSection 12-27-8. - Written decision of court.

§ 12-27-8. Written decision of court.
In making a decision on the obscenity of the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material, the court shall consider, among other things, the evidence offered pursuant to § 12-27-7, if any, and shall make a written determination upon every consideration relied upon in the proceeding in its findings of fact and conclusions of law or in a memorandum accompanying them. No book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material shall be found to be obscene unless the court expressly finds it to be obscene beyond a reasonable doubt.
History of Section.
P.L. 1963, ch. 68, § 1; P.L. 1966, ch. 257, § 1; G.L. 1956, § 11-31.1-8; P.L. 1981, ch. 300, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-27 - Adjudication of Obscene PublicationsSection 12-27-9. - Decree in answered case — Automatic vacation of restraining order.

§ 12-27-9. Decree in answered case — Automatic vacation of restraining order.
(a)
If the court finds the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material not obscene, the court shall order the clerk of the court to enter a decree or order accordingly. If it finds the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material obscene, the court shall order the clerk of the court to enter a decree or order to that effect, but the court, in its discretion, may except from its judgment a restricted category of persons to whom the book, print, picture, film, motion picture film, magazine, pamphlet, ballad, printed paper, written material, photograph, figment, or other material may be sold, exhibited, or distributed.
(b)
In the event that a restraining order has been entered pursuant to § 12-27-4, it shall be automatically vacated if no decree or order is entered within three (3) days after the conclusion of the hearing on the merits or if a decree or order that the material is not obscene is entered within that period.
History of Section.
P.L. 1963, ch. 68, § 1; P.L. 1966, ch. 257, § 1; G.L. 1956, § 11-31.1-9; P.L. 1981, ch. 300, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-1. - Short title.

§ 12-28-1. Short title.
This chapter may be cited as the "Victim's Bill of Rights".
History of Section.
P.L. 1983, ch. 265, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-10. - Victims of domestic abuse — Employment discrimination.

§ 12-28-10. Victims of domestic abuse — Employment discrimination.
(a)
No employer, employment agency or licensing agency shall refuse to hire any applicant for employment, or discharge an employee or discriminate against him or her with respect to any matter related to employment, solely by reason of his or her seeking or obtaining a protective order pursuant to chapter 15 of title 15 or chapter 8.1 of title 8 or refusing to seek or obtain a protective order.
(b)
In any civil action alleging a violation of this chapter, the court may:
(1)
Award to a prevailing applicant or employee actual damages, and reasonable attorneys' fees and costs, and, where the challenged conduct is shown to be motivated by malice or ill will, punitive damages; provided, punitive damages shall not be available against the state or its political subdivisions; and
(2)
Afford injunctive relief against any employer, employment agency or licensing agency who commits or proposes to commit a violation of this chapter.
History of Section.
P.L. 1986, ch. 405, § 2; P.L. 1988, ch. 129, art. 25, § 4; P.L. 1988, ch. 444, § 2; 12-28-11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-11. - Notification to immediate family members of homicide victims.

§ 12-28-11. Notification to immediate family members of homicide victims.
(a)
For purposes of this section, "immediate family members" means a spouse and any dependent children of the victim as well as a person who is related to the victim whether by blood, adoption or marriage, as any of the following: father, mother, son, daughter, brother, sister, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, stepgrandmother or stepgrandfather.
(b)
In addition to any other rights given to victims of crimes under this title, the immediate family members of the victim of any homicide shall be afforded reasonable written or oral notification from the office of the attorney general of the pendency of a bail hearing, pretrial, trial or disposition relating to a party accused of the homicide, and that notice shall be provided at least forty-eight (48) hours prior to the hearing, pretrial, trial or disposition. The notification provided by this section shall be required only as to those immediate family members who have filed a request with a court which has asserted jurisdiction over the accused/defendant. The attorney general shall promulgate forms to effect the request.
History of Section.
P.L. 1996, ch. 409, § 1; P.L. 1998, ch. 431, § 1; 12-28-12.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-12. - Severability.

§ 12-28-12. Severability.
If any provision of this chapter or its application to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of the chapter are declared to be severable.
History of Section.
P.L. 1998, ch. 425, § 1; 12-28-8.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-13. - Victim's economic security and safety.

§ 12-28-13. Victim's economic security and safety.
(a)
Every employer in the state, with fifty (50) or more employees, shall allow an employee who is a victim of a crime to leave work to attend court proceedings related to the crime.
(b)
An employer may not dismiss an employee who is a victim of a crime because the employee exercises the right to leave work pursuant to subsection (a) of this section.
(c)
An employer is not required to compensate an employee who is a victim of a crime when the employee leaves work pursuant to subsection (a) of this section.
(d)
If an employee leaves work pursuant to subsection (a) of this section the employee may elect to use or an employer may require the employee to use the employee's accrued paid vacation, personal leave or sick leave.
(e)
An employee who is a victim of a crime shall not lose seniority or precedence while absent from employment pursuant to subsection (a) of this section.
(f)
Before an employee may leave work pursuant to subsection (a) of this section, the employee shall provide the employer with a copy of notification of court proceedings provided pursuant to § 12-28-3.
(g)
An employer may limit the leave provided under this section if the employee's leave creates an undue hardship to the employer's business.
History of Section.
P.L. 2004, ch. 32, § 1; P.L. 2004, ch. 180, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-2. - Legislative purpose.

§ 12-28-2. Legislative purpose.
In recognition of the responsibility of the community to the victims of crime, the general assembly declares its intent to ensure:
(1)
That all crime victims are treated with dignity, respect, and sensitivity at all phases of the criminal justice process;
(2)
That whenever possible they receive financial compensation for their injury or loss from the perpetrator of the crime; and
(3)
That the full impact of the crime upon the victim is brought to the attention of the court.
History of Section.
P.L. 1983, ch. 265, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-3. - General rights.

§ 12-28-3. General rights.
(a)
Each victim of a criminal offense who makes a timely report of the crime and who cooperates with law enforcement authorities in the investigation and prosecution of the offense shall have the following rights:
(1)
To be notified no less frequently than every three (3) months by law enforcement authorities of the status of the investigation, until the time that the alleged perpetrator is apprehended or the investigation closed. In the case of a criminal offense that results in the

victim's death, the law enforcement authorities shall provide notification to a designated family member of the victim;
(2)
To be notified by law enforcement authorities of the arraignment of the alleged perpetrator before a court empowered to set bail; and to be informed of the release of the alleged perpetrator on bail or personal recognizance;
(3)
To receive protection from harm and threats of harm arising out of the victim's cooperation with law enforcement and prosecution efforts, and to be provided with information as to the means of protection available;
(4)
To be notified of all court proceedings at which the victim's presence is required in a reasonable amount of time prior to the proceeding, and to be notified of the cancellation of any scheduled court proceeding in sufficient time to prevent an unnecessary appearance at the courthouse;
(5)
To be provided, whenever feasible, with a secure waiting area during court proceedings that does not require the victim to be in close proximity to the defendant and the family and friends of the defendant;
(6)
To be informed of the procedure to be followed in order to apply for and receive any witness fee to which the victim is entitled;
(7)
To be provided with appropriate employer intercession services to ensure that the employer of the victim will cooperate with the criminal justice process in order to minimize the employee's loss of pay and other benefits resulting from court appearances;
(8)
To have any stolen or other personal property expeditiously returned by law enforcement agencies when no longer needed as evidence;
(9)
To be informed of financial assistance and other social services available to crime victims and the manner of applying for them. All eligible victims shall be informed of the existence of the criminal injuries compensation fund and the manner of applying for it;
(10)
To be consulted by the administrator of probation and parole in the course of his or her preparation of the presentence report on felony cases and to have included in that report a statement regarding the impact which the defendant's criminal conduct has had upon the victim;
(11)
To be afforded the right to address the court prior to sentencing in those cases where the defendant has been adjudicated guilty following a trial;
(12)
To be informed of the disposition of the case against the alleged offender;
(13)
To be notified in felony cases whenever the defendant or perpetrator is released from custody at the adult correctional institutions. When release is ordered prior to final conviction, it shall be the responsibility of the governmental entity having final responsibility for the defendant's supervised custody to give notice to the victim. When release is granted by parole, the notice to the victim shall be given by the parole board. In all other cases when release is granted, the notice to the victim shall be given by the department of corrections. Victims who wish to be notified by the department of corrections shall register their names and the addresses they wish the notices to be sent with the department of corrections. Department of corrections notification shall also include furlough, transfer out of state, escape and death;
(14)
To be afforded the opportunity to make a statement, in writing and signed, regarding the impact which the defendant's criminal conduct had upon the victim. The statement shall be inserted into the case file maintained by the attorney general or prosecutor and shall be presented to the court for its review prior to the acceptance of any plea negotiation. The statement shall be submitted to the parole board for inclusion in its records regarding the defendant's conduct against the victim; and
(15)
To be informed by the prosecuting officer of the right to request that restitution be an element of the final disposition of a case.
(b)
The rights afforded to the victim of a crime by this section shall be afforded as well to the immediate families of homicide victims.
(c)
Unless otherwise specified, in felony cases it shall be the responsibility of the attorney general and the victims' services unit as described in § 12-28-9 to make certain that the victim receives the notification that is required by this section. In misdemeanor cases, it shall be the responsibility of the law enforcement agency making the arrest and of the victims' service unit as described in § 12-28-9 to make certain that the victim receives the notification that is required by this section.
History of Section.
P.L. 1983, ch. 265, § 1; P.L. 1985, ch. 411, § 1; P.L. 1986, ch. 405, § 1; P.L. 1988, ch. 129, art. 25, § 5; P.L. 1988, ch. 444, § 2; P.L. 1991, ch. 302, § 1; P.L. 1994, ch. 187, § 1; P.L. 1999, ch. 345, § 1; P.L. 2000, ch. 75, § 1; P.L. 2006, ch. 214, § 1; P.L. 2006, ch.

381, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-4.1. - Right to address court regarding plea negotiation.

§ 12-28-4.1. Right to address court regarding plea negotiation.
(a)
Prior to acceptance by the court of a plea negotiation and imposition of sentence upon a defendant who has pleaded nolo contendere or guilty to a crime, the victim of the criminal offense shall, upon request, be afforded the opportunity to address the court regarding the impact which the defendant's criminal conduct has had upon the victim. The victim shall be permitted to speak prior to counsel for the state and the defendant making their sentencing recommendations to the court and prior to the defendant's exercise of his or her right to address the court.
(b)
For the purposes of this section, "victim" is one who has sustained personal injury or loss of property directly attributable to the criminal conduct of which the defendant has been charged. In homicide cases, a member of the immediate family of the victim shall be afforded the right created by this section.
History of Section.
P.L. 1985, ch. 387, § 1; P.L. 1986, ch. 405, § 1; P.L. 1988, ch. 444, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-4.2. - Representative of incapacitated victim.

§ 12-28-4.2. Representative of incapacitated victim.
A member of the immediate family of a victim who is under the age of twelve (12) at the time of sentencing, or who is personally unable to exercise the rights established by this chapter due to physical incapacity resulting from the crime, shall, upon request, be afforded the opportunity to exercise those rights on the victim's behalf.
History of Section.
P.L. 1985, ch. 387, § 2; P.L. 1998, ch. 312, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-4.3. - Pretrial conferences — Misdemeanors in district court.

§ 12-28-4.3. Pretrial conferences — Misdemeanors in district court.
(a)
In all misdemeanor cases heard before the district court, the victim of the alleged criminal offense shall be afforded the opportunity to address the court during the pretrial conference, unless the judge determines, based on the facts of the particular case, that the presence of the victim would substantially interfere with the court's ability to administer justice. At the pretrial conference, the victim shall be afforded the opportunity to explain the impact which the defendant's criminal conduct has had upon the victim and to comment on the proposed disposition of the case.
(b)
For the purposes of this section, "victim" is one who has sustained personal injury or loss of property directly attributable to the criminal conduct with which the defendant has been charged.
History of Section.
P.L. 1986, ch. 405, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-4. - Right to address court prior to sentencing.

§ 12-28-4. Right to address court prior to sentencing.
(a)
Prior to the imposition of sentence upon a defendant who has been adjudicated guilty of a crime in a trial, the victim of the criminal offense shall be afforded the opportunity to address the court regarding the impact which the defendant's criminal conduct has had upon the victim. The victim shall be permitted to speak prior to counsel for the state and the defendant making their sentencing recommendations to the court and prior to the defendant's exercise of his or her right to address the court.
(b)
For the purposes of this section, "victim" is one who has sustained personal injury or loss of property directly attributable to the felonious conduct of which the defendant has been convicted. In homicide cases, a member of the immediate family of the victim shall be afforded the right created by this section.
(c)
"Community impact statement" means a written statement providing information about the financial, emotional and physical effects of a crime on a community. "Community" means a society or body of people living in the same place or neighborhood sharing common interests arising from social, business, religious, governmental, scholastic or recreational associations.

(d)
In addition to the right of a victim as identified in subsection (b) of this section, if the crime has an impact on the community where the incident took place, any person, association or other group of persons may file a community impact statement with the court prior to the imposition of sentence on a defendant.
History of Section.
P.L. 1983, ch. 265, § 1; P.L. 1985, ch. 411, § 1; P.L. 1986, ch. 405, § 1; P.L. 1988, ch. 444, § 2; P.L. 2001, ch. 230, § 1; P.L. 2001, ch. 402, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-5.1. - Restitution.

§ 12-28-5.1. Restitution.
When the court orders a defendant to make financial restitution to the victim of a crime of which the defendant has been convicted or to which the defendant has pleaded guilty or nolo contendere, a civil judgment shall automatically be entered by the trial court against the defendant on behalf of the victim for that amount. If payment is not made by the defendant within the period set by the court, the civil judgment for the amount of the restitution ordered, plus interest at the statutory amount from the date of the offense, plus costs of suit, including reasonable attorney's fees, shall be enforceable by any and all means presently available in law for the collection of delinquent judgments in civil cases generally. Any initial filing fees and service of process costs associated with enforcing a civil judgement pursuant to this section shall be waived. Subsequent filing fees and service of process costs may be waived at the discretion of the court.
History of Section.
P.L. 1986, ch. 405, § 2; P.L. 2024, ch. 207, § 1, effective June 17, 2024; P.L. 2024, ch. 208, § 1, effective June 17, 2024.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-5. - Civil judgment against defendant.

§ 12-28-5. Civil judgment against defendant.
(a)
Upon his or her final conviction of a felony after a trial by jury, a civil judgment shall automatically be entered by the trial court against the defendant conclusively establishing his or her liability to the victim for any personal injury and/or loss of property that was sustained by the victim as a direct and proximate cause of the felonious conduct of which the defendant has been convicted. The court shall notify the victim at his or her last known address of the entry of the civil judgment in his or her favor and inform him or her that he or she must establish proof of damages in an appropriate judicial proceeding in order to recover for his or her injury or loss. This section shall not apply to crimes set forth in title 31 arising from the operation of a motor vehicle.
(b)
For the purposes of this section, "victim" is one who has sustained personal injury or loss of property directly attributable to the felonious conduct of which the defendant has been convicted. In homicide cases, judgment shall enter for the benefit of those parties eligible to commence a wrongful death action pursuant to chapter 7 of title 10.
History of Section.
P.L. 1983, ch. 265, § 1; P.L. 1988, ch. 444, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-6. - Right to address parole board.

§ 12-28-6. Right to address parole board.
(a)
Prior to acting upon the petition or any continuance of the petition of an inmate at the adult correctional institutions or the women's reformatory, the parole board shall notify the victim, if he or she is identified and his or her residence is known, of the criminal conduct for which the inmate has been incarcerated and of the pendency of the proceedings before the board. The victim shall upon request be afforded the opportunity to address the board regarding the impact of the crime upon the victim; provided, that the board may, in its discretion, permit the parent and/or legal guardian of a victim who is a minor at the time of the hearing to address the board on behalf of the minor.
(b)
Should the parole board be unable to locate the victim, the board shall seek the assistance of the local police department of the city or town where the victim was last known to have resided. The police department shall make every effort to locate the victim and shall, no later than thirty (30) days from the date its assistance was sought, send a written report to the parole board detailing its efforts to locate the victim.
(c)
Whenever the parole board shall seek the assistance of any police department in locating a victim, the board shall not act upon the inmate's petition until it has reviewed the written report from the assisting police department.
(d)
For the purposes of this section, "victim" is one who has sustained personal injury or loss of property directly attributable to the

criminal conduct for which the inmate has been incarcerated. In homicide cases, a member of the immediate family of the victim shall be afforded the right created by this section.
(e)
The board shall also make a reasonable effort to notify the victim of the crime committed by the prisoner, or, in homicide cases, the victim's next of kin, and/or, in cases where the victim is a minor, the victim's parent and/or legal guardian, not less than thirty (30) days prior to the meeting, of his or her right to provide a victim impact statement to the board.
As used in this chapter, "victim impact statement" means a statement providing information about the financial, emotional, and physical effects of a crime on the victim and the victim's family, and specific information about the victim, the circumstances surrounding the crime, and the manner in which it was perpetrated.
History of Section.
P.L. 1983, ch. 265, § 1; P.L. 1985, ch. 411, § 1; P.L. 1989, ch. 419, § 2; P.L. 1999, ch. 472, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-7. - Noncompliance not affecting validity of conviction, sentence, or parole.

§ 12-28-7. Noncompliance not affecting validity of conviction, sentence, or parole.
Failure to afford the victim of a felony offense any of the rights established by this chapter shall not constitute grounds for vacating an otherwise lawful conviction, or for voiding an otherwise lawful sentence or parole determination.
History of Section.
P.L. 1983, ch. 265, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-8. - Child victims.

§ 12-28-8. Child victims.
(a)
The general assembly finds that it is necessary to provide child victims and witnesses in family, district or superior court with special consideration and treatment beyond that usually afforded to adults. It is the intent of this section to provide these children with additional rights and protection during their involvement with the criminal justice system.
(b)
As used in this section, "child" is anyone who is less than fifteen (15) years of age.
(c)
Child victims of felony offenses, or offenses which would be considered felony offenses if committed by adults, shall have the following rights in addition to those set forth elsewhere in this chapter:
(1)
To have explanations, in language understandable to a child of the victim's age, of all investigative and judicial proceedings in which the child will be involved;
(2)
To be accompanied at all investigative and judicial proceedings by a relative, guardian, or other person who will contribute to the child's sense of well being, unless it is determined by the party conducting the proceeding that the presence of the particular person would substantially impede the investigation or prosecution of the case;
(3)
To have all investigative and judicial proceedings in which the child's participation is required arranged so as to minimize the time when the child must be present;
(4)
To be permitted to testify at all judicial proceedings in the manner which will be least traumatic to the child, consistent with the rights of the defendant;
(5)
To be provided information about and referrals to appropriate social service programs to assist the child and the child's family in coping with the emotional impact of the crime and the subsequent proceedings in which the child is involved.
History of Section.
P.L. 1983, ch. 265, § 1; 12-28-9.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-28 - Victim's RightsSection 12-28-9. - Victims' services unit.

§ 12-28-9. Victims' services unit.
(a)
There is created within the state court system a victims' services unit which shall be responsible for assisting victims of crimes adjudicated in the superior, family, and district courts in the exercise of their rights as set forth in this chapter, and it shall be administered by the state court administrator through the administrative office of the state courts. The state court administrator may in his or her discretion contract for any services to be provided to victims of crimes pursuant to this chapter or pursuant to §

12-25-29. Services provided to victims of crimes shall include, but not be limited to, the following:
(1)
Identification of and outreach to victims to inform them of their rights and of the services available to them;
(2)
Counseling and support, including referral to specialized counseling resources;
(3)
Assistance in seeking return of property, restitution, and in filing claims for compensation under the violent crimes indemnity fund or under the criminal royalties fund;
(4)
Assistance in preparing for and making court appearances and in making victim impact statements;
(5)
Notification about the status of their cases in coordination with representatives of the attorney general or the relevant law enforcement agency; and
(6)
Any other assistance that may further the rights of victims.
(b)
In determining the allocation of resources available to implement this section, victims who have suffered personal injury and the immediate families of homicide victims shall be given priority over victims who have suffered only loss of property.
(c)
The state court administrator shall report annually on the services provided through this unit.
History of Section.
P.L. 1985, ch. 411, § 2; P.L. 1993, ch. 413, § 1; 12-28-10; P.L. 2001, ch. 86, § 25.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29.1 - Elderly Violence Prevention ActSection 12-29.1-1. - Short title.

§ 12-29.1-1. Short title.
This chapter shall be known and may be cited as the “Elderly Violence Prevention Act.”
History of Section.
P.L. 1998, ch. 416, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29.1 - Elderly Violence Prevention ActSection 12-29.1-2. - Legislative purpose.

§ 12-29.1-2. Legislative purpose.
(a)
The purpose of this chapter is to recognize the importance of violence against the elderly as a serious crime against society and to assure elderly victims of violence the maximum protection from violence which the law and those who enforce the law can provide.
(b)
It is the intent of the legislature that the official response to cases of crimes of violence against the elderly shall stress the enforcement of the laws to protect the victim and shall communicate the attitude that violent behavior is not excused or tolerated.
History of Section.
P.L. 1998, ch. 416, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29.1 - Elderly Violence Prevention ActSection 12-29.1-3. - Definitions.

§ 12-29.1-3. Definitions.
The following words as used in this chapter have the following meanings:
(1)
“Elderly person” means any person over the age of sixty (60) years.
(2)
“Victim” means any elderly person who has been subjected to a crime of violence.
(3)
“Violent crimes” includes, but is not limited to, any of the following crimes:
(i)
Breaking and entering (§ 11-8-2.3);
(ii)
Felony assaults (§§ 11-5-1, 11-5-2, 11-5-4, 11-5-10, 11-5-10.1, 11-5-10.4);
(iii)
Simple Assaults (§ 11-5-3);
(iv)

Kidnapping (§ 11-26-1);
(v)
Sexual Assault (§§ 11-37-2, 11-37-4); and
(vi)
Homicide (§§ 11-23-1, 11-23-3).
History of Section.
P.L. 1998, ch. 416, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29.1 - Elderly Violence Prevention ActSection 12-29.1-4. - Law enforcement officers — Duties and immunity.

§ 12-29.1-4. Law enforcement officers — Duties and immunity.
(a)
The primary duty of law enforcement officers when responding to a violent crime against the elderly situation is to enforce the laws allegedly violated and to protect the victim.
(b)(1)
When a law enforcement officer responds to a violent crime against an elderly person and has probable cause to believe that a crime of violence has been committed, the officer shall exercise arrest powers pursuant to §§ 12-7-3 and 12-7-4; provided, that the officer may arrest and take into custody the alleged perpetrator of the crime when the officer has probable cause to believe that the person being arrested has committed any of the following acts:
(i)
A felonious assault;
(ii)
An assault which has resulted in bodily injury to the victim, whether or not the injury is observable by the responding officer;
(iii)
Physical action which was intended to cause another person reasonably to fear imminent serious bodily injury or death. “Bodily injury” means physical pain, illness, or an impairment of physical condition;
(iv)
Violation of a protective order and the violator has previous knowledge of the order and the terms of the order; or
(v)
Violation of a no-contact order issued pursuant to § 12-29.1-5.
(2)
The decision to arrest and charge a person under the provisions of this chapter shall not:
(i)
Be dependent on the specific consent of the victim;
(ii)
Consider the relationship of the parties; or
(iii)
Be based solely on a request by the victim.
(3)
An arrest without warrant made under this section shall be made within twenty-four (24) hours of the alleged crime.
(4)
If an arrest without warrant cannot be made pursuant to this section, the officer shall advise the victim of the right to file a criminal complaint and shall seek a warrant for arrest if there is probable cause to do so.
(c)
A law enforcement officer shall not be held liable for false arrest in any civil action for an arrest based on probable cause or for enforcement in good faith of a court order issued pursuant to this chapter.
(d)
It shall be the responsibility of the law enforcement officer at the scene of a violent crime against the elderly to provide immediate assistance to the victim. This assistance shall include, but not be limited to, assisting the victim to obtain medical treatment if treatment is required, including transportation to an emergency medical treatment facility.
History of Section.
P.L. 1998, ch. 416, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29.1 - Elderly Violence Prevention ActSection 12-29.1-5. - Restrictions upon and duties of court.

§ 12-29.1-5. Restrictions upon and duties of court.
(a)(1)
Because of the likelihood of repeated violence directed at those who have been victims in the past, when a person is charged with or arrested for a crime of violence against an elderly person that person may not be released from custody on bail or personal

recognizance before arraignment without first appearing before the court or bail commissioner. The court or bail commissioner authorizing release shall issue a no-contact order prohibiting the person charged or arrested from having contact with the victim.
(2)
At the time of arraignment or bail hearing the court or bail commissioner shall determine whether a no-contact order shall be issued or extended.
(3)
Willful violation of a court order issued under subdivision (2) of this subsection is a misdemeanor. The written order releasing the person charged or the written order issued at the time of disposition shall contain the court's directive and shall bear the legend: "Violation of this order is a criminal offense under this section and will subject a violator to arrest". A copy of the order shall be provided to the victim.
(4)
Whenever an order prohibiting contact is issued, modified, or terminated under subdivision (1), (2) or (3) of this subsection, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order.
History of Section.
P.L. 1998, ch. 416, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29.1 - Elderly Violence Prevention ActSection 12-29.1-6. - Speedy trial.

§ 12-29.1-6. Speedy trial.
In any action involving a victim sixty-five (65) years of age or older, the court shall take appropriate action to ensure a speedy trial to minimize the length of time the victim must endure the stress of involvement in the proceeding. In ruling on any motion or request for a delay or continuance of proceedings, the court shall consider any adverse impact the delay or continuance may have on the well-being of the victim or witness. This provision establishes a right to speedy trial to the victim and shall not be construed as creating any additional rights in the defendant.
History of Section.
P.L. 2008, ch. 161, § 1; P.L. 2008, ch. 204, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-1.1. - Full faith and credit.

§ 12-29-1.1. Full faith and credit.
(a)
Any protective order issued by another jurisdiction, as defined in § 12-29-2, shall be given full faith and credit throughout the state and enforced as if it were issued in the state for as long as the order is in effect in the issuing jurisdiction.
(b)
A person entitled to protection under a protective order issued by another jurisdiction may file the order in the superior court, family court, or district court by filing with the court a certified copy of the order which shall be entered into the restraining order, no contact order system (R.O.N.C.O.). The person shall swear under oath in an affidavit, to the best of the person's knowledge, that the order is presently in effect as written. A law enforcement officer shall presume the validity of the order and enforce the order issued by another jurisdiction which has been provided to the law enforcement officer; provided, that the officer is also provided with a statement by the person protected by the order that the order remains in effect. Law enforcement officers shall rely on the statement by the person protected by the order.
History of Section.
P.L. 1999, ch. 195, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-1.2. - Issuance of protective orders.

§ 12-29-1.2. Issuance of protective orders.
Every order of this court made pursuant to chapter 8.1 of title 8, chapter 15 of title 15, and this chapter, after proper notice and hearing, shall contain the following language:
"THIS COURT HAD JURISDICTION OVER THE PARTIES AND THE SUBJECT MATTER WHEN IT ISSUED THIS PROTECTIVE ORDER. RESPONDENT WAS AFFORDED BOTH NOTICE AND OPPORTUNITY TO BE HEARD IN THE HEARING THAT GAVE RISE TO THIS ORDER. PURSUANT TO THE VIOLENCE AGAINST WOMEN ACT OF 1994, 18 USC 2265, THIS ORDER IS VALID AND ENFORCEABLE IN ALL FIFTY STATES, ANY TERRITORY OR POSSESSION OF THE UNITED STATES, THE DISTRICT OF COLUMBIA, THE COMMONWEALTH OF PUERTO RICO AND TRIBAL LANDS."
History of Section.
P.L. 1999, ch. 195, § 1; P.L. 2000, ch. 109, § 20.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-1. - Legislative purpose.

§ 12-29-1. Legislative purpose.

(a)

The purpose of this chapter is to recognize the importance of domestic violence as a serious crime against society and to assure victims of domestic violence the maximum protection from abuse which the law and those who enforce the law can provide.

(b)

While the legislature finds that the existing criminal statutes are adequate to provide protection for victims of domestic violence, previous societal attitudes have been reflected in policies and practices of law enforcement agencies, prosecutors, and courts which have resulted in differing treatment of crimes occurring between family or household members and of the same crimes occurring between strangers. Only recently has public perception of the serious consequences of domestic violence to society and to the victims led to the recognition of the necessity for early intervention by law enforcement agencies.

(c)

It is the intent of the legislature that the official response to cases of domestic violence shall stress the enforcement of the laws to protect the victim and shall communicate the attitude that violent behavior is not excused or tolerated. Furthermore, it is the intent of the legislature that criminal laws be enforced without regard to whether the persons involved are or were married, cohabitating, or involved in a relationship.

History of Section.

P.L. 1988, ch. 539, § 6.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-10. - Severability.

§ 12-29-10. Severability.

If any provision of this chapter or its application to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

History of Section.

P.L. 1988, ch. 539, § 6.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-12. - Deborah DeBare domestic violence prevention fund — Policy.

§ 12-29-12. Deborah DeBare domestic violence prevention fund — Policy.

(a)

The general assembly finds and declares that domestic violence is a serious public health concern in the state of Rhode Island, and that evidence-based domestic violence prevention programs are important tools in decreasing the continuing toll that domestic violence takes on Rhode Island communities, cities, and towns. It is therefore in the best interest of the state to establish a fund to promote effective programs working toward the primary prevention of domestic violence in Rhode Island.

(b)

Deborah DeBare domestic violence prevention fund:

(1)

There is created the Deborah DeBare domestic violence prevention fund program, to be administered by the Rhode Island Coalition Against Domestic Violence.

(2)

The Deborah DeBare domestic violence prevention fund program monies shall be used to fund evidence-based programs with the purpose of primary prevention of domestic violence and dating violence in the state of Rhode Island.

(3)

The Rhode Island Coalition Against Domestic Violence shall convene a statewide prevention fund advisory committee comprised of those with knowledge, experience, training, and/or expertise in the field of prevention of domestic violence and dating violence. The committee members shall include, but are not limited to, the executive director of the Rhode Island Coalition Against Domestic Violence, or his or her designee; the director of the department of health, or his or her designee; the director of the department of human services, or his or her designee; the attorney general, or his or her designee; and representative organizations providing domestic violence and dating violence primary prevention services in Rhode Island.

(c)

The committee shall be responsible for implementation of programs to prevent domestic and dating abuse and shall:

(1)

Develop a plan and budget for distribution of funds;

(2)

Develop criteria for awarding and distributing funds received to develop plans and programs for the prevention of domestic and

dating violence;
(3)
Issue requests for proposals to providers, organizations, firms, or entities that will provide services to the committee;
(4)
Review proposals for the funds and present recommendations to the board of directors of the Rhode Island Coalition Against Domestic Violence;
(5)
Monitor and account for the expenditure of funds and produce an annual report on the activities of the Deborah DeBare domestic violence prevention fund. Annual reports shall be submitted to the senate and house finance committees of the general assembly for review on or before February 28 of each year; and
(6)
Promote the general development of domestic violence primary prevention programs and activities.
(d)
Organizations submitting proposals for funds shall not participate in the review of proposals or expenditure of funds. The Rhode Island Coalition Against Domestic Violence shall not be eligible to submit proposals for the committee's programs nor shall it be eligible to receive any funds from the committee except as hereinafter provided.
(e)
The Rhode Island Coalition Against Domestic Violence may utilize up to ten percent (10%) of the sums collected for the Deborah DeBare domestic violence prevention fund for the purpose of administering the program and it shall also be required to submit an annual report detailing the expenditure of funds to the senate and house finance committees on or before February 28 of each year.
History of Section.
P.L. 2016, ch. 131, § 1; P.L. 2016, ch. 135, § 1; P.L. 2018, ch. 233, § 1; P.L. 2018, ch. 280, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-2. - Definitions.

§ 12-29-2. Definitions.
(a)
"Domestic violence" includes, but is not limited to, any of the following crimes when committed by one family or household member against another:
(1)
Simple assault (§ 11-5-3);
(2)
Felony assaults (chapter 5 of title 11);
(3)
Vandalism (§ 11-44-1);
(4)
Disorderly conduct (§ 11-45-1);
(5)
Trespass (§ 11-44-26);
(6)
Kidnapping (§ 11-26-1);
(7)
Child-snatching (§ 11-26-1.1);
(8)
Sexual assault (§§ 11-37-2, 11-37-4);
(9)
Homicide (§§ 11-23-1 and 11-23-3);
(10)
Violation of the provisions of a protective order entered pursuant to § 15-5-19, chapter 15 of title 15, or chapter 8.1 of title 8 where the respondent has knowledge of the order and the penalty for its violation, or a violation of a no contact order issued pursuant to § 12-29-4;
(11)
Stalking (chapter 59 of title 11);
(12)
Refusal to relinquish or to damage or to obstruct a telephone (§ 11-35-14);
(13)
Burglary and Unlawful Entry (chapter 8 of title 11);
(14)
Arson (chapter 4 of title 11);

(15)
Cyberstalking and cyberharassment (§ 11-52-4.2);
(16)
Domestic assault by strangulation § 11-5-2.3; and
(17)
Electronic tracking of motor vehicles (§ 11-69-1).
(b)
“Family or household member” means spouses, former spouses, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past three (3) years, and persons who have a child in common regardless of whether they have been married or have lived together, or persons who are, or have been, in a substantive dating or engagement relationship within the past one year which shall be determined by the court’s consideration of the following factors:
(1)
The length of time of the relationship;
(2)
The type of the relationship;
(3)
The frequency of the interaction between the parties.
(c)
“Protective order” means an order issued pursuant to § 15-5-19, chapter 15 of title 15, or chapter 8.1 of title 8.
(d)
“Victim” means a family or household member who has been subjected to domestic violence.
History of Section.
P.L. 1988, ch. 539, § 6; P.L. 1990, ch. 390, § 2; P.L. 1994, ch. 314, § 1; P.L. 1995, ch. 144, § 1; P.L. 2001, ch. 259, § 1; P.L. 2007, ch. 300, § 1; P.L. 2007, ch. 475, § 1; P.L. 2011, ch. 73, § 1; P.L. 2011, ch. 97, § 1; P.L. 2012, ch. 278, § 2; P.L. 2012, ch. 284, § 2; P.L. 2016, ch. 39, § 2; P.L. 2016, ch. 41, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-3. - Law enforcement officers — Duties and immunity.

§ 12-29-3. Law enforcement officers — Duties and immunity.
(a)
The primary duty of law enforcement officers when responding to a domestic violence situation is to enforce the laws allegedly violated and to protect the victim.
(b)(1)
When a law enforcement officer responds to a domestic violence situation and has probable cause to believe that a crime has been committed, the officer shall exercise arrest powers pursuant to §§ 12-7-3 and 12-7-4; provided, that the officer shall arrest and take into custody the alleged perpetrator of the crime when the officer has probable cause to believe that any of the following acts has occurred:
(i)
A felonious assault;
(ii)
An assault that has resulted in bodily injury to the victim, whether or not the injury is observable by the responding officer;
(iii)
Physical action that was intended to cause another person reasonably to fear imminent serious bodily injury or death. “Bodily injury” means physical pain, illness, or an impairment of physical condition; or
(iv)
Violation of a protective order and the violator has previous knowledge of the order and the terms of it;
(v)
Violation of a no-contact order issued pursuant to § 12-29-4.
(2)
The decision to arrest and charge shall not:
(i)
Be dependent on the specific consent of the victim;
(ii)
Consider the relationship of the parties; or
(iii)
Be based solely on a request by the victim.
(3)
An arrest without warrant made under this section shall be made within twenty-four (24) hours of the alleged crime.
(4)

If an arrest without warrant cannot be made pursuant to this section, the officer shall advise the victim of the right to file a criminal complaint and shall seek a warrant for arrest if there is probable cause to do so.
(c)(1)
When more than one family or household member involved in a domestic violence incident states a complaint, the officer shall investigate each complaint to determine whether there is probable cause to believe a crime has been committed. The officer shall not dismiss the incident by presuming two-party (2) guilt.
(2)
When the officer has probable cause to believe that family or household members have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor.
(d)
A law enforcement officer shall not be held liable for false arrest in any civil action for an arrest based on probable cause or for enforcement in good faith of a court order issued pursuant to this chapter or pursuant to § 15-5-19, chapter 15 of title 15, or chapter 8.1 of title 8.
(e)
It shall be the responsibility of the law enforcement officer at the scene of a domestic violence incident to provide immediate assistance to the victim. This assistance shall include, but not be limited to:
(1)
Assisting the victim to obtain medical treatment if treatment is required, including transportation to an emergency medical treatment facility;
(2)
Giving the victim notice of her or his right to obtain a protective order in family court pursuant to chapter 15 of title 15 or district court pursuant to chapter 8.1 of title 8 as appropriate according to the relationship of the parties. This notice shall be provided by handing the victim a copy of the following statement written in English, Portuguese, Spanish, Cambodian, Hmong, Laotian, Vietnamese, and French and by reading the notice to that person when possible:
"If you are in need of medical treatment, you have the right to have the officer present drive you to the nearest hospital or otherwise assist you.
"If you believe that police protection is needed for your physical safety, you have the right to have the officer present remain at the scene until you and your children can leave or until your safety is otherwise obtained.
"You have the right to file a criminal complaint with the responding officer or your local police department if the officer has not arrested the perpetrator.
"Married/blood relatives/children in common. If your attacker is your spouse, former spouse, person to whom you are related by blood or marriage, or if you are not married to your attacker, but have a child in common, you have the right to go to family court and ask the court to issue:
(i)
An order restraining your attacker from abusing you or your minor child;
(ii)
An order awarding you exclusive use of your domicile; and
(iii)
An order awarding you custody of your minor child(ren).
"Unmarried. If you are not married or related to your attacker, but have resided with him or her within the past three (3) years, or you or your attacker are in, or have been in, a substantive dating or engagement relationship within the past one year, you have the right to go to district court and request:
(i)
An order restraining your attacker from abusing you; and
(ii)
An order directing your attacker to leave your household, unless he or she has the sole legal interest in the household";
(3)
Informing the victim of available services; and
(4)
In cases where the officer has determined that no cause exists for an arrest, assistance shall also include:
(i)
Remaining at the scene as long as there is danger to the safety of the person or until the person is able to leave the dwelling. The officer shall transport the person if no reasonable transportation is available; and
(ii)
Informing the person that she or he has the right to file a criminal complaint with the responding officer or the local police department.
(f)
An officer responding to a domestic violence call shall complete a domestic violence report pursuant to § 12-29-8.
(g)(1)

It shall be the responsibility of the attorney general to develop a model Uniform Policy for Police Response to Domestic Violence which is consistent with the provisions of this section. This written policy shall be developed after conferring with the staff of the department of human services' domestic violence unit and with the council on domestic violence and shall be made available to any law enforcement agency.
(2)
Each law enforcement agency shall develop a Policy for Police Response to Domestic Violence which is consistent with the Uniform Policy for Police Response to Domestic Violence developed by the attorney general and shall file a copy of the policy with the attorney general within sixty (60) days of receiving the model policy.
History of Section.
P.L. 1988, ch. 539, § 6; P.L. 1993, ch. 404, § 1; P.L. 1994, ch. 314, § 1; P.L. 2000, ch. 109, § 20; P.L. 2014, ch. 83, § 1; P.L. 2014, ch. 86, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-4.1. - Speedy trial.

§ 12-29-4.1. Speedy trial.
In any action under this chapter, the court and the attorney general's office shall take appropriate action to ensure a speedy trial to minimize the length of time the victim must endure the stress of involvement in the proceeding. In ruling on any motion or request for a delay or continuance of proceedings, the court shall consider any adverse impact the delay or continuance may have on the well-being of the victim. This provision establishes a right to a speedy trial to the victim and shall not be construed as creating any additional rights for, or diminishing any rights of the defendant.
History of Section.
P.L. 2005, ch. 92, § 1; P.L. 2005, ch. 105, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-4. - Restrictions upon and duties of court.

§ 12-29-4. Restrictions upon and duties of court.
(a)(1)
Because of the likelihood of repeated violence directed at those who have been victims of domestic violence in the past, when a person is charged with or arrested for a crime involving domestic violence, that person may not be released from custody on bail or personal recognizance before arraignment without first appearing before the court or bail commissioner. The court or bail commissioner authorizing release shall issue a no-contact order prohibiting the person charged or arrested from having contact with the victim.
(2)
At the time of arraignment or bail hearing the court or bail commissioner shall determine whether a no-contact order shall be issued or extended.
(3)
Willful violation of a court order issued under subdivision (1), (2), or as part of disposition of this subdivision of this subsection is a misdemeanor. Beginning July 1, 2025, said violation shall be prosecuted by an attorney appointed by the prosecuting authority who shall self-certify that they have successfully completed a specialized domestic violence prosecution training course and updated training every four (4) years thereafter, aligned with national best practices and eligible for continuing legal education credit(s) as approved by the Rhode Island Bar Association. The written order releasing the person charged or the written order issued at the time of disposition shall contain the court's directive and shall bear the legend: "Violation of this order is a criminal offense under this section and will subject a violator to arrest". A copy of the order shall be provided to the victim.
(4)
Whenever an order prohibiting contact is issued, modified, or terminated under subdivision (1), (2) or (3) of this subsection, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order.
(b)
Because of the serious nature of domestic violence, the court in domestic violence actions:
(1)
Shall not dismiss any charge or delay disposition because of concurrent dissolution of marriage or other civil proceedings;
(2)
Shall not require proof that either party is seeking a dissolution of marriage prior to instigation of criminal proceedings;
(3)
Shall identify by reasonable means on docket sheets those criminal actions arising from acts of domestic violence; and
(4)
Shall make clear to the defendant and victim that the prosecution of the domestic violence action is determined by the prosecutor and not the victim.
(c)

To facilitate compliance with the provisions of this section, the district court shall assure that the misdemeanor and felony complaint forms indicate whether the crime charged involves domestic violence and, if so, the relationship of the victim and defendant.
(d)
Notwithstanding the provisions of § 12-10-12, the filing of any complaint for a crime involving domestic violence shall be conditioned upon the defendant keeping the peace and being of good behavior for a period of three (3) years. In the event a particular case involving domestic violence is filed on a plea of not guilty, guilty or nolo contendere pursuant to § 12-10-12, the court having jurisdiction shall retain the records of the case for a period of three (3) years from the date of the filing. These records shall not be expunged, sealed, or otherwise destroyed for a period of three (3) years from the date of filing. Furthermore, the destruction or sealing of records in the possession of the department of attorney general bureau of criminal identification, the superintendent of the state police, or the police departments of any city or town after a filing related to a crime involving domestic violence shall be governed by § 12-1-12.
History of Section.
P.L. 1988, ch. 539, § 6; P.L. 1990, ch. 369, § 1; P.L. 1997, ch. 134, § 1; P.L. 1998, ch. 76, § 1; P.L. 1998, ch. 421, § 1; P.L. 2000, ch. 191, § 1; P.L. 2000, ch. 426, § 1; P.L. 2001, ch. 303, § 1; P.L. 2024, ch. 282, § 2, effective June 25, 2024; P.L. 2024, ch. 283, § 2, effective June 25, 2024.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-5.1. - Oversight committee created — Composition.

§ 12-29-5.1. Oversight committee created — Composition.
(a)
There is created a batterers intervention standards oversight committee, referred to in this chapter as the committee pursuant to the provisions of § 12-29-5.
(b)
The committee shall meet no fewer than four (4) times per year at the call of the chairperson or upon petition of a majority of committee members.
(c)
The committee shall consist of thirteen (13) members to be appointed as follows: The director of the department of corrections or his or her designee who shall serve as chairperson of the committee; the director of the Rhode Island justice commission or his or her designee; the executive director of the Rhode Island Coalition Against Domestic Violence or his or her designee; a representative from the law enforcement community appointed by the chairperson of the Rhode Island Police Chiefs Association; the attorney general or his or her designee; the director of Justice Assistance or his or her designee; a qualified elector of this state appointed by the governor; the director of the domestic violence training and monitoring unit or his or her designee; the chief justice of the supreme court or his or her designee; the director of the department of health or his or her designee; a representative of a batterers intervention program appointed by the director of the Rhode Island Coalition Against Domestic Violence; the chief judge of the district court or his or her designee; and the director of the Urban League of Rhode Island or his or her designee.
(d)
Each member of the committee may appoint a permanent designee to attend committee meetings in his or her absence. A quorum of the committee shall consist of a majority of its members.
History of Section.
P.L. 1997, ch. 165, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-5.2. - Duties and responsibilities of committee.

§ 12-29-5.2. Duties and responsibilities of committee.
(a)
The committee shall have the duties and responsibilities to:
(1)
Establish and promulgate minimum standards for batterers intervention programs serving persons mandated pursuant to § 12-29-5; revise the standards as is deemed necessary; ensure the standards comport with evidence-informed practices designed to reduce risk; and make the standards available to the public, provided that the standards shall include, but not be limited to, the following:
(i)
Batterers intervention programs shall be conducted using evidence-informed programming and dosage levels designed to reduce the risk of future violent behavior;
(ii)
The duration of batterers intervention programs shall be a minimum of forty (40) contact hours over the course of twenty (20) weeks;
(iii)
Batterers intervention programs shall require that all mandated batterers pay fees for the programs in accordance with the provisions of § 12-29-5; provided, that programs shall accommodate varying levels of ability to pay by means of sliding-fee scales and may

elect to offer alternatives to payment in the form of community restitution and/or deferred payment for a portion of the fees; and
(iv)
Provisions shall be established defining the circumstances under which defendants who have attended a batterers program while incarcerated, and/or a batterers program in another jurisdiction that is certified under that jurisdiction's standards or not subject to standards in that jurisdiction, may request that their documented participation in such program be accepted in satisfaction of some portion of their obligation to attend forty (40) hours of a certified batterers intervention program as described in subsection (a)(1)(ii).
(2)
Monitor and review batterers intervention programs seeking certification with respect to compliance with the standards, including periodic, on-site review;
(3)
Certify those batterers intervention programs that are in compliance with the standards established pursuant to subsection (a)(1); and
(4)
Investigate and decide appeals, complaints, requests for variances, and post-enrollment certification applications.
(b)
For purposes of this chapter, "post-enrollment certification applications" means those applications made to the committee by a batterer mandated to attend a certified batterers intervention program in accordance with § 12-29-5 who has, prior to adjudication, enrolled in a program not certified by the committee. The application shall include supporting documentation from the batterers intervention program and a request that participation in the batterers intervention program be accepted in lieu of the equivalent number of hours of a certified batterers intervention program. The committee shall act upon a post-enrollment certification application within thirty (30) days of receipt of the application.
(c)
The state public safety grant administration office may provide grants to provide for the access to, and expansion and improvement of, community-based batterers intervention programs. The batterers intervention standards oversight committee shall make recommendations to the public safety grant administration policy board regarding the distribution of funds in the form of grants to programs to cover the costs of delivering quality services to indigent offenders, and to assist community providers and their staffs to utilize outcome-based best practices and effective programming methods.
History of Section.
P.L. 1997, ch. 165, § 1; P.L. 2007, ch. 477, § 1; P.L. 2017, ch. 343, § 1; P.L. 2017, ch. 349, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-5.3. - Subcommittees, task forces, focus groups and advisory committees.

§ 12-29-5.3. Subcommittees, task forces, focus groups and advisory committees.
(a)
The committee may establish and appoint any subcommittees, task forces, focus groups and advisory committees that it deems necessary from time to time to carry out the provisions of this chapter.
(b)
The committee shall promulgate its rules of procedure governing its operations in accordance with the Administrative Procedures Act, chapter 35 of title 42.
History of Section.
P.L. 1997, ch. 165, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-5. - Disposition of domestic violence cases.

§ 12-29-5. Disposition of domestic violence cases.
(a)
Every person convicted of, or placed on probation for, a crime involving domestic violence or whose case is filed pursuant to § 12-10-12 where the defendant pleads nolo contendere, in addition to any other sentence imposed or counseling ordered, shall be ordered by the judge to attend, at his or her own expense, a batterer's intervention program appropriate to address his or her violent behavior; provided, however, that the court may permit a servicemember or veteran to complete any court-approved counseling program administered or approved by the Veterans' Administration. This order shall be included in the conditions of probation. Failure of the defendant to comply with the order shall be a basis for violating probation and/or the provisions of § 12-10-12. This provision shall not be suspended or waived by the court.
(b)
Every person convicted of, or placed on probation for, a crime involving domestic violence as enumerated in § 12-29-2, or whose case is filed pursuant to § 12-10-12 where the defendant pleads guilty or nolo contendere, in addition to other court costs or assessments imposed, shall be ordered to pay a one hundred twenty-five dollar ($125) assessment. Eighty percent (80%) of the assessment collected pursuant to this section shall be provided to the Rhode Island Coalition Against Domestic Violence for programs to assist victims of domestic violence and twenty percent (20%) of the assessment shall be deposited as general revenue.
(c)(1)

Every person convicted of an offense punishable as a misdemeanor involving domestic violence as defined in § 12-29-2 shall:
(i)
For a second violation, be imprisoned for a term of not less than ten (10) days and not more than one year.
(ii)
For a third and subsequent violation, be deemed guilty of a felony and be imprisoned for a term of not less than one year and not more than ten (10) years.
(2)
No jail sentence provided for under this section can be suspended.
(3)
Nothing in this subsection shall be construed as limiting the discretion of the judges to impose additional sanctions authorized in sentencing.
(d)
The court shall determine, for every person who pleads nolo contendere to, or is convicted of, an offense involving domestic violence as enumerated in § 12-29-2, whether, as a result of the plea or conviction, the defendant is prohibited under § 11-47-5(a)(3) or § 11-47-5(a)(4) from purchasing, owning, carrying, transporting, or having in his or her possession any firearm.
(1)
Prior to the entry of a plea of nolo contendere to an offense involving domestic violence as enumerated in § 12-29-2, the court shall advise the defendant that a plea of nolo contendere has the same legal effect and collateral consequences as a plea of guilty.
(2)
Prior to the entry of a plea of nolo contendere to an offense punishable as a felony involving domestic violence as enumerated in § 12-29-2, or an offense enumerated in § 11-47-5(a)(4), the court shall advise the defendant that, in addition to any other sentence or penalty, the defendant shall, as result of the plea, be prohibited from purchasing, owning, carrying, transporting, or having in their possession any firearm under § 11-47-5.
(3)
The person required to surrender his or her firearms pursuant to this section shall not be responsible for any costs of storage of any firearms surrendered pursuant to this section.
(e)
For the purposes of this section, “batterers intervention program” means a program that is certified by the batterers intervention program standards oversight committee according to minimum standards, pursuant to §§ 12-29-5.1, 12-29-5.2, and 12-29-5.3.
(f)
For purposes of this section, “servicemember” means a person who is presently serving in the armed forces of the United States, including the Coast Guard, a reserve component thereof, or the National Guard. “Veteran” means a person who has served in the armed forces, including the Coast Guard of the United States, a reserve component thereof, or the National Guard, and has been discharged under other than dishonorable conditions.
(g)
The court shall indicate on every record of conviction or a plea of nolo contendere for an offense punishable as a felony involving domestic violence, as defined in § 12-29-2, that the defendant is prohibited under §§ 11-47-5 and 11-47-5.3 from purchasing, owning, carrying, transporting, or having in their possession, any firearm(s). The court shall inform the defendant of their prohibited status and shall order the defendant to surrender any firearm(s) in their ownership, possession, care, custody or control in accordance with § 11-47-5.3.
(h)
The court shall indicate on every record of conviction or a plea of nolo contendere for an offense enumerated in § 11-47-5(a)(4) that the defendant is prohibited under §§ 11-47-5 and 11-47-5.4 from purchasing, owning, carrying, transporting, or having in their possession, any firearm(s). The court shall inform the defendant of their prohibited status, shall order the defendant to surrender any firearm(s) in their ownership, possession, care, custody or control, and shall ensure that surrender is made in accordance with § 11-47-5.4.
(i)
No proceeds shall be provided to any person if the firearm(s) is destroyed pursuant to this section.
(j)
Any firearm(s) used in the commission of the offense leading to the conviction pursuant to this section shall be forfeited to the state upon conviction.
History of Section.
P.L. 1988, ch. 539, § 6; P.L. 1990, ch. 368, § 1; P.L. 1991, ch. 223, § 1; P.L. 1995, ch. 214, § 1; P.L. 1995, ch. 370, art. 40, § 42; P.L. 1997, ch. 164, § 1; P.L. 2009, ch. 373, § 1; P.L. 2009, ch. 386, § 1; P.L. 2011, ch. 58, § 1; P.L. 2011, ch. 96, § 1; P.L. 2016, ch. 212, § 2; P.L. 2016, ch. 214, § 2; P.L. 2017, ch. 374, § 4; P.L. 2017, ch. 385, § 4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-6.1. - Creation of domestic violence training and monitoring unit.

§ 12-29-6.1. Creation of domestic violence training and monitoring unit.

There is created the domestic violence training and monitoring unit, which shall be administered under the direction of the state court administrator.
History of Section.
P.L. 1991, ch. 223, § 2; P.L. 1995, ch. 370, art. 40, § 42.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-6. - Training.

§ 12-29-6. Training.
(a)
The curriculum for new law enforcement officers presented at the Providence police academy, the state police academy, and the municipal police academy shall include at least eight (8) hours of training on domestic violence issues. That training shall stress the enforcement of criminal law in domestic violence cases and shall include:
(1)
The nature, extent, and causes of domestic violence;
(2)
Legal rights of and remedies available to victims of domestic violence;
(3)
Services and facilities available to victims and batterers;
(4)
Legal duties imposed on police officers to make arrests and to offer protection and assistance; and
(5)
Techniques for handling incidents of domestic violence that minimize the likelihood of injury to the officer and promote the safety of the victim.
(b)
Each law enforcement agency shall provide four (4) hours of in-service training to its officers on issues of domestic violence. This training shall stress the enforcement of criminal law in domestic violence cases and shall include:
(1)
The nature, extent and causes of domestic violence;
(2)
Legal rights of and remedies available to victims of domestic violence;
(3)
Services and facilities available to victims and batterers;
(4)
Legal duties imposed on police officers to make arrests and to offer protection and assistance; and
(5)
Techniques for handling incidents of domestic violence that minimize the likelihood of injury to the officer and promote the safety of the victim.
(c)
There is established within the court system a domestic violence training and monitoring unit, whose responsibilities shall include:
(1)
Development of curricula for recruit and in-service training of law enforcement personnel;
(2)
Delivery of that curricula at in-service trainings and at the academies;
(3)
Development and delivery of training for medical providers concerning the requirements of this section;
(4)
Development and delivery of training for probation officers in screening abusers for appropriate counseling; and
(5)
Development of forms, as required in §§ 12-29-8 and 12-29-9, and development of any other assessment tools that are necessary to monitor the implementation of this chapter.
(d)
The administrative office of the supreme court shall establish an ongoing training program for judges, court personnel, bail commissioners, and clerks to inform them of the policies and procedures of this chapter.
History of Section.
P.L. 1988, ch. 539, § 6; P.L. 1989, ch. 469, § 1; P.L. 2000, ch. 109, § 20.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-7. - Domestic abuse court advocacy project.

§ 12-29-7. Domestic abuse court advocacy project.

(a)
There is established within the court system a domestic abuse court advocacy project to provide the services as set forth in subsection (b) of this section. The administrator of the court system may contract with a nonprofit agency or organization which has a demonstrated record of service to victims of domestic violence for the purpose of operating the project.
(b)
The responsibilities of the project shall include, but not be limited to:
(1)
Advising victims of domestic violence crimes of their rights pursuant to chapter 28 of this title, and assisting victims in securing those rights;
(2)
Informing victims of the availability of protective orders and assisting victims in obtaining those orders as appropriate;
(3)
Referring victims to shelter services, counseling, and other social services, as appropriate; and
(4)
Monitoring the justice system's response to and treatment of victims of domestic violence crimes.
(c)
The project shall assure coordination with other victims services programs, shelters, and other organizations or agencies offering services to victims of domestic abuse.
History of Section.
P.L. 1988, ch. 539, § 6.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-8.1. - Restraining order no-contact order system (R.O.N.C.O.).

§ 12-29-8.1. Restraining order no-contact order system (R.O.N.C.O.).
(a)
All domestic violence and sexual assault protective orders must be filed in the R.O.N.C.O. system at the attorney general's bureau of criminal identification (B.C.I.) unit.
(b)(1)
All protective orders filed against individuals aged eighteen (18) years and over and issued by the district court, superior court, family court, or bail commissioners must be filed upon issuance by faxing or delivering the orders to the B.C.I. unit, either electronically or in hard copy, no later than the end of the day of issuance. Orders shall include the following: the terms of the order; the date of issuance; the date of the second hearing (if any); the dates of birth of the parties; and the date of expiration.
(2)
All modifications and terminations of the orders must also be faxed or delivered to the B.C.I. unit, either electronically or in hard copy, no later than the end of the day of the modification. Any protective order issued pursuant to chapter 15 of title 15, chapter 8.1 of title 8, and chapter 5 of title 15 that is terminated or expires for any reason, and any no-contact order issued by any superior court, district court, or family court that is removed, rescinded, or expired for any reason shall be expunged within thirty (30) days from the R.O.N.C.O. system and the prior existence of the protective order or no-contact order shall not be disclosed except by court order.
(c)
A person entitled to protection under an existing protection order shall, upon request, be given a certified copy of the order by the court clerk. The attorney general's B.C.I. unit shall accept the certified copy and enter that copy into the R.O.N.C.O. system.
(d)
For purposes of this section, "protective orders" includes all family, district, and superior court restraining orders issued against individuals aged eighteen (18) years and over, as well as district and superior court no-contact orders issued against individuals aged eighteen (18) years and over.
History of Section.
P.L. 1998, ch. 384, § 1; P.L. 2024, ch. 253, § 2, effective June 24, 2024; P.L. 2024, ch. 254, § 2, effective June 24, 2024.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-8. - Domestic violence reports.

§ 12-29-8. Domestic violence reports.
(a)
A law enforcement officer who responds to or investigates a domestic violence incident shall complete a domestic violence report, whether or not an arrest occurs.
(b)
For the purpose of establishing accurate data on the extent and severity of domestic violence in the state and on the degree of compliance with the requirements of § 12-29-3, the domestic violence training and monitoring unit of the court system shall prescribe a form for making domestic violence reports. The form shall include, but is not limited to, the following information:

(1)
Name of the parties;
(2)
Relationship of the parties;
(3)
Sex of the parties;
(4)
Date of birth of the parties;
(5)
Time and date of the incident;
(6)
Whether children were involved or whether the alleged act of domestic violence was committed in the presence of children;
(7)
Type and extent of the alleged abuse;
(8)
Number and types of weapons involved;
(9)
Existence of any prior court order; and
(10)
Any other data that may be necessary for a complete analysis of all circumstances leading to the arrest.
(c)
Each police department shall forward copies of the reports to the unit at the end of each month.
History of Section.
P.L. 1988, ch. 539, § 6; P.L. 1994, ch. 134, § 7.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-29 - Domestic Violence Prevention ActSection 12-29-9. - Medical data collection reports.

§ 12-29-9. Medical data collection reports.
(a)(1)
For the purpose of documenting incidents of family violence resulting in injuries treated at medical facilities or by medical providers and of providing statistically valid information on the extent of family violence, the domestic violence training and monitoring unit of the court system shall prescribe a form for making medical data collection reports. The form shall include, but is not limited to the following:
(i)
Relationship of the parties;
(ii)
Sex of the parties;
(iii)
Date of birth of the parties;
(iv)
Time and date of the incident;
(v)
Whether the incident is verified by the victim;
(vi)
Type of injuries;
(vii)
Whether medical attention or hospitalization is required;
(viii)
Whether the victim has previously sustained injuries as a result of family violence;
(ix)
Action taken;
(x)
Source of the report;
(xi)
Address of the reporter.
(2)
The report shall not contain the name of the parties nor any other identifying information.
(b)
A report shall be completed for any victim being treated for injuries which the victim states resulted from domestic violence or

which the mandated medical provider has reasonable cause to believe resulted from domestic violence.
(c)
The report shall be submitted to the unit on a quarterly basis for quarters ending on September 30, December 31, March 31, and June 30.
History of Section.
P.L. 1988, ch. 539, § 6; P.L. 1994, ch. 134, § 7.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-3 - Jurisdiction and Venue of OffensesSection 12-3-1. - Offenses triable by district court.

§ 12-3-1. Offenses triable by district court.
The district court shall have jurisdiction and cognizance of all crimes which are not expressly designated as felonies, offenses, misdemeanors, and violations, including offenses against town or city ordinances, if no special court exists or is created by charter or law for that purpose, punishable by a fine not exceeding one thousand dollars ($1,000) or by imprisonment not exceeding one year, or both, and of all other criminal matters which are or shall be declared specially to be within the jurisdiction of the court by the laws of the state, which shall legally be brought before the court, with power to try, render judgment, pass sentence, and award a warrant for execution of the sentence.
History of Section.
C.P.A. 1905, § 150; G.L. 1909, ch. 281, § 2; G.L. 1923, ch. 331, § 2; G.L. 1938, ch. 501, § 2; G.L. 1956, § 12-3-1; P.L. 1969, ch. 239, § 14; P.L. 1976, ch. 173, § 3; P.L. 1985, ch. 462, § 1; P.L. 1989, ch. 200, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-3 - Jurisdiction and Venue of OffensesSection 12-3-10. - Enumeration of statutes of limitation.

§ 12-3-10. Enumeration of statutes of limitation.
The following compilation of statutes of limitation for criminal offenses is set forth as an aid to the public and is not intended to replace the specific statutes referred to in this section. The omission of any statute of limitation from this list shall in no way affect the validity of the statute.
Section
Offense
Period of Limitations
4-4-26
Offenses relating to diseased animals
30 days
11-13-2
Prosecution of illegal sale, use or possession of fireworks
30 days
11-47-53
Prosecution for firing weapons or carrying loaded weapons in vehicles
30 days
12-12-17
Minor criminal offenses; time for indictment or information
3 years
12-12-18
New indictment or information to replace one stolen, lost or destroyed
1 year
17-23-11
Prosecution of election law offenses
1 year
28-39-32
Temporary disability insurance act offenses
5 years
30-13-46(a)
Prosecution for desertion, AWOL during war, aiding the enemy or mutiny under the Rhode Island Code of Military Justice
No limit
30-13-46(b)
Prosecution for desertion in peacetime or perjury under the Rhode Island Code of Military Justice
3 years
30-13-46(c)
Prosecution for summary court-martial offenses under the Rhode Island Code of Military Justice
2 years

31-23.2-8
To enforce liability for tampering with odometers
6 months
46-7-4
Proceedings for forfeitures for wrongfully making fast a vessel to a stake or buoy, or damaging same, in the Pawtucket River, Warren River or upper Narragansett Bay, or to markers or beacons in other areas
6 months
History of Section.
P.L. 1982, ch. 388, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-3 - Jurisdiction and Venue of OffensesSection 12-3-2. - Power of district court over preliminary proceedings — Venue of offenses on public waters.

§ 12-3-2. Power of district court over preliminary proceedings — Venue of offenses on public waters.
The district court for the division in which the court is situated shall have cognizance over all other crimes, offenses, and misdemeanors against the laws of the state other than those mentioned in § 12-3-1, which shall be done or committed within the division and legally brought before the court, and may cause all persons guilty or suspected to be guilty to be apprehended, examined, bailed, or committed to jail, according to law, to answer for the offense before the superior court, and the jurisdiction over crimes, offenses and misdemeanors committed on the public waters of the state, and within the jurisdiction or cognizance of the district court, may be exercised by the district court for any division adjoining the waters.
History of Section.
C.P.A. 1905, § 151; G.L. 1909, ch. 281, § 3; G.L. 1923, ch. 331, § 3; G.L. 1938, ch. 501, § 3; G.L. 1956, § 12-3-2; P.L. 1969, ch. 239, § 14.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-3 - Jurisdiction and Venue of OffensesSection 12-3-3. - Jurisdiction of New Shoreham wardens' court.

§ 12-3-3. Jurisdiction of New Shoreham wardens' court.
The wardens' court of the town of New Shoreham shall have exclusive jurisdiction and cognizance over all crimes, offenses, and misdemeanors committed or done or occurring within the town of New Shoreham and the adjacent waters within the jurisdiction of the state, punishable by fine not exceeding two hundred dollars ($200) or by imprisonment not exceeding three (3) months, and of all other criminal matters within the town limits, which are or shall be declared specially to be within the jurisdiction of a district or wardens' court by the laws of the state, which shall legally be brought before such wardens' court, with power to proceed to trial, render judgment, pass sentence, and award a warrant for execution of the sentence.
History of Section.
P.L. 1899, ch. 712, § 1; G.L. 1909, ch. 281, § 4; G.L. 1923, ch. 331, § 4; G.L. 1938, ch. 501, § 4; G.L. 1956, § 12-3-3; P.L. 2012, ch. 50, § 1; P.L. 2012, ch. 74, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-3 - Jurisdiction and Venue of OffensesSection 12-3-4. - Venue of offenses.

§ 12-3-4. Venue of offenses.
(a)
Every indictment or information for offenses committed on the waters of Narragansett Bay may be tried in any county in the discretion of the attorney general, unless otherwise ordered by the presiding justice.
(b)
For the purpose of prosecuting and punishing criminal offenses over which the superior court has jurisdiction, the state of Rhode Island is declared to be a single district. The offenses shall be prosecuted and punished at the following locations unless otherwise ordered by the presiding justice:
(1)
For offenses committed in a city or town within Providence or Bristol counties, at the superior court in Providence;
(2)
For offenses committed in the city of Warwick or a town within Kent county, at the superior court in Warwick;
(3)
For offenses committed in a town within Washington county, at the superior court in South Kingstown; and
(4)
For offenses committed in the city of Newport or a town within Newport county, at the superior court in Newport.
(c)
For the purpose of prosecuting and punishing criminal offenses over which the district court has jurisdiction, the offenses shall be prosecuted and punished at the following locations unless otherwise ordered to be moved within the same county by the chief judge pursuant to this section or unless otherwise agreed to by the parties and the court: (1) for the offenses committed in a town within the first division, at the district court located within Bristol county; (2) for offenses committed in the city of Newport or a town

within the second division, at the district court located within Newport county; (3) for offenses committed in the cities of Warwick or Cranston or a town within the third division, at the district court within the third division; (4) for offenses committed in a town within the fourth division, at the district court located within Washington county; (5) for offenses committed in a city or town within the fifth division, at the district court located within the fifth division; and (6) for offenses committed in a city within the sixth division, at the district court in Providence. The chief judge may order any criminal case or proceeding to be transferred to another division of the court within the same county. For purposes of this section, the first division shall be considered to be a part of Providence county.

History of Section.

G.L. 1896, ch. 285, § 8; G.L. 1909, ch. 354, § 8; G.L., ch. 354, § 32; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 32; G.L. 1938, ch. 625, § 32; G.L. 1956, § 12-3-4; P.L. 1974, ch. 118, § 10; P.L. 1981, ch. 104, § 1; P.L. 1989, ch. 200, § 1; P.L. 1990, ch. 240, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-3 - Jurisdiction and Venue of OffensesSection 12-3-5. - Offenses in vicinity of county or division boundary — Offenses at sea — Offenses aboard steamboat or train.

§ 12-3-5. Offenses in vicinity of county or division boundary — Offenses at sea — Offenses aboard steamboat or train.

A criminal offense committed on or within one hundred (100) rods of the boundary line of two (2) counties may be alleged to have been committed and may be prosecuted and proceeded against in either county unless otherwise ordered by the presiding justice, and if committed on or within fifty (50) rods of the boundary line of two (2) divisions of the district court, it may be alleged to have been committed and may be proceeded against and prosecuted in either division unless otherwise ordered by the chief judge pursuant to § 12-3-4(c). A criminal offense committed upon the sea within one league of the shore may be prosecuted and punished in any county. A criminal offense committed upon a steamboat or a railroad car may be alleged to have been so committed without specifying the division of the district court or county in which it was committed, and may be prosecuted and proceeded against in any county or in any division.

History of Section.

G.L. 1909, ch. 354, § 34; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 34; G.L. 1938, ch. 625, § 34; G.L. 1956, § 12-3-5; P.L. 1969, ch. 239, § 14; P.L. 1981, ch. 104, § 1; P.L. 1989, ch. 200, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-3 - Jurisdiction and Venue of OffensesSection 12-3-6. - Act within state resulting in death outside state.

§ 12-3-6. Act within state resulting in death outside state.

If a mortal wound is given, or if other violence or injury is inflicted, or if poison is administered, within this state, as a result of which death ensues outside this state, the homicide shall be prosecuted and punished at the location of the superior court as the presiding justice may by order designate.

History of Section.

G.L. 1909, ch. 354, § 35; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 35; G.L. 1938, ch. 625, § 35; G.L. 1956, § 12-3-6; P.L. 1981, ch. 104, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-3 - Jurisdiction and Venue of OffensesSection 12-3-7. - Jurisdiction based on importation of stolen property.

§ 12-3-7. Jurisdiction based on importation of stolen property.

Whenever the property of another which has been taken or obtained in any other state or area within the jurisdiction of the United States, by the commission of any of the offenses described in §§ 11-8-6, 11-41-1 — 11-41-4, 11-41-6 — 11-41-9, 11-41-11, and 11-44-7, is brought into this state by the person who took or obtained the property by the commission of the offense, the offense by which the property was taken or obtained may be alleged to have been committed, and the person may be prosecuted and proceeded against in the superior court at any location that may by order be designated by the presiding justice or in any division of the district court in which the person is found in possession of the property, or through which the person may have transported the property or at any location that may be designated by the chief judge pursuant to § 12-3-4(c).

History of Section.

G.L. 1909, ch. 354, § 36; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 36; G.L. 1938, ch. 625, § 36; G.L. 1956, § 12-3-7; P.L. 1969, ch. 239, § 14; P.L. 1981, ch. 104, § 1; P.L. 1989, ch. 200, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-3 - Jurisdiction and Venue of OffensesSection 12-3-8. - Venue of larceny prosecutions.

§ 12-3-8. Venue of larceny prosecutions.

Larceny, whether at common law, or as defined by §§ 11-41-1 — 11-41-4, 11-41-6, and 11-41-11, may be prosecuted and proceeded against in the superior court at any location that may by order be designated by the presiding justice or in any division of the district court in which the offense was committed, or in which the defendant has possession of the money or property which is alleged to have been stolen, or in which the false pretense was made or used or in any division that may be ordered by the chief judge pursuant to § 12-3-4(c).

History of Section.
G.L. 1909, ch. 354, § 33; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 33; G.L. 1938, ch. 625, § 33; G.L. 1956, § 12-3-8; P.L. 1969, ch. 239, § 14; P.L. 1981, ch. 104, § 1; P.L. 1989, ch. 200, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-3 - Jurisdiction and Venue of OffensesSection 12-3-9. - Possession of property stolen outside state.

§ 12-3-9. Possession of property stolen outside state.
Whenever any property has been taken or obtained in any other state or area within the jurisdiction of the United States by robbery, stealing, embezzlement, fraudulent conversion, or false pretenses with the intent to cheat and defraud, and the property is brought into this state by any person who knew it was so taken or obtained, that person shall be deemed guilty of the offense described in § 11-41-2, and the offense may be alleged to have been committed in any county or in any division of the district court in which the person is found in possession of the property, or through which the person may have transported the property. The person may be prosecuted and proceeded against in the superior court at any location that may by order be designated by the presiding justice or in the division of the district court in which the offense is alleged to have been committed or in any division that may be ordered by the chief judge pursuant to § 12-3-4(c).
History of Section.
G.L. 1909, ch. 354, § 37; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 37; G.L. 1938, ch. 625, § 37; G.L. 1956, § 12-3-9; P.L. 1969, ch. 239, § 14; P.L. 1981, ch. 104, § 1; P.L. 1989, ch. 200, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-30 - Protection and Supervision of Criminal WitnessesSection 12-30-1. - Statement of purpose.

§ 12-30-1. Statement of purpose.
The effective prosecution of persons involved in organized criminal activity often requires the development and use of testimony obtained from witnesses who were themselves involved in crime. These witnesses include victims of crime, material witnesses or any person prepared to provide relevant testimony or information to law enforcement officers engaged in an ongoing criminal investigation, or to any court. These witnesses are to be protected from actions wrongfully taken against them, or their family, because of their participation as a witness. The standards set forth in this chapter are intended:
(1)
To encourage the cooperation of potential witnesses with law enforcement authorities;
(2)
To assure the safety and security of those witnesses;
(3)
To provide accountability in the cost and operation of the witness program; and
(4)
To protect the community from those with a history of criminal behavior.
History of Section.
P.L. 1990, ch. 331, § 1; P.L. 2001, ch. 65, § 1; P.L. 2001, ch. 244, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-30 - Protection and Supervision of Criminal WitnessesSection 12-30-10. - Rules and regulations.

§ 12-30-10. Rules and regulations.
The attorney general and the state police shall promulgate rules and regulations in furtherance of the administration of their responsibilities pursuant to this chapter. Those rules and regulations shall be submitted to the witness protection review board. Any amendment of or addition to those rules shall be submitted to the board within thirty (30) days of their promulgation.
History of Section.
P.L. 1990, ch. 326, § 3; P.L. 1990, ch. 327, § 3; P.L. 1990, ch. 331, § 1; P.L. 2000, ch. 109, § 21.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-30 - Protection and Supervision of Criminal WitnessesSection 12-30-11. - Priority for trial.

§ 12-30-11. Priority for trial.
In order to minimize the period of time during which protection must be provided for the witness, the trial of cases in which a protected witness will be testifying shall, upon application of the attorney general, be given priority on the criminal trial calendar by the superior court.
History of Section.
P.L. 1990, ch. 331, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-30 - Protection and Supervision of Criminal WitnessesSection 12-30-12. - Annual report.

§ 12-30-12. Annual report.
(a)
On the second Friday of January of each year, the attorney general shall submit a report to the general assembly stating the number of proposed agreements submitted to the witness protection review board during the previous year and the number of agreements approved by the board and the attorney general.
(b)
In addition, the report shall provide:
(1)
The number of witnesses currently in the program;
(2)
The number of witnesses in the custody of the department of corrections and in the custody of the state police;
(3)
The charges pending against each witness and the proposed disposition resulting from his or her cooperation;
(4)
The number of indictments that have resulted from information obtained from each witness;
(5)
The number of convictions that have resulted from the information obtained from each witness and the sentences imposed by the court; and
(6)
An itemization of all expenditures of public funds made by or on behalf of each witness, listed by the purpose of the expenditure.
(c)
The report shall not disclose the identity of any witness not already publicly known to be participating in the program, nor shall it disclose any specific information that might tend to reveal the location of the witness.
History of Section.
P.L. 1990, ch. 326, § 3; P.L. 1990, ch. 327, § 3; P.L. 1990, ch. 331, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-30 - Protection and Supervision of Criminal WitnessesSection 12-30-13. - Confidentiality of information.

§ 12-30-13. Confidentiality of information.
(a)
All personally descriptive information, including, but not limited to, names, addresses, telephone numbers, dates of birth, social security numbers, license or identification card numbers, automobile registration numbers, or any other data that may compromise the identity or security of a witness protection program participant, applicant, or former participant or applicant, is not subject to disclosure pursuant to chapter 2 of title 38.
(b)
Except as provided for in this chapter and any superior court rule of criminal procedure, all information regarding the whereabouts of or expenditures concerning a witness who is participating in witness protection, or whose participation has ended, been terminated, or revoked by the witness protection review board, shall not be released where that release of information would tend to compromise security or endanger witnesses participating in the witness protection program.
(c)
All information concerning any meetings of the witness protection review board shall not be subject to disclosure pursuant to chapter 46 of title 42.
(d)
The witness protection review board shall be exempt from the provisions of chapter 2 of title 37 in connection with its procurement of any goods, equipment, or services necessary to the implementation of this chapter.
History of Section.
P.L. 2001, ch. 65, § 2; P.L. 2001, ch. 244, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-30 - Protection and Supervision of Criminal WitnessesSection 12-30-2. - Agreement with witness.

§ 12-30-2. Agreement with witness.
Whenever any law enforcement official of the state or any city or town determines that a person who is: (1) incarcerated upon conviction for a felony; (2) indicted or informed against for a felony; or (3) the subject of a felony investigation; is willing to give evidence regarding the commission of felony offenses within the state in exchange for a reduction of his or her sentence, assistance in obtaining parole, the dismissal or reduction of charges pending against him or her, and/or immunity from prosecution, the official shall immediately notify the attorney general. An assistant attorney general and the law enforcement official shall interview the prospective witness to determine what information he or she possesses and what consideration he or she is seeking for his or her testimony. If they determine that the evidence proffered is reliable and that the consideration sought is reasonable, the assistant attorney general shall prepare a written memorandum setting forth all of the terms of the agreement which shall be signed by the

witness, a representative of the law enforcement agency initiating the case, and representative of the attorney general's office. The terms of the agreement shall include the length and manner of custodial supervision to be provided in order to accomplish both the protection and incarceration of the criminal witness. The document shall explicitly state that the agreement will become void if the criminal witness violates the terms of his or her confinement, fails to provide the promised information and assistance to the prosecution, or commits a new crime. The prospective witness shall be afforded the right to counsel during the negotiation and execution of the agreement. The memorandum shall not become binding and enforceable by the parties until approved in accordance with the procedures set forth in § 12-30-3.
History of Section.
P.L. 1990, ch. 331, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-30 - Protection and Supervision of Criminal WitnessesSection 12-30-3. - Witness protection review board.

§ 12-30-3. Witness protection review board.
(a)
There is created within the attorney general's office a witness protection review board, consisting of an assistant attorney general appointed by the attorney general, an officer of the state police appointed by the superintendent of state police, and a municipal police chief appointed by the president of the Rhode Island Police Chiefs' Association.
(b)
No agreement which obligates any law enforcement agency of the state or its municipalities to provide protection for and/or to release from custody, or dismiss pending charges against any criminal witness (i.e., a person who is incarcerated upon conviction for a felony, who is indicted or informed against for a felony, or who is the subject of a felony investigation) in exchange for his or her testimony, shall take effect until it has been approved by a majority vote of the review board. The board shall review each agreement to determine whether:
(1)
The evidence proffered justifies the reduction of sentence and/or dismissal of charges;
(2)
Adequate provision has been made to insure the safety of the witness and his or her immediate family, if any, during the times in which he or she will be cooperating with law enforcement authorities and during his or her resettlement thereafter;
(3)
The witness will serve any sentence of confinement imposed upon him or her for his or her crimes in a sufficiently restrictive environment;
(4)
The cost of maintaining the witness in the protection program is reasonable; and
(5)
The witness will pose any threat of future criminality if released into the community pursuant to the terms of the agreement.
(c)
In determining whether to approve the agreement, the board shall consider whether the particular witness could be better managed if responsibility for his or her custody were transferred to the witness protection program, operated by the United States Justice Department.
(d)
The recommendation of the review board shall be presented to the attorney general, whose approval shall be required prior to implementation of the agreement. Once approved by the review board and the attorney general, any provision of the agreement reducing the sentence of, transferring the custody of, dismissing the charges against, and/or agreeing to immunize the witness must be presented to the superior court for its approval in accordance with applicable statutes and the rules of that court.
History of Section.
P.L. 1990, ch. 331, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-30 - Protection and Supervision of Criminal WitnessesSection 12-30-4. - Noncriminal witnesses.

§ 12-30-4. Noncriminal witnesses.
Whenever any law enforcement official of the state or any city or town determines that a prospective witness who is not incarcerated, charged, or under investigation for commission of a felony requires custodial protection and/or assistance with relocation due to a threat to the safety of that witness or his or her family, the official shall immediately notify the attorney general. An assistant attorney general and the law enforcement official shall interview the prospective witness to determine what information he or she possesses and what level of protection is required. If they determine that the evidence proffered is reliable and that the protection is necessary, the assistant attorney general shall prepare a written memorandum setting forth a summation of the information to be provided and the nature and cost of the protection to be afforded. This memorandum shall be presented to the witness protection review board for its review and approval pursuant to § 12-30-3.
History of Section.

P.L. 1990, ch. 331, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-30 - Protection and Supervision of Criminal WitnessesSection 12-30-5. - Supervision.

§ 12-30-5. Supervision.
Whenever the terms of an agreement with a criminal witness provide for him or her to serve a period of incarceration in the state, his or her confinement shall be either at the adult correctional institutions (ACI) or at a facility maintained and supervised by the state police. The court by order shall set forth whether custody of the criminal witness shall be maintained by the department of corrections or the state police. If the place of confinement is other than at the ACI, the witness shall be under guard by law enforcement officials at all times. He or she shall not be permitted to leave the place of confinement unless escorted by a law enforcement guard. The officers selected to guard the witness shall have no other involvement in the case or cases in which the witness is providing evidence.
History of Section.
P.L. 1990, ch. 326, § 3; P.L. 1990, ch. 327, § 3; P.L. 1990, ch. 331, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-30 - Protection and Supervision of Criminal WitnessesSection 12-30-6. - Record of supervision.

§ 12-30-6. Record of supervision.
(a)
The agency responsible for supervision of the protected criminal witness shall maintain a daily record of the witness' activities. That record shall include, but not be limited to:
(1)
The identity of all persons assigned to guard the witness and the hours of their duty;
(2)
The identity of all persons visiting the witness and the purpose and duration of those visits;
(3)
The identity of all persons making telephone calls to or being called by the witness and the purposes and duration of those calls;
(4)
The destination and purpose of any movement of the witness from his or her place of confinement, the identity of any persons traveling with the witness, and the duration of the trip; and
(5)
An itemization of all expenditures of public funds made by or on behalf of the witness and who authorized those expenditures.
(b)
The record shall be made available to the witness protection review board for its examination, in furtherance of the monitoring process set forth in § 12-30-9.
History of Section.
P.L. 1990, ch. 331, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-30 - Protection and Supervision of Criminal WitnessesSection 12-30-7. - Preparation of witness.

§ 12-30-7. Preparation of witness.
The law enforcement agency which developed the criminal witness protection program together with the attorney general's office shall be primarily responsible for debriefing the witness and preparing his or her testimony. Those officers involved in the investigation and prosecution of the cases in which the witness is providing evidence shall not be assigned to guard the witness.
History of Section.
P.L. 1990, ch. 331, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-30 - Protection and Supervision of Criminal WitnessesSection 12-30-8. - Funding.

§ 12-30-8. Funding.
The cost of maintaining a protected criminal witness in custody shall be paid by the attorney general from funds appropriated to his or her office for that purpose. Expenditures shall be monitored by the witness protection review board, which shall determine an appropriate budget for the maintenance of each witness. In determining that budget, the board shall consider the standard of living provided for inmates at the adult correctional institutions.
History of Section.
P.L. 1990, ch. 331, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-30 - Protection and Supervision of Criminal WitnessesSection 12-30-9. - Monitoring.

§ 12-30-9. Monitoring.
The witness protection review board shall examine the status of each case involving a protected criminal witness at three (3) month intervals. Any change in the terms of confinement of the witness must be reported to the board within five (5) days of its occurrence.
History of Section.
P.L. 1990, ch. 331, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-31 - Community RestitutionSection 12-31-1. - Community restitution.

§ 12-31-1. Community restitution.
The general assembly declares that the words “public community service” which appear through this title shall now be substituted with and referred to as “public community restitution”.
History of Section.
P.L. 1998, ch. 454, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-32 - Cell Phone TrackingSection 12-32-1. - Definitions.

§ 12-32-1. Definitions.
As used in this chapter:
(1)
“Adverse result” means:
(i)
Endangering the life or physical safety of an individual;
(ii)
Flight from prosecution;
(iii)
Destruction of, or tampering with, evidence;
(iv)
Intimidation of potential witnesses; or
(v)
Otherwise seriously jeopardizing an investigation or unduly delaying a trial.
(2)
“Electronic device” means any device that enables access to, or use of, an electronic communication service (as defined in 18 U.S.C. § 2510(15)), remote computing service (as defined in 18 U.S.C. § 2711(2)), or location information service.
(3)
“Location information” means any information concerning the location of an electronic device that, in whole or in part, is generated by, or derived from, the operation of that device.
(4)
“Location information service” means a global positioning service or other mapping, locational, or directional information service.
(5)
“Service provider” means the provider of an electronic communications service, remote computing service, or location information service.
History of Section.
P.L. 2016, ch. 411, § 1; P.L. 2016, ch. 412, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-32 - Cell Phone TrackingSection 12-32-2. - Requirement for warrant.

§ 12-32-2. Requirement for warrant.
No agent of the state, or any political subdivision of the state, shall obtain location information without a warrant unless a warrant requirement exception applies.
History of Section.
P.L. 2016, ch. 411, § 1; P.L. 2016, ch. 412, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-32 - Cell Phone TrackingSection 12-32-3. - Notice.

§ 12-32-3. Notice.
(a)
Unless delayed under subsection (b), notice to the affected customer or subscriber is required not later than five (5) days after an agent of the state, or any political subdivision of the state, receives location information under this chapter that is obtained with or

without a warrant; provided no notice shall be required if the location information was obtained pursuant to § 12-32-4(a). The agent of the state, or any political subdivision of the state, shall serve the following upon, or deliver to, the affected customer or subscriber by registered mail, or first-class mail, or electronic mail, or any other means permitted by the court issuing the warrant to be as effective:

(1)

A copy of the warrant, if applicable; and

(2)

A statement of the general nature of the law enforcement inquiry; and

(3)

If applicable, an affirmation that location information maintained by a service provider was supplied to a law enforcement officer; and

(4)

If such location information was obtained, an identification of the service provider from which the information was obtained; and

(5)

If applicable, a statement indicating the identifying number associated with the electronic device; and

(6)

If applicable, the dates for which the location information was supplied; and

(7)

A statement of whether notification of such customer(s) or subscriber(s) was delayed pursuant to subsection (b); and

(8)

If applicable, an identification of the court that made the certification or determination pursuant to which that delay was made.

(b) Delay of notification.

An agent of the state, or any political subdivision of the state, acting under this chapter may include in the application a request for an order delaying the notification required pursuant to this section for a period not to exceed ninety (90) days, and the court shall issue the order if the court determines that there is reason to believe that notification of the existence of the warrant may have an adverse result.

(c)

Upon expiration of the period of delay granted under this section, the agent of the state, or any political subdivision of the state, shall provide the affected customer(s) or subscriber(s) a copy of the warrant, together with any notice required.

(d) Preclusion of notice to subject of governmental access.

An agent of the state, or any political subdivision of the state, acting under this chapter may include in the application a request for an order directing a service provider to which a warrant is directed not to notify any other person of the existence of the warrant for a period of not more than ninety (90) days, and the court shall issue the order if the court determines that there is reason to believe that notification of the existence of the warrant may have an adverse result.

(e)

The court may, upon application, grant one or more extensions of orders granted under this chapter for an additional ninety (90) days.

(f)

Failure to comply with the notice provisions shall not be grounds for the suppression of any evidence.

History of Section.

P.L. 2016, ch. 411, § 1; P.L. 2016, ch. 412, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-32 - Cell Phone TrackingSection 12-32-4. - Exceptions.

§ 12-32-4. Exceptions.

(a)

Notwithstanding any other provision of this chapter, an agent of the state, or any political subdivision of the state, may obtain location information from a service provider without obtaining a warrant under the following circumstances:

(1)

In order to respond to the user’s call for emergency services;

(2)

In order to respond to a call for emergency services, including a request from an E-911 supervisor to determine the location of a cellular telephone, when required pursuant to an emergency involving actual or potential death, serious physical injury, or major damage to property and the information is needed without delay;

(3)

If an agent of the state, or any political subdivision of the state, believes that an emergency involving immediate danger of death or serious physical injury to any person requires the obtaining of information relating to the emergency without delay, and/or pursuant to the Kelsey Smith Act, as codified in § 39-2-20;

(4)

If the location information was generated by an electronic device used as a condition of release from a penal institution, as a condition of pre-trial release, probation, conditional discharge, parole, mandatory supervised release, or other sentencing order;
(5)
With the express consent of the owner or user of the electronic communications device concerned;
(6)
With the express, informed consent of the parent or foster parent of a minor who is the owner or user, or the legal guardian or next of kin of the owner or user, if the owner or user is believed to be deceased or reported missing and unable to be contacted;
(7)
If the electronic device is reported lost or stolen by the owner or user of the electronic device; or
(8)
If the government entity is the owner of the electronic device and has issued it to an employee or it is attached to property owned by the government entity.
(b)
Not later than five (5) days after the date on which an agent of the state, or any political subdivision of the state, obtains access to records under this section, a governmental entity shall file with the appropriate court a signed, sworn statement of a supervisory official of a rank designated by the head of the governmental entity setting forth the grounds for the access to information in this section. Should the courts not be open upon the expiration of the five (5) days, the statement shall be filed the next day the court is open to receive such statement.
(c)
When location information is sought pursuant to this chapter, and unless otherwise permitted by a warrant, any acquisition of information shall immediately terminate when the location information sought is obtained.
(d)
In the event an application for a warrant is denied, or in any other case where the interception is made or terminated without a warrant having been issued where required by this chapter, notice shall be served to all owners or known users of electronic devices about which location information was acquired in violation of this chapter.
(e)
The notice required by § 12-32-3 shall also be provided when location information is obtained pursuant to subdivisions (a)(2) or (a)(3).
(f)
Nothing in this chapter shall be construed to prohibit law enforcement from obtaining, without a court order, location information when the information, including metadata attached to images and video, is otherwise publicly available on a social networking website.
History of Section.
P.L. 2016, ch. 411, § 1; P.L. 2016, ch. 412, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-32 - Cell Phone TrackingSection 12-32-5. - Reporting requirements.

§ 12-32-5. Reporting requirements.
(a)
By January 31 of each calendar year, each law enforcement agency that collected any location information from electronic devices in the previous calendar year shall issue a report identifying the number of warrants issued for location information for an electronic device that were approved and denied in the previous year, including:
(1)
The identity of the agency making the application; and
(2)
The offense specified in the warrant or application therefor; and
(3)
The number of warrants granted, in full or in part, and the number denied; and
(4)
The number and duration of any extensions of the warrant.
History of Section.
P.L. 2016, ch. 411, § 1; P.L. 2016, ch. 412, § 1; P.L. 2017, ch. 451, § 5.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-32 - Cell Phone TrackingSection 12-32-6. - Immunity from liability.

§ 12-32-6. Immunity from liability.
No cause of action shall lie in any court against a service provider or such provider’s officers, employees, agents, or other specified persons, for providing information, facilities, or assistance in accordance with the terms of any court order, warrant, or for providing information in reliance on representations by law enforcement that the location information may be obtained without a warrant

pursuant to § 12-32-4.
History of Section.
P.L. 2016, ch. 411, § 1; P.L. 2016, ch. 412, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-33 - Claims for Wrongful Conviction and ImprisonmentSection 12-33-1. - Legislative intent.

§ 12-33-1. Legislative intent.
(a)
The general assembly finds that innocent persons who have been wrongfully convicted of crimes through no fault of their own have been uniquely victimized, and are deserving of consideration and remuneration for this miscarriage of justice.
(b)
For the purposes of this chapter, a "wrongful conviction" is a finding of guilt by a jury or judge, later proven incorrect, that results in incarceration for more than one year.
History of Section.
P.L. 2021, ch. 235, § 1, effective July 8, 2021; P.L. 2021, ch. 236, § 1, effective July 8, 2021.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-33 - Claims for Wrongful Conviction and ImprisonmentSection 12-33-2. - Statement of claim for compensation.

§ 12-33-2. Statement of claim for compensation.
(a)
In order to present an actionable claim pursuant to this chapter, the claimant must establish by documentary evidence that:
(1)
Claimant has been convicted of one or more crimes and, as a result of the conviction, was sentenced to a term of imprisonment and has served all or part of said sentence; and
(2)
On grounds not inconsistent with innocence:
(i)
Claimant was pardoned of the crime or crimes upon which claimant was sentenced and that are the grounds for the complaint; or
(ii)
The judgment of conviction was vacated for reasons other than the ineffective assistance of counsel; or
(iii)
The judgment of conviction was reversed for reasons other than the ineffective assistance of counsel; and
(iv)
The accusatory instrument was dismissed; and
(3)
The claim is not time-barred by the provisions of this chapter.
(b)
The claims shall be verified by the claimant.
(c)
If the court determines after an examination of the claim that the claimant has not alleged sufficient facts to succeed at trial it shall dismiss the claim, either on its own motion or on the state's motion.
History of Section.
P.L. 2021, ch. 235, § 1, effective July 8, 2021; P.L. 2021, ch. 236, § 1, effective July 8, 2021.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-33 - Claims for Wrongful Conviction and ImprisonmentSection 12-33-3. - Presentation of claim.

§ 12-33-3. Presentation of claim.
All claims of wrongful conviction and imprisonment under this chapter shall be presented to and heard by the presiding justice of the superior court.
History of Section.
P.L. 2021, ch. 235, § 1, effective July 8, 2021; P.L. 2021, ch. 236, § 1, effective July 8, 2021.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-33 - Claims for Wrongful Conviction and ImprisonmentSection 12-33-4. - Judgment and award.

§ 12-33-4. Judgment and award.
(a)
In order to obtain a judgment in their favor, the claimant must prove by a preponderance of the evidence that:
(1)

Claimant was convicted of one or more crimes, and subsequently sentenced to a term of imprisonment for more than one year, and has served all or any part of the sentence; and

(i)

Claimant has been pardoned for the crime or crimes upon which claimant was sentenced, and that are the grounds for the complaint; or

(ii)

Claimant's judgment of conviction was reversed or vacated for reasons other than the ineffective assistance of counsel and the accusatory instrument was dismissed; and

(2)

Claimant did not commit any of the crimes charged in the accusatory instrument; and

(3)

Claimant did not commit or suborn perjury, or fabricate evidence, to cause or bring about claimant's own conviction.

(4)

Neither a confession nor an admission later found to be false or a guilty plea shall constitute committing or suborning perjury, fabricating evidence, or causing or bringing about the conviction under this subsection.

(b)

If the court finds that the claimant was wrongfully convicted and incarcerated pursuant to this section the court shall grant:

(1)

An award for wrongful conviction and incarceration calculated at fifty thousand dollars ($50,000) at the time of release and paid for each year served in a correctional facility. For incarceration of less than a year, this amount shall be prorated to one three hundred sixty fifth's (1/365) of fifty thousand dollars ($50,000) for every day served. The award may be expanded to include, at the discretion of the court, in the interest of justice:

(i)

Release from any child support payments owed the state by the claimant that became due, and interest on child support arrearages that accrued, during the time served in prison but were not paid as well as reasonable attorneys' fees where legal proceedings are required to remedy outstanding obligations resulting from an order to pay child support;

(ii)

Access to and eligibility for any services provided by the state for offenders who have been adjudicated by the courts and are residing in the community. Coordination of these services shall be through the department of probation and parole;

(iii)

Reasonable attorneys' fees for bringing a claim under this chapter, not to exceed fifteen thousand dollars ($15,000). Any such fees granted shall not be deducted from the compensation due to the claimant, nor is counsel entitled to receive additional fees from the client.

(c)

No damages or amounts awarded pursuant to this chapter shall be subject to:

(1)

Any cap or limit that may be applicable to private parties in civil lawsuits;

(2)

Any taxes, except for those portions of the judgment awarded as attorneys' fees for bringing a claim under this chapter; or

(3)

Treatment as gross income to a claimant under the provisions of title 44.

(d)

The claimant shall not receive compensation for any period of incarceration during which the claimant was concurrently serving a sentence for a conviction of another crime for which the claimant was lawfully incarcerated.

(e)

The acceptance by a claimant of any such award, compromise, or settlement shall:

(1)

Be memorialized in writing, which shall include a provision, signed by the claimant, voluntarily relinquishing any and all rights to pursue any other action or remedy at law or in equity that such person may have arising out of such wrongful conviction and incarceration;

(2)

Except when procured by fraud, be final and conclusive on the claimant.

(f)

The court shall, upon determining that the claimant is entitled to compensation under this chapter, forward to the general treasurer an inventory and description of the award, including any attorneys' fees awarded, for disbursement.

(g)(1)

If at the time of the judgment entry referred to in subsection (b) of this section, the claimant has won a monetary award on or after the effective date of this statute [July 8, 2021] as the result of a federal civil rights lawsuit under federal statute 42 U.S.C. § 1983, the amount of the award in the action or the amount received in the settlement agreement, less any sums paid to attorneys or for

costs litigating the other civil action or obtaining the settlement agreement, shall be deducted from the sum of money to which the claimant is entitled under this section.
(2)
If subsection (g)(1) of this section does not apply and if, after the time of the judgment entry referred to in subsection (b) of this section, the claimant wins a monetary award as the result of a federal civil rights lawsuit under federal statute 42 U.S.C. § 1983, the claimant shall reimburse the state for the sum of money paid under the judgment entry referred to in subsection (b) of this section, less any sums paid to attorneys or for costs in litigation of the other civil action or obtaining the settlement agreement. A reimbursement required under this subsection shall not exceed the amount of the monetary award the claimant wins for damages in the other civil action or the amount received in the settlement agreement.
History of Section.
P.L. 2021, ch. 235, § 1, effective July 8, 2021; P.L. 2021, ch. 236, § 1, effective July 8, 2021.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-33 - Claims for Wrongful Conviction and ImprisonmentSection 12-33-5. - Funding.

§ 12-33-5. Funding.
Any awards, amounts, or fees awarded pursuant to the provisions of this chapter shall, at the direction of the court, be provided by the general treasurer from the general fund.
History of Section.
P.L. 2021, ch. 235, § 1, effective July 8, 2021; P.L. 2021, ch. 236, § 1, effective July 8, 2021.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-33 - Claims for Wrongful Conviction and ImprisonmentSection 12-33-6. - Non-exclusivity.

§ 12-33-6. Non-exclusivity.
The provisions of this chapter shall not be construed to prohibit a person who has been wrongfully convicted and incarcerated as a result of the misfeasance or malfeasance on the part of the state or any of its political subdivisions from seeking compensation or relief pursuant to any other action or suit authorized by law.
History of Section.
P.L. 2021, ch. 235, § 1, effective July 8, 2021; P.L. 2021, ch. 236, § 1, effective July 8, 2021.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-33 - Claims for Wrongful Conviction and ImprisonmentSection 12-33-7. - Limitations.

§ 12-33-7. Limitations.
Any person claiming compensation under this section based on a pardon that was granted or the vacated or reversed judgment of conviction that occurred before June 30, 2021, shall file such claim not later than three (3) years after June 30, 2021. Any person claiming compensation under this section based on a pardon that was granted or the vacated or reversed judgment of conviction on or after June 30, 2021, shall file such claim not later than three (3) years after the date of such pardon or the vacated or reversed judgment of conviction.
History of Section.
P.L. 2021, ch. 235, § 1, effective July 8, 2021; P.L. 2021, ch. 236, § 1, effective July 8, 2021.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-4 - Recognizance to Keep the PeaceSection 12-4-1. - Examination on complaint of threat to commit offense.

§ 12-4-1. Examination on complaint of threat to commit offense.
Whenever complaint shall be made to any judge of the district court, or to any justice of the peace authorized to issue warrants within a division, that any person has, within the division, threatened to commit any crime or offense against the person or property of another, the judge or justice of the peace shall examine the complainant under oath or affirmation, and require his or her statement to be reduced to writing and be subscribed and sworn to by the complainant.
History of Section.
C.P.A. 1905, § 152; G.L. 1909, ch. 281, § 5; G.L. 1923, ch. 331, § 5; G.L. 1938, ch. 501, § 5; G.L. 1956, § 12-4-1; P.L. 1969, ch. 239, § 15; P.L. 1972, ch. 169, § 12.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-4 - Recognizance to Keep the PeaceSection 12-4-2. - Warrant to apprehend accused.

§ 12-4-2. Warrant to apprehend accused.
If the complainant shall then, before the judge or justice of the peace, enter into a recognizance in a sum not exceeding fifty dollars ($50.00), and with this surety, as the judge or justice of the peace shall direct and approve, with condition to prosecute the complaint with effect, or in default of prosecution to pay the costs that may accrue to the state, the judge or justice of the peace shall issue a warrant returnable immediately, annexing to the warrant the complaint, or reciting its substance in it, directed to the sheriff, deputy

sheriffs, town sergeants, and town constables in the county in which the division is, and to the like officers in the county in which the accused may be supposed to belong, reside, or be found, and requiring the officer who shall be charged with the service of the warrant immediately to apprehend the accused and have him or her before the district court for the division in which the offense shall be alleged to have been committed.
History of Section.
C.P.A. 1905, § 153; G.L. 1909, ch. 281, § 6; G.L. 1923, ch. 331, § 6; G.L. 1938, ch. 501, § 6; G.L. 1956, § 12-4-2; P.L. 1969, ch. 239, § 15; P.L. 2015, ch. 260, § 20; P.L. 2015, ch. 275, § 20.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-4 - Recognizance to Keep the PeaceSection 12-4-3. - Inquiry into truth of complaint — Sentence to enter recognizance.

§ 12-4-3. Inquiry into truth of complaint — Sentence to enter recognizance.
Whenever any accused party shall be brought before the court, the court shall inquire into the truth of the complaint. If it shall appear that the complaint is true and that there is reasonable cause to fear that the threat would be carried into execution, the accused person shall be sentenced to enter into recognizance with sufficient surety or sureties, and in any sum that the court shall direct, with condition to keep the peace towards all the people of this state, and especially towards the person against whom or against whose property the threat shall have been made, for a certain time thereafter not exceeding eleven (11) months, and to pay all the costs of prosecution and conviction.
History of Section.
C.P.A. 1905, § 154; G.L. 1909, ch. 281, § 7; G.L. 1923, ch. 331, § 7; G.L. 1938, ch. 501, § 7; G.L. 1956, § 12-4-3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-4 - Recognizance to Keep the PeaceSection 12-4-4. - Discharge of accused — Commitment on failure to give recognizance.

§ 12-4-4. Discharge of accused — Commitment on failure to give recognizance.
Upon complying with the sentence, the accused shall be discharged; but on neglecting so to do, he or she shall be committed to the adult correctional institutions, there to remain during the term of which he or she was sentenced to give recognizance, and until the costs are paid, and also all the costs of his or her commitment, or until he or she shall enter into the recognizance required by the sentence before some judge of the district court or justice of the peace authorized to take bail in the county, and pay the required costs.
History of Section.
C.P.A. 1905, § 155; G.L. 1909, ch. 281, § 8; G.L. 1923, ch. 331, § 8; G.L. 1938, ch. 501, § 8; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 12-4-4; P.L. 1969, ch. 239, § 15.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-4 - Recognizance to Keep the PeaceSection 12-4-5. - Exemption from recognizance — Domestic abuse.

§ 12-4-5. Exemption from recognizance — Domestic abuse.
Notwithstanding any other provision of this chapter, no requirement shall be made of any complainant to enter into a recognizance of any sum to prosecute a complaint for domestic assault.
History of Section.
C.P.A. 1905, § 156; G.L. 1909, ch. 281, § 9; G.L. 1923, ch. 331, § 9; G.L. 1938, ch. 501, § 9; G.L. 1956, § 12-4-5; P.L. 1977, ch. 259, § 2; P.L. 2001, ch. 86, § 23.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-4 - Recognizance to Keep the PeaceSection 12-4-6. - Discharge on failure to find complaint supported by evidence — Costs.

§ 12-4-6. Discharge on failure to find complaint supported by evidence — Costs.
If the district court before which the warrant shall be returned, or any warrant triable before it, upon which recognizance with surety for costs may be required by it, shall not consider the complaint, after trial, to be supported by the evidence adduced, the court shall immediately discharge the accused, and, as soon as may be, tax the costs that have accrued on it, including the attendance and travel of the witnesses summoned and present or sworn on the part of the complainant, and, if the costs are not paid within ten (10) days, shall issue execution for the costs against the complainant and his or her surety, returnable in twenty (20) days from the date of execution. The costs when collected shall be paid to the clerk, if there is any, or if not, to the justice, and be paid out by the clerk or justice to the several persons having right to them, or to the general treasurer.
History of Section.
C.P.A. 1905, § 157; G.L. 1909, ch. 281, § 10; G.L. 1923, ch. 331, § 10; G.L. 1938, ch. 501, § 10; G.L. 1956, § 12-4-6.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-1. - Definitions.

§ 12-5.1-1. Definitions.
As used in this chapter:

(1)
“Aggrieved person” means an individual who was a party to any intercepted wire, electronic, or oral communication or against whom the interception was directed.
(2)
“Communications common carrier” has the same meaning given the term “common carrier” by 47 U.S.C. § 153(11).
(3)
“Contents,” when used with respect to any wire, electronic, or oral communication, includes any information concerning the identity of the parties to that communication or the existence, substance, purport, or meaning of that communication.
(4)
“Designated offense” means the offenses of:
(i)
Murder, robbery, kidnapping, extortion, assault with a dangerous weapon, and assault with intent to rob or murder;
(ii)
Arson in the first degree, arson in the second degree, or arson in the third degree;
(iii)
Bribery or larceny involving the receipt of stolen property of a value of more than five hundred dollars ($500);
(iv)
Any violation of chapter 28 of title 21 where the offense is punishable by imprisonment for more than one year;
(v)
Any violation of chapters 19, 47, or 51 of title 11, where the offense is punishable by imprisonment for more than one year;
(vi)
The lending of money at a rate of interest in violation of law;
(vii)
Being a fugitive from justice for any of the offenses provided in this subdivision;
(viii)
Any violation of chapter 67.1 of title 11 where the offense is punishable by imprisonment for more than one year; and
(ix)
Conspiracy to commit any of the offenses provided in this subdivision.
(5)
“Electronic communication” means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photooptical system, but does not include:
(i)
Any wire or oral communication;
(ii)
Any communication made through a tone-only paging device; or
(iii)
Any communication from a tracking device.
(6)
“Electronic communication service” means any service which provides to users the ability to send or receive wire or electronic communications.
(7)
“Electronic, mechanical, or other device” means any device or apparatus which can be used to intercept wire, electronic, or oral communications other than:
(i)
Any telephone or telegraph instrument, equipment, or facility or any component of telephone or telegraph instruments, equipment, or facilities, furnished to the subscriber or user by a provider of wire or electronic communication service in the ordinary course of its business, and being used by the subscriber or user in the ordinary course of business, or by an investigative or law enforcement officer in the ordinary course of his or her duties; or
(ii)
A hearing aid or similar device which is being used to correct subnormal hearing to normal.
(8)
“Intercept” means aural or other acquisition of the contents of any wire, electronic, or oral communication through the use of any electronic, mechanical, or other device.
(9)
“Investigative or law enforcement officer” means any officer of the United States, this state, or a political subdivision of this state, who is empowered by law to conduct investigations of, or to make arrests for, the designated offenses, the attorney general, and his or her assistants.
(10)
“Oral communications” means any oral communication uttered by a person exhibiting an expectation that the communication is not

subject to interception under circumstances justifying that expectation, but the term does not include any electronic communication.
(11)
“Person” means any individual, partnership, association, joint stock company, trust, or corporation, whether or not any of the foregoing is an officer, agent, or employee of the United States, a state, or a political subdivision of a state.
(12)
“User” means any person or entity who:
(i)
Uses an electronic communication service; and
(ii)
Is duly authorized by the provider of the service to engage in that use; photooptical or photoelectronic facilities for the transmission of electronic communications, and any computer facilities or related electronic equipment for the electronic storage of the communications.
(13)
“Wire communications” means any aural transfer made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable, or other like connection between the point of origin and the point of reception (including the use of the connection in a switching station), furnished or operated by any person engaged in providing or operating the facilities for the transmission of communications. The term includes any electronic storage of the communication.
History of Section.
P.L. 1969, ch. 55, § 1; P.L. 1975, ch. 252, § 1; P.L. 1978, ch. 144, § 1; P.L. 1979, ch. 127, § 2; P.L. 1980, ch. 42, § 1; 1985, ch. 348, § 1; P.L. 1986, ch. 3, § 1; P.L. 1999, ch. 167, § 2; P.L. 2020, ch. 79, art. 2, § 4; P.L. 2022, ch. 53, § 1, effective June 7, 2022; P.L. 2022, ch. 54, § 1, effective June 7, 2022.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-10. - Disclosure and use of intercepted wire or oral communications.

§ 12-5.1-10. Disclosure and use of intercepted wire or oral communications.
(a)
Any investigative or law enforcement officer who, by any means authorized by this chapter, has obtained knowledge of the contents of any wire, electronic, or oral communication, or evidence derived from them, may disclose the contents to another investigative or law enforcement officer to the extent that disclosure is appropriate to the proper performance of the official duties of the officer making or receiving the disclosure.
(b)
Any investigative or law enforcement officer who, by any means authorized by this chapter, has obtained knowledge of the contents of any wire, electronic, or oral communication or evidence derived from them may use the contents to the extent that their use is appropriate to the proper performance of his or her official duties.
(c)
Any person who has received, by any means authorized by this chapter, any information concerning a wire, electronic, or oral communication, or evidence derived from them intercepted in accordance with the provisions of this chapter may disclose the contents of that communication or the derivative evidence while giving testimony under oath or affirmation in any criminal proceeding in any court of the United States or of this or any other state or in any federal or state grand jury proceeding.
(d)
No otherwise privileged wire, electronic, or oral communication intercepted in accordance with, or in violation of, the provisions of this chapter shall lose its privileged character.
History of Section.
P.L. 1969, ch. 55, § 1; P.L. 1999, ch. 167, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-11. - Notice of intention.

§ 12-5.1-11. Notice of intention.
The contents of any intercepted wire, electronic, or oral communication or evidence derived from them shall not be received in evidence or otherwise disclosed in any criminal proceeding unless each party, not less than ten (10) days before the proceeding has been furnished with a copy of the application, order, and inventory under which the interception was authorized or approved. This ten (10) day period may be waived by the judge if he or she finds that it was not possible to furnish the party with the information more than ten (10) days before the proceeding and that the party will not be prejudiced by the delay in receiving the information.
History of Section.
P.L. 1969, ch. 55, § 1; P.L. 1999, ch. 167, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-12. - Suppression of evidence.

§ 12-5.1-12. Suppression of evidence.

(a)
Any aggrieved person may move to suppress the contents of any intercepted wire, electronic, or oral communication or evidence derived from them on the grounds that:
(1)
The communication was unlawfully intercepted;
(2)
The order under which it was intercepted is insufficient on its face;
(3)
The interception was not made in conformity with the order;
(4)
Service was not made as provided in § 12-5.1-11; or
(5)
The seal provided in § 12-5.1-8(b) is not present and there is no satisfactory explanation for its absence.
(b)
A motion under this section shall be made before the trial, unless there was no opportunity to make the motion or the person was not aware of the grounds of the motion. If the motion is granted, the contents of the intercepted wire, electronic, or oral communication, or evidence derived from them, shall be treated as having been obtained in violation of this chapter. The judge, upon the filing of the motion by the aggrieved person, may in his or her discretion make available to the aggrieved person or the person's counsel for inspection any portions of the intercepted communication or evidence derived from them that the judge determines to be in the interests of justice.
(c)
If the motion shall be made before any court or judge other than the presiding justice of the superior court, the motion shall be transferred to the presiding justice of the superior court or to an associate justice of the superior court who shall be designated by the presiding justice, or by the associate justice in charge of the criminal calendar in Providence County whenever the presiding justice shall deem it necessary to disqualify himself or herself, for hearing and determination. No motion under this section shall be heard or determined by a district court in preliminary proceedings or otherwise.
(d)
In addition to any other right of appeal, the state, by the attorney general, shall have the right to appeal from an order allowing a motion to suppress made under this section. The appeal shall be taken within thirty (30) days after the date of allowance of the motion to suppress. If the motion to suppress is allowed prior to trial, the appeal shall be decided prior to trial. If the motion to suppress is allowed during trial and the attorney general shall claim an appeal, the evidence shall be admitted at trial, and the question of admissibility reserved for the supreme court.
History of Section.
P.L. 1969, ch. 55, § 1; P.L. 1980, ch. 100, § 1; P.L. 1999, ch. 167, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-13. - Civil remedy.

§ 12-5.1-13. Civil remedy.
(a)
Any person whose wire, electronic, or oral communication is intercepted, disclosed, or used in violation of this chapter shall have a civil cause of action against any person who intercepts, discloses, or uses the communications, and shall be entitled to recover from that person:
(1)
Actual damages, but not less than liquidated damages, computed at the rate of one hundred dollars ($100) per day for each day of violation, or one thousand dollars ($1,000), whichever is higher;
(2)
Punitive damages; and
(3)
Reasonable attorneys' fees and other litigation disbursements reasonably incurred.
(b)
Good faith reliance on a court order issued under this chapter shall constitute a complete defense to any civil or criminal action brought under this section or any other law. Any communications common carrier and its employees shall be deemed to have acted in good faith upon receipt of a certified copy of the court order issued under this chapter and the representations of the attorney general or an assistant attorney general specially designated by the attorney general.
History of Section.
P.L. 1969, ch. 55, § 1; P.L. 1974, ch. 121, § 1; P.L. 1979, ch. 239, § 1; P.L. 1999, ch. 167, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-14. - Annual report of interceptions to the general assembly.

§ 12-5.1-14. Annual report of interceptions to the general assembly.
(a)
On the second Friday of January, of each year, the attorney general shall submit a report to the general assembly stating the number of applications made for orders during the previous year and the number of orders issued. In addition, the report shall provide, for each wiretap order and renewal:
(1)
A breakdown of the effective period of the wiretap;
(2)
The designation of the offenses for which the wiretap was sought;
(3)
The number of interceptions made by the wiretap during the reported year;
(4)
An indication whether any indictments were obtained as a result of those intercepts; (5) An indication, if any motions to suppress were made, whether the motions were granted; and
(6)
The prosecutorial results, if any, of the wiretap, including the criminal sentences imposed on any individual who pleads or is convicted of a crime in which wiretaps were instituted.
(b)
If the wiretap order is a renewal from a previous year, or a case is closed in which a wiretap order had been previously obtained, the report shall list with the information provided in subsection (a) of this section a separate breakdown of the information for prior years. The report shall not include any information of wiretaps which remain in operation at the time the report is filed. This report shall be a public document. The report shall also include the number of pen registers and trap and trace devices authorized.
History of Section.
P.L. 1969, ch. 55, § 1; P.L. 1988, ch. 236, § 1; P.L. 1992, ch. 283, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-15. - Conformity to the law of the United States.

§ 12-5.1-15. Conformity to the law of the United States.
Notwithstanding any provision of this chapter, any court to which an application is made in accordance with this chapter may take any evidence, make any finding, or issue any order required to conform the proceedings or the issuance of any order of authorization or approval as provided in this chapter to the provisions of the Constitution of the United States or of any law of the United States.
History of Section.
P.L. 1969, ch. 55, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-16. - Severability.

§ 12-5.1-16. Severability.
If any provision of this chapter or its application to any person or circumstances is held invalid, its invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.
History of Section.
P.L. 1969, ch. 55, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-2. - Application for orders.

§ 12-5.1-2. Application for orders.
(a)
The attorney general, or an assistant attorney general specially designated by the attorney general, may apply ex parte to the presiding justice of the superior court of competent jurisdiction for an order authorizing the interception of any wire, electronic, or oral communications. Each application ex parte for an order must be in writing, subscribed and sworn to by the applicant.
(b)
The application must contain:
(1)
The identity of the officer making the application;
(2)
A full and complete statement of the facts and circumstances relied upon by the applicant to justify his or her belief that an order should be issued, including:
(i)
Details as to the particular designated offense that has been, is being, or is about to be committed;

(ii)
A particular description of the nature and location of the facilities from which, or the place where, the communication is to be intercepted;
(iii)
A particular description of the type of communications sought to be intercepted; and
(iv)
The identity of the person, if known, committing the offense and whose communications are to be intercepted;
(3)
A full and complete statement as to whether or not other investigative procedures have been tried and failed or why they reasonably appear to be unlikely to succeed if tried or to be too dangerous;
(4)
A statement of the period of time for which the interception is required to be maintained. If the nature of the investigation is such that the authorization of interception should not automatically terminate when the described type of communication has been first obtained, a particular description of facts establishing probable cause to believe that additional communications of the same type will occur after the described type of communication has been first obtained;
(5)
A full and complete statement of the facts concerning all previous applications, known to the individual making the application, made to the presiding justice of the superior court for authorization to intercept wire, electronic, or oral communications involving any of the same persons, facilities or places specified in the application, and the action taken by the presiding justice of the superior court on each application; and
(6)
Where the application is for the extension of an order, a statement setting forth the results thus far obtained from the interception, or a reasonable explanation of the failure to obtain the results.
(c)
The presiding justice of the superior court may require the applicant to furnish additional testimony or documentary evidence in support of the application.
(d)
Allegations of fact in the application may be based either upon the personal knowledge of the applicant or upon information and belief. If the applicant personally knows the fact alleged, it must be so stated. If the facts establishing reasonable cause are derived in whole or in part from the statements of persons other than the applicant, the sources of the information and belief must be either disclosed or described, and the application must contain facts establishing the existence and reliability of the informant, or the reliability of the information supplied by the informant. The application must also state, so far as possible, the basis of the informant's knowledge or belief. If the applicant's information and belief is derived from tangible evidence or recorded oral evidence, a copy or detailed description of the evidence should be annexed to or included in the application. Affidavits of persons other than the applicant must be submitted in conjunction with the application if they tend to support any fact or conclusion alleged in the application. Accompanying affidavits may be based either on personal knowledge of the affiant, or information and belief with the source of the information and reason for the belief specified.
History of Section.
P.L. 1969, ch. 55, § 1; P.L. 1999, ch. 167, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-3. - Where application may be made.

§ 12-5.1-3. Where application may be made.
Application for an order to intercept wire, electronic, or oral communication may be made to the presiding justice of the superior court or the senior associate justice of the superior court whenever the presiding justice shall deem it necessary to disqualify himself or herself from entering the order.
History of Section.
P.L. 1969, ch. 55, § 1; P.L. 1980, ch. 100, § 1; P.L. 1999, ch. 167, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-4. - Issuance of orders.

§ 12-5.1-4. Issuance of orders.
(a)
Upon the application as provided in § 12-5.1-2 the presiding justice of the superior court, or the senior associate justice of the superior court when the presiding justice shall disqualify himself or herself from entering the order, may enter an ex parte order, as required or as modified, authorizing the interception of wire, electronic, or oral communications if the presiding justice of the superior court determines on the basis of the facts submitted by the applicant that:
(1)
There is probable cause for belief that an individual is committing, has committed, or is about to commit a particular designated

offense;
(2)
There is probable cause for belief that particular communications concerning that offense will be obtained through the interception;
(3)
Normal investigative procedures have been tried and have failed or reasonably appear to be unlikely to succeed if tried, or to be too dangerous;
(4)
There is probable cause for belief that the facilities from which, or the place where, the wire, electronic, or oral communications are to be intercepted, are being used, or are about to be used, in connection with the commission of the offense, or are leased to, listed in the name of, or commonly used by the individual.
(b)
If the facilities from which a wire, electronic, or oral communication is to be intercepted are public, no order of authorization shall be issued unless the court, in addition to the matters provided in subsection (a) of this section, determines that there is a special need to intercept wire communications over the facilities.
(c)
If the facilities from which, or the place where, the wire, electronic, or oral communications are to be intercepted, are being used, or are about to be used, or are leased to, listed in the name of, or commonly used by, a licensed attorney-at-law, or an ordained minister of the gospel, priest, or rabbi of any denomination, or is a place used primarily for habitation by a husband and wife, no order shall be issued unless the presiding justice of the superior court, in addition to the matters provided in subsection (a) of this section, determines that there is a special need to intercept wire, electronic, or oral communications over those facilities or in those places, and that the interceptions will be so conducted as to minimize or eliminate interception of privileged communication between lawyers and clients, clergy and confidants, or husbands and wives.
History of Section.
P.L. 1969, ch. 55, § 1; P.L. 1980, ch. 100, § 1; P.L. 1999, ch. 167, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-5. - Form and content of orders.

§ 12-5.1-5. Form and content of orders.
(a)
Each order authorizing the interception of any wire, electronic, or oral communication shall specify:
(1)
The identity, or a particular description of the person, if known, whose communications are to be intercepted;
(2)
The nature and location of the communications facilities as to which, or the place where, authority to intercept is granted;
(3)
A particular description of the type of communications sought to be intercepted, and a statement of the particular offense to which they relate;
(4)
The identity of the agency authorized to intercept the communications; and
(5)
The period of time during which the interception is authorized, including a statement as to whether or not the interception shall automatically terminate when the described communication has been first obtained.
(b)
No order entered under this section may authorize the interception of any wire, electronic, or oral communication for any period longer than is necessary to achieve the objective of the authorization, nor in any event longer than thirty (30) days. Extensions of an order may be granted, but only upon application for an extension made in accordance with § 12-5.1-2 and the court making the findings required by § 12-5.1-4. The period of extension shall be no longer than the presiding justice of the superior court deems necessary to achieve the purposes for which it was granted and in no event for longer than thirty (30) days. Every order and extension shall contain a provision that the authorization to intercept shall be executed as soon as practicable, shall be conducted in such a way as to minimize the interception of communications not otherwise subject to interception under this chapter, and must terminate upon attainment of the authorized objective, or in any event in thirty (30) days.
(c)
Whenever an order authorizing interception is entered pursuant to this chapter, the order may require reports to be made to the presiding justice of the superior court who issued the order showing what progress has been made toward achievement of the authorized objective and the need for continued interception. These reports shall be made at any intervals that the presiding justice of the superior court may require.
(d)
A court order issued by a judge of competent jurisdiction authorizing the interception of a wire, electronic, or oral communication may direct an officer, employee, or agent of any communications common carrier or electronic communications service to provide

information, facilities, and technical assistance to the applicant attorney general or an assistant attorney general specially designated by the attorney general or law enforcement officer or agency who, pursuant to this chapter, is designated to intercept a wire, electronic, or oral communication. The communications common carrier or electronic communication service shall, if ordered, immediately furnish the applicant attorney general or assistant attorney general specially designated by the attorney general all information, facilities, and technical assistance necessary to accomplish the interception unobtrusively and with a minimum of interference with the services that the communications carrier or electronic communication service is according the person whose communications are to be intercepted. A communications common carrier or electronic communication service shall furnish the information, facilities, and technical assistance at its prevailing rate or tariffs to the applicant attorney general or assistant attorney general specially designated by the attorney general or law enforcement officer or agency so designated to intercept a wire, electronic, or oral communication.
History of Section.
P.L. 1969, ch. 55, § 1; P.L. 1979, ch. 239, § 1; P.L. 1999, ch. 167, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-6. - Approval of interception of wire, electronic, or oral communication.

§ 12-5.1-6. Approval of interception of wire, electronic, or oral communication.
(a)
An order of approval of the interception of any wire, electronic, or oral communication relating to an offense other than that specified in the order of authorization may be issued where the court finds on an application for an order of approval submitted in the same manner as an application for authorization as provided in § 12-5.1-2 that the interception was otherwise made in accordance with this chapter. This application shall be made as soon as practicable.
(b)
In addition to any other right to appeal, the state, by the attorney general, shall have the right to appeal from a denial of an order of approval made under this section. The appeal shall be claimed and taken in the manner provided by law and rule of court for prosecuting appeals in civil actions.
History of Section.
P.L. 1969, ch. 55, § 1; P.L. 1999, ch. 167, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-7. - Execution of orders.

§ 12-5.1-7. Execution of orders.
(a)
An order may be executed pursuant to its terms anywhere in the state.
(b)
An order may be personally executed by the authorized applicant or by other investigative or law enforcement officer designated by him or her or the presiding justice of the superior court for the purpose.
(c)
The order shall be executed according to its terms during the hours specified by the order, and for the authorized period, or a part of that period. Any device installed for the purpose of interception must be removed as soon after termination of the interception as practicable. Entry upon private premises for the removal of the device is deemed to be authorized by the warrant.
History of Section.
P.L. 1969, ch. 55, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-8. - Maintenance and custody of records.

§ 12-5.1-8. Maintenance and custody of records.
(a)
The contents of any wire, electronic, or oral communication intercepted by any means authorized by this chapter shall, if practicable, be recorded on tape or wire or other comparable device. The recording of the contents of any wire, electronic, or oral communication under this section shall be done in such a way as will protect the recording from editing or other alterations. Immediately upon the expiration of the period of the order, or extensions of the order, the recordings shall be made available to the presiding justice of the superior court issuing the order and sealed under his or her directions. Custody of the recordings shall be wherever the presiding justice of the superior court orders. They shall not be destroyed except upon an order of the presiding justice of the superior court, and in any event, shall be kept for ten (10) years. Duplicate recordings may be made for use or disclosure pursuant to the provisions of § 12-5.1-10(a) or (b) for investigations and bail hearings and any pre-trial hearings. The presence of the seal provided for by this section, or a satisfactory explanation for its absence, shall be a prerequisite for the use or disclosure of the contents of any wire, electronic, or oral communication or evidence derived from them at any bail hearing or pre-trial hearing.
(b)
Applications made and orders granted under this chapter shall be sealed by the presiding justice of the superior court. Custody of the

applications and orders shall be wherever the presiding justice of the superior court directs. The applications and orders shall be disclosed only upon a showing of good cause before the presiding justice of the superior court and shall not be destroyed except on order of the presiding justice of the superior court, and in any event shall be kept for ten (10) years.
(c)
Any violation of the provisions of this section may be punished as contempt of the presiding justice of the superior court.
History of Section.
P.L. 1969, ch. 55, § 1; P.L. 1992, ch. 282, § 1; P.L. 1999, ch. 167, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.1 - Interception of Wire and Oral CommunicationsSection 12-5.1-9. - Return of inventory.

§ 12-5.1-9. Return of inventory.
(a)
Within a reasonable time but not later than ninety (90) days after the termination of the period of the order or of extensions of the order, the presiding justice of the superior court shall cause to be served on the person named in the order or application, and any other parties to the intercepted communications that the presiding justice of the superior court may determine in his or her direction to be in the interest of justice, an inventory which shall include:
(1)
Notice of the entry of the order or the application for a denied order of approval;
(2)
The date of the entry of the order or the denial of the application for an order of approval;
(3)
The period of authorized, approved or disapproved interception;
(4)
The fact that during the period wire, electronic, or oral communications were or were not intercepted.
(b)
The judge, upon the filing of a motion, may in his or her discretion make available to the person or the person’s counsel for inspection any portions of the intercepted communications, applications, and orders that the judge determines to be in the interest of justice. On an ex parte showing of good cause to the judge, the serving of the inventory required by this section may be postponed.
History of Section.
P.L. 1969, ch. 55, § 1; P.L. 1999, ch. 167, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.2 - Pen Registers and Trap and Trace DevicesSection 12-5.2-1. - Definitions.

§ 12-5.2-1. Definitions.
As used in this chapter:
(1)
“Designated offense” means the offenses of:
(i)
Murder, robbery, kidnapping, extortion, assault with a dangerous weapon, and assault with intent to rob or murder;
(ii)
Arson in the first degree, arson in the second degree, or arson in the third degree;
(iii)
Bribery; larceny involving the receipt of stolen property of a value of more than five hundred dollars ($500);
(iv)
Any violation of chapter 28 of title 21 where the offense is punishable by imprisonment for more than one year;
(v)
Any violation of chapters 19, 47, or 51 of title 11, where the offense is punishable by imprisonment for more than one year;
(vi)
The lending of money at a rate of interest in violation of law; and
(vii)
Conspiracy to commit any of the offenses provided in this subdivision;
(2)
“Pen register” means a device which records or decodes electronic or other impulses which identify the numbers dialed or otherwise transmitted on the telephone line to which the device is attached, but does not include any device used by a provider or customer of a wire or electronic communication service for billing, or recording as an incident to billing, for communications services provided by the provider or any device used by a provider or customer of a wire communication service for cost accounting or other like purposes in the ordinary course of its business;
(3)
“Trap and trace device” means a device which captures the incoming electronic or other impulses which identify the originating

number of an instrument or device from which a wire or electronic communication was transmitted;
(4)
“Wire communications” has the meaning set forth in § 12-5.1-1.
History of Section.
P.L. 1992, ch. 283, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.2 - Pen Registers and Trap and Trace DevicesSection 12-5.2-2. - Application for an order for a pen register or a trap and trace device.

§ 12-5.2-2. Application for an order for a pen register or a trap and trace device.
(a)(1)
The attorney general or an assistant attorney general designated by the attorney general may make application for an order or an extension of an order pursuant to the provisions of § 12-5.2-3 authorizing or approving the installation and use of a pen register or a trap and trace device under this chapter, in writing under oath or equivalent affirmation, to the presiding justice of the superior court or his or her designee in order to obtain information regarding a designated offense.
(2)
Any law enforcement officer set forth in § 12-5-3 may make application for an order or an extension of an order under § 12-5.2-3 authorizing or approving the installation and use of a pen register or a trap and trace device under this chapter, in writing under oath or equivalent affirmation to the presiding justice of the superior court or his or her designee.
(b)
An application pursuant to subsection (a) of this section shall include:
(1)
The identity of the attorney general, assistant attorney general, or the law enforcement officer making the application and the identity of the law enforcement agency conducting the investigation; and
(2)
A certification by the applicant that the information likely to be obtained is relevant and necessary to an ongoing criminal investigation, that other investigative procedures have been or are being initiated or conducted, and that the request for the issuance of the pen register and/or trap and trace device is necessary to further an ongoing criminal investigation being conducted by that agency.
History of Section.
P.L. 1992, ch. 283, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.2 - Pen Registers and Trap and Trace DevicesSection 12-5.2-3. - Issuance of an order for a pen register or a trap and trace device.

§ 12-5.2-3. Issuance of an order for a pen register or a trap and trace device.
(a)(1)
Upon an application made pursuant to § 12-5.2-2, the court shall enter an ex parte order authorizing the installation and use of a pen register or a trap and trace device if the court is reasonably satisfied that the information likely to be obtained by the installation and use is relevant and necessary to further an ongoing criminal investigation and that use of a pen register or trap and trace device is the least intrusive way to obtain the information sought.
(2)
An order issued under this section shall specify:
(i)
The identity, if known, of the person to whom is leased or in whose name is listed the telephone line to which the pen register or trap and trace device is to be attached;
(ii)
The identity of the person who is the subject of the criminal investigation;
(iii)
The number and physical location of the telephone line to which the pen register or trap and trace device is to be attached and, in the case if a trap and trace device, the geographic limits of the trap and trace order;
(iv)
A statement of the offense to which the information likely to be obtained by the pen register or trap and trace device is relevant; and
(v)
Shall direct, upon the request of the applicant, the furnishing of information, facilities, and technical assistance necessary to accomplish the installation of the pen register or trap and trace device under § 12-5.2-4.
(b)
An order issued pursuant to this section shall authorize the installation and use of a pen register or a trap and trace device for a period not to exceed sixty (60) days.
(c)
Extensions of the order may be granted only upon an application for an order pursuant to § 12-5.2-2, and upon the judicial finding

required by subdivision (a)(1) of this section. The period of extension shall be a period not to exceed sixty (60) days.
(d)
An order authorizing or approving the installation and use of a pen register or a trap and trace device shall direct that:
(1)
The order is sealed until otherwise ordered by the court; and
(2)
The person owning or leasing the line to which the pen register or a trap and trace device is attached, or who has been ordered by the court to provide assistance to the applicant, not disclose the existence of the pen register or trap and trace device or the existence of the investigation to the listed subscriber, or to any other person, unless or until otherwise ordered by the court.
History of Section.
P.L. 1992, ch. 283, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.2 - Pen Registers and Trap and Trace DevicesSection 12-5.2-4. - Assistance in installation and use of pen register or a trap and trace device.

§ 12-5.2-4. Assistance in installation and use of pen register or a trap and trace device.
(a)
Upon the request of the attorney general, assistant attorney general, or law enforcement officer authorized to install and use a pen register under this chapter, a provider of wire communication service shall immediately furnish the attorney general, assistant attorney general, or law enforcement officer all information, facilities, and technical assistance necessary to accomplish the installation of the pen register unobtrusively, and with a minimum of interference with the services that the person so ordered by the court accords the party with respect to whom the installation and use is to take place, if the assistance is directed by a court order as provided in § 12-5.2-3.
(b)
Upon the request of the attorney general, assistant attorney general, or an officer of a law enforcement agency authorized to receive the results of a trap and trace device under this chapter, a provider of a wire communication service shall immediately install the device on the appropriate line and shall furnish the investigative or law enforcement officer all additional information, facilities, and technical assistance including installation and operation of the device unobtrusively and with a minimum of interference with the services that the person so ordered by the court accords the party with respect to whom the installation and use is to take place, if the installation and assistance is directed by a court order as provided in § 12-5.2-3. Unless otherwise ordered by the court, the results of the trap and trace device shall be furnished to the attorney general, assistant attorney general, or officer of a law enforcement agency, designated by the court, at reasonable intervals during regular business hours for the duration of the order.
(c)
A provider of a wire communication service who furnishes facilities or technical assistance pursuant to this section shall be reasonably compensated for reasonable expenses incurred in providing these facilities and assistance.
(d)
No cause of action shall lie in any court against any provider of a wire communication service, its officers, employees, or agents, or other specified persons for providing information, facilities, or assistance in accordance with the terms of a court order under this chapter.
(e)
Good faith reliance on a court order, a legislative authorization, or a statutory authorization shall be an absolute defense against any civil or criminal action brought pursuant to this chapter or any other law.
History of Section.
P.L. 1992, ch. 283, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5.2 - Pen Registers and Trap and Trace DevicesSection 12-5.2-5. - Severability.

§ 12-5.2-5. Severability.
If any provision of this chapter or its application to any person or circumstances is held invalid, its invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.
History of Section.
P.L. 1992, ch. 283, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5 - Search WarrantsSection 12-5-1. - Authority to issue.

§ 12-5-1. Authority to issue.
(a)
A search warrant may be issued by any judge of the district court. Nothing contained in this chapter shall be so construed as to restrain the power of the justices of the supreme or superior courts by virtue of § 8-3-6 to issue a search warrant.

(b)
Nothing contained in this chapter shall be so construed as to restrain the power of the justices of the family court by virtue of §§ 8-10-3, 8-10-4, 8-10-38, and 11-9-9 to issue a search warrant.
History of Section.
P.L. 1965, ch. 168, § 1; P.L. 1969, ch. 239, § 16; P.L. 2002, ch. 210, § 1; P.L. 2002, ch. 262, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5 - Search WarrantsSection 12-5-10. - Electronic communication services.

§ 12-5-10. Electronic communication services.
(a)
Based on probable cause, a warrant may be issued to corporations located outside the state of Rhode Island that provide electronic communication services to the general public in connection with any communications sent to or received by customers or recipients located in Rhode Island. The warrant may require the provision of customer identity, data stored by or on behalf of the customer, the customer's usage of those services, the recipient or destination of communications sent to or from those customers, or the content of those communications.
(b)
Any warrant issued under this section shall be honored within the state of Rhode Island and also in any foreign jurisdiction which has any law in place providing for the honoring of such warrants.
History of Section.
P.L. 2002, ch. 198, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5 - Search WarrantsSection 12-5-2. - Grounds for issuance.

§ 12-5-2. Grounds for issuance.
A warrant may be issued under this chapter to search for and seize any of the following:
(1)
Property stolen or embezzled, or obtained by any false pretense, or pretenses, with intent to cheat or defraud within this state, or elsewhere;
(2)
Property kept, suffered to be kept, concealed, deposited, or possessed in violation of law, or for the purpose of violating the law;
(3)
Property designed or intended for use, or that is or has been used, in violation of law, or as a means of committing a violation of law;
(4)
Property that is evidence of the commission of a crime;
(5)
Samples of blood, saliva, hair, bodily tissues, bodily fluids, or dental impressions from the body of a person that may yield evidence of the identity of the perpetrator of a crime when subjected to scientific or other forensic analysis. The foregoing samples, and the results of any scientific or other forensic analysis, shall be admissible in all criminal proceedings, subject to application of the rules of evidence and criminal procedure. When any of the foregoing samples are seized for scientific or forensic analysis, the seizure shall be conducted in accordance with the regulations, guidelines, or protocols of the department of health or the state crime laboratory, as may be appropriate under the circumstances;
(6)
Samples of blood or breath that may yield evidence of the presence of alcohol or a controlled substance when subjected to a chemical test, as contemplated in § 31-27-2. When any of the foregoing samples are seized for purposes of performing the aforementioned chemical test, the seizure shall be conducted in accordance with the regulations of the department of health that apply to the consensual collection of such a sample for purposes of the chemical test contemplated by § 31-27-2; or
(7)
Property of a respondent under chapter 8.3 of title 8 where firearms may be under the possession, custody, or control of the respondent.
History of Section.
C.P.A. 1905, § 178; G.L. 1909, ch. 281, § 31; P.L. 1915, ch. 1258, § 1; G.L. 1923, ch. 331, § 31; G.L. 1938, ch. 501, § 31; G.L. 1956, § 12-5-1; G.L., § 12-5-2, as enacted by P.L. 1965, ch. 168, § 1; P.L. 1972, ch. 169, § 13; P.L. 2004, ch. 441, § 1; P.L. 2004, ch. 493, § 1; P.L. 2009, ch. 210, § 1; P.L. 2009, ch. 211, § 1; P.L. 2018, ch. 6, § 2; P.L. 2018, ch. 7, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5 - Search WarrantsSection 12-5-3.14. - Complaint for issuance of search warrant — Medicaid Fraud Control Unit.

§ 12-5-3.14. Complaint for issuance of search warrant — Medicaid Fraud Control Unit.
In addition to those persons specified in § 12-5-3(a)(1), the director of investigations of the Medicaid Fraud Control Unit of the department of attorney general is authorized to sign written complaints, under oath, for the issuance of search warrants.

History of Section.
P.L. 1988, ch. 209, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5 - Search WarrantsSection 12-5-3.17. - Complaint for issuance of search warrant — Town of North Kingstown.

§ 12-5-3.17. Complaint for issuance of search warrant — Town of North Kingstown.
In addition to those persons specified in § 12-5-3(a), detectives, and any rank above, in the town of North Kingstown police department are hereby authorized to sign written complaints, under oath, for the issuance of search warrants.
History of Section.
P.L. 2019, ch. 287, § 1; P.L. 2019, ch. 299, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5 - Search WarrantsSection 12-5-3. - Issuance and contents.

§ 12-5-3. Issuance and contents.
(a)
A warrant shall issue only upon complaint in writing, under oath of:
(1)
A chief of police, deputy chief of police or other members of the police force of any city or town, or deputy sheriff of any county, member of the division of state police, full time conservation officer of the department of environmental management, or other person specifically authorized by law to bring complaints for violation of the law which it is his or her responsibility to enforce;
(2)
Additionally, in the case of property stolen, embezzled, or obtained by fraud or false pretenses, any person who has a right to the possession of the property.
(3)
Additionally, a sworn law enforcement member of any city or town where that member is serving on a statewide task force.
(b)
Within fourteen (14) days of the issuance of any warrant under this chapter, whether or not executed, the warrant, accompanied by any supporting affidavits and an inventory of any property seized, shall be returned to the district court having jurisdiction over the place of the search or, in the event of a warrant that is not executed, the court from which it was issued. The returns shall be maintained by the district court according to the date of issuance. If not otherwise indicated, the return shall note whether the warrant was executed.
History of Section.
C.P.A. 1905, § 178; G.L. 1909, ch. 281, § 31; P.L. 1915, ch. 1258, § 1; G.L. 1923, ch. 331, § 31; G.L. 1938, ch. 501, § 31; G.L. 1956, § 12-5-1; G.L., § 12-5-3, as enacted by P.L. 1965, ch. 168, § 1; P.L. 1969, ch. 239, § 16; P.L. 1972, ch. 169, § 13; P.L. 1986, ch. 168, § 1; P.L. 1991, ch. 364, § 1; P.L. 1998, ch. 333, § 1; P.L. 2012, ch. 159, § 1; P.L. 2012, ch. 172, § 1; P.L. 2012, ch. 324, § 42.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5 - Search WarrantsSection 12-5-4. - Complainant officer exempt from surety for costs.

§ 12-5-4. Complainant officer exempt from surety for costs.
(a)
No officer or other person described in § 12-5-3(a)(1) complaining as required by that section shall be required at the time of making a complaint to give surety for costs, or in any way to become liable for the costs that may accrue on it or for any damage on account of the seizure.
(b)
Any person described in § 12-5-3(a)(2) complaining as required by that section shall give recognizance in the sum of fifty dollars ($50.00).
History of Section.
C.P.A. 1905, § 178; G.L. 1909, ch. 281, § 31; P.L. 1915, ch. 1258, § 1; G.L. 1923, ch. 331, § 31; G.L. 1938, ch. 501, § 31; G.L. 1956, § 12-5-1; G.L., § 12-5-4; P.L. 1965, ch. 168, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5 - Search WarrantsSection 12-5-7. - Disposition of seized property.

§ 12-5-7. Disposition of seized property.
(a)
The property seized shall be safely kept by the officer seizing it, under the direction of the court, so long as may be necessary for the purpose of being used as evidence in any case.
(b)

As soon as may be thereafter, if the property is subject to forfeiture, further proceedings shall be had on the property for forfeiture as is prescribed by law in chapter 21 of this title.
(c)
If the property seized was stolen or otherwise unlawfully taken from the owner, or is not found to have been unlawfully used or intended for unlawful use, or is found to have been unlawfully used without the knowledge of the owner, it shall be returned to the person legally entitled to its possession.
History of Section.
C.P.A. 1905, § 179; G.L. 1909, ch. 281, § 32; G.L. 1923, ch. 331, § 32; G.L. 1938, ch. 501, § 32; G.L. 1956, § 12-5-2; G.L., § 12-5-7; P.L. 1965, ch. 168, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-5 - Search WarrantsSection 12-5-8. - Hearing upon seizure of matter alleged to be obscene.

§ 12-5-8. Hearing upon seizure of matter alleged to be obscene.
Whenever any deputy sheriff, municipal or state police officer, or any other person authorized by law to execute a search warrant shall seize any property alleged to be obscene, pursuant to a search warrant issued under the provisions of this chapter, the person in whose possession it is found or who claims a proprietary interest in it shall be entitled to a hearing before the superior court on the question of whether or not the property is obscene within three (3) days of the time a written demand is submitted to a judge of the superior court and notice served upon the attorney general, or in the case of towns and cities the chief legal officer of the town or city, and if a hearing is held, the court shall render a decision on the question within forty-eight (48) hours of the conclusion of the hearing. If by the decision the court determines that the matter is not obscene, it shall be immediately returned to the person.
History of Section.
P.L. 1966, ch. 258, § 1; P.L. 1982, ch. 244, § 1; P.L. 2012, ch. 324, § 42.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-6 - Warrants for ArrestSection 12-6-1. - Examination on complaint of commission of offense.

§ 12-6-1. Examination on complaint of commission of offense.
Whenever any complaint shall be made to any judge of the district court, or to any justice of the peace authorized to issue warrants within a division of the district court, of the commission of any offense within the division, he or she shall examine the complainant under oath or affirmation and require the complainant’s statements to be reduced to writing and be subscribed and sworn to by the person or persons making them.
History of Section.
C.P.A. 1905, § 158; G.L. 1909, ch. 281, § 11; G.L. 1923, ch. 331, § 11; G.L. 1938, ch. 501, § 11; G.L. 1956, § 12-6-1; P.L. 1969, ch. 239, § 17; P.L. 1972, ch. 169, § 15.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-6 - Warrants for ArrestSection 12-6-2. - Recognizance for cost on complaint within trial jurisdiction of district court.

§ 12-6-2. Recognizance for cost on complaint within trial jurisdiction of district court.
Whenever any complaint shall allege the commission of any offense within the jurisdiction of the district court to try and determine, the judge or justice of the peace shall require the complainant, unless he or she is exempted by law, to enter into a like recognizance as is required when complaint is made for any threat.
History of Section.
C.P.A. 1905, § 159; G.L. 1909, ch. 281, § 12; G.L. 1923, ch. 331, § 12; G.L. 1938, ch. 501, § 12; G.L. 1956, § 12-6-2; P.L. 1969, ch. 239, § 17.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-6 - Warrants for ArrestSection 12-6-3. - Surety for costs on complaint beyond trial jurisdiction of district court.

§ 12-6-3. Surety for costs on complaint beyond trial jurisdiction of district court.
The judge or justice of the peace may, in all cases of complaint to any of them of the commission of any crime or offense which the district court has not jurisdiction to try and determine, before issuing any warrant on the complaint, require of the complainant surety for costs, as is required in cases which the court has jurisdiction to try and determine.
History of Section.
C.P.A. 1905, § 160; G.L. 1909, ch. 281, § 13; G.L. 1923, ch. 331, § 13; G.L. 1938, ch. 501, § 13; G.L. 1956, § 12-6-3; P.L. 1969, ch. 239, § 17.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-6 - Warrants for ArrestSection 12-6-4. - Issuance of warrant.

§ 12-6-4. Issuance of warrant.
Upon the giving of a recognizance with surety, in the case where surety is required, and upon the giving of a recognizance without

surety, where no surety is required, and upon the making of a complaint only where no recognizance is required, the judge or justice of the peace, if in his or her opinion there is probable cause to believe that an offense has been committed and that defendant has committed it, shall immediately issue his or her warrant.
History of Section.
C.P.A. 1905, § 161; G.L. 1909, ch. 281, § 14; G.L. 1923, ch. 331, § 14; G.L. 1938, ch. 501, § 14; G.L. 1956, § 12-6-4; P.L. 1972, ch. 169, § 15.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-6 - Warrants for ArrestSection 12-6-5. - Recognizance not required on official complaints.

§ 12-6-5. Recognizance not required on official complaints.
Whenever any agent of the children's friend and service shall make complaint against any person for any of the offenses mentioned in §§ 11-9-1 — 11-9-8; or whenever any agent of the Rhode Island society for the prevention of cruelty to animals shall make any complaint against any person for any of the offenses mentioned in chapter 1 of title 4; or whenever the director of public welfare of any city or town shall make complaint against any person for the violation of any of the provisions contained in chapter 8 of title 15; or whenever the director or an agent of the department of labor and training, specifically designated for the purpose, shall make a complaint against any person for any of the offenses mentioned in chapters 3, 12, 14 and chapters 29 — 38 of title 28; or whenever the director or an agent of the department of human services, duly appointed for that purpose, or the director of any state institution appointed by the director of human services, or the superintendent of the Rhode Island training school for youth, or the warden of the adult correctional institutions shall make complaint against any person under any law governing the state department of human services, that director, agent, or officer shall not be required to enter into recognizance for costs.
History of Section.
C.P.A. 1905, § 162; G.L. 1909, ch. 281, § 15; G.L. 1923, ch. 331, § 15; P.L. 1930, ch. 1569, § 1; G.L. 1938, ch. 501, § 15; impl. am. P.L. 1939, ch. 660, § 80; impl. am. P.L. 1946, ch. 1774, §§ 1, 2; impl. am. P.L. 1950, ch. 2416, § 3; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 12-6-5; P.L. 1986, ch. 373, § 1; P.L. 1994, ch. 101, § 6; P.L. 1994, ch. 401, § 7.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-6 - Warrants for ArrestSection 12-6-6.1 - — 12-6-6.14. [Superseded.]

§ 12-6-6.1 — 12-6-6.14. [Superseded.]

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-6 - Warrants for ArrestSection 12-6-6. - Surety for costs not required of police officers.

§ 12-6-6. Surety for costs not required of police officers.
(a)
Whenever any complaint shall be made by the sheriff or any deputy sheriff of any county, or by any member of the division of state police, any member of the campus police forces at the state colleges or universities, or any conservation officer of the department of environmental management, or by the chief of police, deputy chief of police, commander, captain, police inspector, or other member of the police force, or town sergeant of any city or town, within any division of the district court, to the judge of the district court or to any justice of the peace authorized to issue warrants in the division, against any person for any criminal offense committed within the division, the sheriff, deputy sheriff, member of the division of state police, member of the campus police forces at the state colleges or universities, conservation officer of the department of environmental management, chief of police, deputy chief of police, commander, captain, police inspector or other member of the police force, or city or town sergeant shall not be required to give surety for costs, but shall give his or her personal recognizance and be liable in his or her individual capacity for the costs.
(b)
In addition to the officials specified in subsection (a) of this section, the following persons shall be subject to its provisions:
(1)
Police sergeants, lieutenants, and detectives in the town of Bristol;
(2)
All members of the town of Barrington police force above the rank of patrol officer;
(3)
A police sergeant or his or her superior in the town of Johnston;
(4)
Police lieutenants and sergeants in the city of Cranston;
(5)
Any police lieutenant or police sergeant in the town of Coventry;
(6)
Any police lieutenant in the town of North Kingstown;
(7)
All members of the town of Lincoln police force above the rank of patrol officer;
(8)

Police lieutenants, detective sergeants, and sergeants in the town of Westerly;
(9)
All members of the town of Portsmouth police force above the rank of patrol officer;
(10)
All members of the town of Burrillville police force above the rank of patrol officer;
(11)
All members of the town of Glocester police force above the rank of patrol officer;
(12)
All members of the town of Scituate police force above the rank of patrol officer;
(13)
All members of the town of Middletown police force above the rank of patrol officer;
(14)
All lieutenants and detective sergeants of the town of South Kingstown police force;
(15)
Police sergeants in the town of Warren;
(16)
Police sergeants and lieutenants in the city of Woonsocket;
(17)
A police sergeant or his or her superior in the town of Foster;
(18)
All members of the town of Hopkinton police force above the rank of patrol officer;
(19)
All members of the campus police force at the University of Rhode Island, Rhode Island College, or the Community College of Rhode Island, above the rank of campus police officer;
(20)
A police sergeant, the town sergeant or any officer of higher rank in the town of New Shoreham;
(21)
All members of the town of Cumberland police force above the rank of patrol officer;
(22)
Any police sergeant or his or her superior in the town of Charlestown;
(23)
A police sergeant or his or her superior in the town of North Smithfield;
(24)
All members of the town of East Greenwich police force above the rank of patrol officer;
(25)
All members of the Richmond police department, designated by the chief of police;
(26)
All lieutenants of the city of East Providence police department;
(27)
All investigators of the department of attorney general appointed pursuant to § 42-9-8.1;
(28)
All members of the town of West Greenwich police force above the rank of corporal;
(29)
All inspectors and agents of the Rhode Island state fugitive task force appointed pursuant to § 12-6-7.2; and
(30)
All members of the Rhode Island airport police department at or above the rank of inspector.
History of Section.
C.P.A. 1905, § 163; P.L. 1906, ch. 1336, § 1; G.L. 1909, ch. 281, § 16; G.L. 1923, ch. 331, § 16; P.L. 1925, ch. 588, § 14; P.L. 1932, ch. 1901, § 1; G.L. 1938, ch. 501, § 16; G.L. 1956, § 12-6-6; P.L. 1967, ch. 153, § 1; P.L. 1969, ch. 239, § 17; P.L. 1976, ch. 83, § 1; P.L. 1978, ch. 322, § 1; P.L. 1981, ch. 140, § 1; P.L. 1982, ch. 167, § 1; P.L. 1982, ch. 284, § 1; P.L. 1982, ch. 404, § 1; P.L. 1983, ch. 34, § 1; P.L. 1983, ch. 153, § 1; P.L. 1984, ch. 16, § 1; P.L. 1988, ch. 16, § 1; P.L. 1988, ch. 75, § 2; P.L. 1988, ch. 283, § 1; P.L. 1988, ch. 462, § 2; P.L. 1988, ch. 501, § 1; P.L. 1989, ch. 52, § 1; P.L. 1991, ch. 83, § 1; P.L. 1991, ch. 84, § 1; P.L. 1991, ch. 364, § 3; P.L. 1991, ch. 376, § 1; P.L. 1992, ch. 286, § 3; P.L. 1993, ch. 196, § 1; P.L. 1993, ch. 423, § 3; P.L. 1999, ch. 74, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-6 - Warrants for ArrestSection 12-6-7.1. - Service of arrest warrants.

§ 12-6-7.1. Service of arrest warrants.
(a)
Whenever any judge of any court shall issue his or her warrant against any person for failure to appear or comply with a court order,

or for failure to make payment of a court ordered fine, civil assessment, or order of restitution, the judge may direct the warrant to each and all deputy sheriffs, the warrant squad, or any peace officer as defined in § 12-7-21, requiring them to apprehend the person and bring him or her before the court to be dealt with according to law; and the officers shall obey and execute the warrant, and be protected from obstruction and assault in executing the warrant as in service of other process. The person apprehended shall, in addition to any other costs incurred by him or her, be ordered to pay a fee for service of this warrant in the sum of one hundred twenty-five dollars ($125). Twenty-five dollars ($25.00) of the above fee collected as a result of a warrant squad arrest shall be divided among the local law enforcement agencies assigned to the warrant squad. Any person apprehended on a warrant for failure to appear for a cost review hearing in the superior court may be released upon posting with a justice of the peace the full amount due and owing in court costs as described in the warrant or bail in an other amount or form that will ensure the defendant's appearance in the superior court at an ability to pay hearing, in addition to the one hundred twenty-five dollars ($125) warrant assessment fee described above. Any person detained as a result of the actions of the justice of the peace in acting upon the superior court cost warrant shall be brought before the superior court at its next session. Such monies shall be delivered by the justice of the peace to the court issuing the warrant on the next court business day.
(b)
Any person arrested pursuant to a warrant issued by a municipal court may be presented to a judge of the district court, or a justice of the peace authorized to issue warrants pursuant to § 12-10-2, for release on personal recognizance or bail when the municipal court is not in session. The provisions of this section shall apply only to criminal and not civil cases pending before the courts.
(c)
Any person arrested pursuant to a warrant issued hereunder shall:
(1)
be immediately brought before the court;
(2)
if the court is not in session then the person shall be brought before the court at its next session;
(3)
be afforded a review hearing on his/her ability to pay within forty-eight (48) hours; and
(4)
if the court is not in session at the time of the arrest, a review hearing on his/her ability to pay will be provided at the time for the first court appearance, as set forth in subsection (c)(3) of this section.
History of Section.
P.L. 1986, ch. 404, § 1; P.L. 1989, ch. 195, § 1; P.L. 1995, ch. 322, § 1; P.L. 1995, ch. 370, art. 33, § 1; 1996, ch. 413, § 1; P.L. 2003, ch. 122, § 1; P.L. 2008, ch. 297, § 1; P.L. 2008, ch. 326, § 1; P.L. 2012, ch. 324, § 43.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-6 - Warrants for ArrestSection 12-6-7. - Warrants issued to other divisions.

§ 12-6-7. Warrants issued to other divisions.
Whenever any judge of the district court, or any justice of the peace, shall issue his or her warrant against any person charged with an offense committed in a division of the district court, and the person so charged shall escape into, reside, or be in any other county than the one in which the division is, the judge or justice of the peace may direct his or her warrant to each and all deputy sheriffs, city or town sergeants, and town constables within the state, requiring them to apprehend the person and bring him or her before the division of the district court having jurisdiction of the offense, to be dealt with according to law; the officers shall obey and execute the warrant, and be protected from obstruction and assault in executing the warrant as in service of other process.
History of Section.
C.P.A. 1905, § 174; G.L. 1909, ch. 281, § 27; G.L. 1923, ch. 331, § 27; G.L. 1938, ch. 501, § 27; G.L. 1956, § 12-6-7; P.L. 1969, ch. 239, § 17; P.L. 2012, ch. 324, § 43; P.L. 2015, ch. 260, § 21; P.L. 2015, ch. 275, § 21.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-6 - Warrants for ArrestSection 12-6-8. - Taxing and execution for costs on discharge of respondent.

§ 12-6-8. Taxing and execution for costs on discharge of respondent.
Whenever any complaint shall be tried before a district court in which the complainant is required to recognize with surety, and the respondent is discharged, the district court shall immediately tax all the costs for which the complainant is liable; and if the costs are not paid within ten (10) days, execution for the costs shall issue against the complainant and his or her surety returnable in twenty (20) days from the date of execution.
History of Section.
C.P.A. 1905, § 164; G.L. 1909, ch. 281, § 17; G.L. 1923, ch. 331, § 17; G.L. 1938, ch. 501, § 17; G.L. 1956, § 12-6-8.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-1. - Temporary detention of suspects.

§ 12-7-1. Temporary detention of suspects.
A peace officer may detain any person abroad whom he or she has reason to suspect is committing, has committed, or is about to

commit a crime, and may demand of the person his or her name, address, business abroad, and destination; and any person who fails to identify himself or herself and explain his or her actions to the satisfaction of the peace officer may be further detained and further questioned and investigated by any peace officer; provided, in no case shall the total period of the detention exceed two (2) hours, and the detention shall not be recorded as an arrest in any official record. At the end of the detention period the person so detained shall be released unless arrested and charged with a crime.
History of Section.
G.L. 1938, ch. 625, § 68; P.L. 1941, ch. 982, § 1; G.L. 1956, § 12-7-1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-10. - Resisting legal or illegal arrest.

§ 12-7-10. Resisting legal or illegal arrest.
(a)
It shall be unlawful for any person to use force or any weapon in resisting a legal or an illegal arrest by a peace officer, if the person has reasonable ground to believe that he or she is being arrested and that the arrest is being made by a peace officer.
(b)
Any person violating the provisions of this section shall be punished by a fine of not more than five hundred dollars ($500) or by imprisonment for not more than one year, or by both fine and imprisonment.
History of Section.
G.L. 1938, ch. 625, § 68; P.L. 1941, ch. 982, § 1; G.L. 1956, § 12-7-10; P.L. 1980, ch. 351, § 1; P.L. 1985, ch. 114, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-11. - Summons.

§ 12-7-11. Summons.
(a)
In any case in which a peace officer has reasonable grounds to believe that a person has committed or is committing a misdemeanor, he or she may issue a summons to the person substantially in the following form:
(Summons)
STATE OF RHODE ISLAND
To .....
You are hereby summoned to appear before a judge of the District Court for the ..... Division, located at ..... in the (City)(Town) of ..... , in the State of Rhode Island, on the ..... day of ..... , 20 ..... at ..... o'clock ..... m., to answer to a complaint charging you with the crime of ..... in violation of [statute, ordinance, etc.]
If you fail to appear and answer, a warrant will issue for your arrest.
Dated at ..... the ..... day of ..... 20 .....
Title .....
Department .....
(b)
Willful failure to appear in answer to this summons may be punished by a fine of not over fifty dollars ($50.00) or imprisonment for not over fifteen (15) days.
History of Section.
G.L. 1938, ch. 625, § 68; P.L. 1941, ch. 982, § 1; G.L. 1956, § 12-7-11; P.L. 1972, ch. 169, § 16; P.L. 1977, ch. 66, § 1; P.L. 2021, ch. 77, § 12, effective June 23, 2021; P.L. 2021, ch. 78, § 12, effective June 23, 2021.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-12. - Release of arrested person by officer.

§ 12-7-12. Release of arrested person by officer.
(a)
The officer in charge of any police station shall consider the release of any person in his or her station who has been arrested without a warrant:
(1)
Without requiring the person to appear in court, when the officer is satisfied that there is no ground for making criminal complaint against the person or when the person has been arrested for drunkenness but in the judgment of the officer need not be brought before a magistrate; or
(2)
If the arrest is for a misdemeanor, upon that person signing an agreement to appear in court at a designated time.
(b)
Any officer with custody of a person who has been arrested or detained without a warrant may recognize that the person suffers from a serious mental illness and may release and refer the person to the nearest appropriate inpatient mental health facility or outpatient treatment program.
History of Section.

G.L. 1909, ch. 354, § 75; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 75; G.L. 1938, ch. 625, § 68; P.L. 1941, ch. 982, § 1; G.L. 1956, § 12-7-12; P.L. 2017, ch. 342, § 2; P.L. 2017, ch. 353, § 2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-14. - Punitive damages for false arrest or imprisonment.

§ 12-7-14. Punitive damages for false arrest or imprisonment.
In an action for false arrest or false imprisonment, the plaintiff, if successful, may be awarded punitive damages in addition to compensatory damages.
History of Section.
G.L. 1938, ch. 625, § 68; P.L. 1941, ch. 982, § 1; G.L. 1956, § 12-7-14.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-15. - Severability.

§ 12-7-15. Severability.
If any part of §§ 12-7-1 — 12-7-14 is for any reason declared void, its invalidity shall not affect the remaining portions of those sections.
History of Section.
G.L. 1938, ch. 625, § 68; P.L. 1941, ch. 982, § 1; G.L. 1956, § 12-7-15.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-16. - Arrest or seizure after commission of offense.

§ 12-7-16. Arrest or seizure after commission of offense.
The authority given to any one to arrest any person or seize anything, while the person is actually engaged or the thing is actually used or employed in the commission of any offense, shall not be so construed as to prevent, if not so arrested or seized, the arrest of the person or the seizure of the thing after the commission of the offense, upon due process of law.
History of Section.
G.L. 1896, ch. 285, § 64; G.L. 1909, ch. 354, § 64; G.L. 1909, ch. 354, § 76; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 76; G.L. 1938, ch. 625, § 69; G.L. 1956, § 12-7-16.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-17. - Arrest of escapees and parole violators without warrant.

§ 12-7-17. Arrest of escapees and parole violators without warrant.
The director of the department of corrections, the warden of the adult correctional institutions, any superintendent or employees connected with any institution under the management and control of the department of corrections, or any police officer or town constable, may arrest, without a warrant, any person who has escaped from any institution, or who, being absent from the institution on parole, has violated the conditions of the parole, for the purpose of returning the person to the institution from which the escape was made or from which the parole was granted.
History of Section.
P.L. 1922, ch. 2208, § 1; G.L. 1923, ch. 394, § 23; G.L. 1938, ch. 605, § 23; impl. am. P.L. 1939, ch. 660, § 80; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 12-7-17; P.L. 1973, ch. 173, § 1; P.L. 2015, ch. 260, § 22; P.L. 2015, ch. 275, § 22.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-18. - Temporary detention powers of National Guard.

§ 12-7-18. Temporary detention powers of National Guard.
A National Guard member of the rank of sergeant or higher who is on emergency state duty pursuant to the call of the governor may detain any person abroad who he or she has reason to suspect is committing, has committed, or is about to commit a crime, and may demand of the person his or her name, address, business abroad, and destination; and any person who fails to identify himself or herself and explain his or her actions to the satisfaction of the national guard member may be further detained and further questioned and investigated by the peace officer; provided, in no case shall the total period of the detention exceed two (2) hours, and the detention shall not be recorded as an arrest in any official record. At the end of the detention period the person so detained shall be released unless arrested and charged with a crime.
History of Section.
P.L. 1973, ch. 120, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-19. - Arrest after close pursuit by officers from cities or towns.

§ 12-7-19. Arrest after close pursuit by officers from cities or towns.
Any member of a duly organized municipal peace unit of another city or town of the state who enters any city or town in close pursuit and continues within any city or town in such close pursuit of a person in order to stop him or her for a suspected violation of

any provision of the motor vehicle code committed in the other city or town, shall be vested with all of the same authority as a member of a duly organized municipal peace unit of the city or town.
History of Section.
P.L. 1974, ch. 191, § 1; P.L. 2016, ch. 469, § 1; P.L. 2016, ch. 474, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-2. - Search of detained person for weapons.

§ 12-7-2. Search of detained person for weapons.
A peace officer may search for a dangerous weapon any person he or she is questioning or about to question concerning any crime or suspected crime, whenever the officer reasonably believes that he or she is in danger from the person carrying a weapon, and if the person is carrying a dangerous weapon, an officer may take and keep it until the completion of questioning, when he or she shall either return it or arrest the person.
History of Section.
G.L. 1938, ch. 625, § 68; P.L. 1941, ch. 982, § 1; G.L. 1956, § 12-7-2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-20. - Right to use telephone for call to attorney — Bail bondsperson.

§ 12-7-20. Right to use telephone for call to attorney — Bail bondsperson.
Any person arrested under the provisions of this chapter shall be afforded, as soon after being detained as practicable, not to exceed one hour from the time of detention, the opportunity to make use of a telephone for the purpose of securing an attorney or arranging for bail; provided, that whenever a person who has been detained for an alleged violation of the law relating to drunk driving must be immediately transported to a medical facility for treatment, he or she shall be afforded the use of a telephone as soon as practicable, which may exceed one hour from the time of detention. The telephone calls afforded by this section shall be carried out in such a manner as to provide confidentiality between the arrestee and the recipient of the call.
History of Section.
P.L. 1989, ch. 122 § 1; P.L. 1991, ch. 242, § 1; P.L. 2011, ch. 363, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-21. - “Peace officer” defined.

§ 12-7-21. “Peace officer” defined.
“Peace officer,” as used within this chapter, means the following individuals or members of:
(1)
Rhode Island state police;
(2)
Any member of a municipal or local police department;
(3)
Rhode Island airport corporation police;
(4)
Rhode Island park police;
(5)
Rhode Island capitol police;
(6)
Rhode Island conservation officers;
(7)
Rhode Island department of environmental management officers;
(8)
Rhode Island fire marshals;
(9)
Brown University police officers;
(10)
University of Rhode Island campus police officers;
(11)
Rhode Island College campus security;
(12)
Campus security at the Community College of Rhode Island;
(13)
Rhode Island sheriff’s department;
(14)
The investigators of the department of attorney general appointed pursuant to § 42-9-8.1;

(15)
Any federal law enforcement officer;
(16)
Correctional investigators, chief inspector and inspectors within the office of inspections, and correctional officers of the Rhode Island department of corrections;
(17)
The witness protection coordinator of the department of attorney general;
(18)
The warden, associate wardens, majors, captains, lieutenants, sergeants, correctional officers and investigators employed by a project operated by a municipal detention facility corporation, including, but not limited to, the Donald W. Wyatt Detention Facility; provided, such parties listed in this subsection (18) herein shall be deemed to be peace officers while in performance of their duties for the municipal detention facility only, and shall not be deemed to be peace officers at any time when they are not in performance of said duties;
(19)
Retired non-permanent sworn members of any municipal police department shall be deemed to be peace officers only while in the performance of their duties for any municipal police department, and shall be permitted to carry their firearm while in the performance of their duties for the municipal police department, and shall be subject to in-service training requirements of title 42, chapter 28;
(20)
Auto theft investigators appointed pursuant to § 31-50-1;
(21)
Providence fire department arson investigators; provided, that the arson investigator is a graduate of a police-training academy; and
(22)
Rhode Island School of Design police officers.
History of Section.
P.L. 1990, ch. 245, § 1; P.L. 1992, ch. 286, § 4; P.L. 1993, ch. 273, § 2; P.L. 1993, ch. 423, § 4; P.L. 1998, ch. 121, § 1; P.L. 2001, ch. 290, § 1; P.L. 2005, ch. 329, § 2; P.L. 2005, ch. 390, § 2; P.L. 2007, ch. 263, § 3; P.L. 2007, ch. 392, § 3; P.L. 2008, ch. 222, § 1; P.L. 2010, ch. 23, art. 7, § 6; P.L. 2011, ch. 287, § 1; P.L. 2011, ch. 398, § 1; P.L. 2011, ch. 400, § 1; P.L. 2013, ch. 164, § 3; P.L. 2013, ch. 234, § 3; P.L. 2022, ch. 378, § 2, effective June 29, 2022; P.L. 2022, ch. 379, § 2, effective June 29, 2022.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-22. - Electronic recording of custodial interrogations task force.

§ 12-7-22. Electronic recording of custodial interrogations task force.
(a)
In order to:
(1)
Minimize the likelihood of a wrongful conviction caused by a false confession; and
(2)
Further improve the already high quality of criminal justice in our state, the general assembly creates a taskforce to investigate and develop policies and procedures for electronically recording custodial interrogations in their entirety.
(b)
The task force shall be comprised of the following or their designees:
(1)
Attorney general;
(2)
Public defender;
(3)
Superintendent of the Rhode Island state police;
(4)
President of the Rhode Island Police Chiefs' Association;
(5)
Head of the municipal police training academy;
(6)
President of the Rhode Island Bar Association;
(7)
President of the Rhode Island Association of Criminal Defense Lawyers;
(8)
Public safety commissioner of the city of Providence;
(9)

Chief of police of a department with less than forty-five (45) sworn officers and that does not currently have an established policy concerning the electronic recording of custodial interrogations, to be agreed upon by the task force;
(10)
Chief of police of a department (other than one separately designated herein) that already has established a policy concerning the regular, electronic recording of custodial interrogations, to be agreed upon by the task force; and
(11)
Executive director of the Rhode Island commission for human rights.
(c)
The attorney general and public defender shall serve as co-chairpersons of the task force and have the authority to call for and designate the time and place of meetings. A majority of members shall constitute a quorum, but a lesser number may hold meetings. The task force shall act only on an affirmative vote of a majority of those voting. All departments and agencies of the state shall furnish such advice and information, documentary and otherwise, to the task force and its agents as is deemed necessary or desirable by the task force to facilitate the purposes of this section.
(d)
The task force, in consultation with whatever experts it may deem appropriate, shall study and make recommendations concerning the establishment of a statewide law enforcement practice of electronically recording custodial interrogations in their entirety. In so doing, the task force shall consider, but not be limited to, the following:
(1)
Models from other federal and state jurisdictions;
(2)
Current policies, procedures, and practices of law enforcement statewide;
(3)
Types of crimes, investigations, and settings where custodial interrogations should be electronically recorded;
(4)
Whether custodial interrogations should be electronically recorded using audio-visual or strictly audio recording;
(5)
Whether custodial interrogations should be electronically recorded with or without the knowledge of the suspect;
(6)
Appropriate procedures to be followed when the suspect refuses to be, or exigent circumstances otherwise prevent, the electronic recording of the custodial interrogation;
(7)
How to most effectively record interrogations in view of an individual police department’s fiscal, staffing, and space constraints;
(8)
Appropriate policies and procedures concerning the transcription of the electronic recordings resulting from custodial interrogation;
(9)
Appropriate policies and procedures concerning the long-term preservation and storage of the electronic recordings resulting from custodial interrogation; and
(10)
The desirability of written policies, procedures, training, and/or additional legislation regarding the electronic recording of custodial interrogations in their entirety statewide.
(e)
The task force shall submit a report on its recommendations concerning the investigation and development of policies and procedures for electronically recording custodial interrogations in their entirety. This report shall be presented to the governor, the chief justice of the Rhode Island supreme court, the speaker of the house of representatives, the president of the senate, and the chairpersons of the judiciary committees of both the house of representatives and the senate no later than February 1, 2012. Thereafter, the task force shall meet periodically in order to assess the impact of the recommendations it has made; conduct further research in the area of the electronic recording of custodial interrogations; assess the implementation of written policies in these areas by Rhode Island law enforcement agencies; and determine whether or not any additional legislation regarding the electronic recording of custodial interrogations in their entirety statewide is required. Said meetings shall be called by agreement of the attorney general and public defender. A supplemental report from the task force shall be delivered in the same manner as its initial report and not later than December 31, 2014.
History of Section.
P.L. 2011, ch. 43, § 1; P.L. 2011, ch. 130, § 1; P.L. 2012, ch. 59, § 1; P.L. 2012, ch. 77, § 1; P.L. 2014, ch. 35, § 1; P.L. 2014, ch. 43, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-3. - Arrest without warrant for misdemeanor or petty misdemeanor.

§ 12-7-3. Arrest without warrant for misdemeanor or petty misdemeanor.
A peace officer may, without a warrant, arrest a person if the officer has reasonable cause to believe that the person is committing or

has committed a misdemeanor or a petty misdemeanor, and the officer has reasonable ground to believe that person cannot be arrested later or may cause injury to himself or herself or others or loss or damage to property unless immediately arrested.
History of Section.
G.L. 1909, ch. 354, § 75; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 75; G.L. 1938, ch. 625, § 68; P.L. 1941, ch. 982, § 1; G.L. 1956, § 12-7-3; P.L. 1977, ch. 71, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-4. - Arrest without warrant for felony.

§ 12-7-4. Arrest without warrant for felony.
A peace officer may, without a warrant, arrest a person for a felony, whenever:
(1)
The officer has reasonable ground to believe that a felony has been or is being committed and that the person to be arrested has committed or is committing it.
(2)
The person to be arrested in fact has committed or is committing a felony; and in that case it shall be immaterial that the officer did not believe him or her guilty or on unreasonable ground entertained belief in his or her guilt.
History of Section.
G.L. 1909, ch. 354, § 75; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 75; G.L. 1938, ch. 625, § 68; P.L. 1941, ch. 982, § 1; G.L. 1956, § 12-7-4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-5. - Arrest on improper ground.

§ 12-7-5. Arrest on improper ground.
If a lawful cause of arrest exists, the arrest shall be lawful even though the officer made the arrest on an improper ground.
History of Section.
G.L. 1938, ch. 625, § 68; P.L. 1941, ch. 982, § 1; G.L. 1956, § 12-7-5.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-6. - Arrest on warrant not in possession of arresting officer.

§ 12-7-6. Arrest on warrant not in possession of arresting officer.
A peace officer may, without having a warrant in his or her possession, arrest any person for whose arrest a warrant has been issued, but after arrest, the warrant shall be shown to him or her as soon as practicable.
History of Section.
G.L. 1909, ch. 354, § 75; P.L. 1915, ch. 1261, § 1; G.L. 1923, ch. 407, § 75; G.L. 1938, ch. 625, § 68; P.L. 1941, ch. 982, § 1; G.L. 1956, § 12-7-6.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-7. - Methods of arrest.

§ 12-7-7. Methods of arrest.
An arrest is made by the restraint of the person to be arrested or by his or her submission of his or her person to the custody of the person making the arrest.
History of Section.
G.L. 1938, ch. 625, § 68; P.L. 1941, ch. 982, § 1; G.L. 1956, § 12-7-7.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-8. - Restraint and force used.

§ 12-7-8. Restraint and force used.
No greater restraint than is necessary shall be used for the detention of any person, and no unnecessary or unreasonable force shall be used in making an arrest.
History of Section.
G.L. 1938, ch. 625, § 68; P.L. 1941, ch. 982, § 1; G.L. 1956, § 12-7-8.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-7 - ArrestSection 12-7-9. - Conditions justifying force dangerous to life.

§ 12-7-9. Conditions justifying force dangerous to life.
A police officer may use force dangerous to human life to make a lawful arrest for committing or attempting to commit a felony, whenever he or she reasonably believes that force dangerous to human life is necessary to effect the arrest and that the person to be arrested is aware that a peace officer is attempting to arrest him or her.
History of Section.

G.L. 1938, ch. 625, § 68; P.L. 1941, ch. 982, § 1; G.L. 1956, § 12-7-9.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-8 - Close PursuitSection 12-8-1. - Short title.

§ 12-8-1. Short title.
This chapter may be cited as the “Uniform Act on Close Pursuit.”
History of Section.
P.L. 1936, ch. 2383, § 8; G.L. 1938, ch. 628, § 7; G.L. 1956, § 12-8-1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-8 - Close PursuitSection 12-8-2. - Definitions.

§ 12-8-2. Definitions.
For the purposes of this chapter:
(1)
“Felony” includes any misdemeanor involving moral turpitude.
(2)
“State” includes the District of Columbia.
History of Section.
P.L. 1936, ch. 2383, §§ 4, 5; G.L. 1938, ch. 628, §§ 4, 5; P.L. 1950, ch. 2485, § 1; G.L. 1956, § 12-8-2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-8 - Close PursuitSection 12-8-3. - Arrest after close pursuit by officers from other states.

§ 12-8-3. Arrest after close pursuit by officers from other states.
Any member of a duly organized state, county or municipal peace unit of another state of the United States who enters this state in close pursuit and continues within this state in that close pursuit of a person in order to arrest him or her on the ground that he or she has committed a felony in the other state shall have the same authority to arrest and hold in custody the person, as members of a duly organized state, county, or municipal peace unit of this state have to arrest and hold in custody a person on the ground that he or she has committed a felony in this state.
History of Section.
P.L. 1936, ch. 2383, § 1; G.L. 1938, ch. 628, § 1; G.L. 1956, § 12-8-3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-8 - Close PursuitSection 12-8-4. - Arrests otherwise unlawful.

§ 12-8-4. Arrests otherwise unlawful.
Section 12-8-3 shall not be construed so as to make unlawful any arrest in this state which would otherwise be lawful.
History of Section.
P.L. 1936, ch. 2383, § 3; G.L. 1938, ch. 628, § 3; G.L. 1956, § 12-8-4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-8 - Close PursuitSection 12-8-5. - Commitment or discharge of person arrested.

§ 12-8-5. Commitment or discharge of person arrested.
If an arrest is made in this state by an officer of another state in accordance with the provisions of § 12-8-3, he or she shall without unnecessary delay take the person arrested before the district court for the division in which the arrest was made and the court shall conduct a hearing for the purpose of determining the lawfulness of the arrest. If the judge determines that the arrest was lawful, he or she shall commit the person arrested to await for a reasonable time the issuance of an extradition warrant by the governor of this state. If the judge determines that the arrest was unlawful he shall discharge the person arrested.
History of Section.
P.L. 1936, ch. 2383, § 2; G.L. 1938, ch. 628, § 2; G.L. 1956, § 12-8-5; P.L. 1969, ch. 239, § 18.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-8 - Close PursuitSection 12-8-6. - Severability.

§ 12-8-6. Severability.
If any part of this chapter is for any reason declared void, it is declared to be the intent of this chapter that its invalidity shall not affect the validity of the remaining portions of this chapter.
History of Section.
P.L. 1936, ch. 2383, § 7; G.L. 1938, ch. 628, § 6; G.L. 1956, § 12-8-6.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-1. - Short title.

§ 12-9-1. Short title.
This chapter may be cited as the “Uniform Criminal Extradition Act.”
History of Section.

P.L. 1947, ch. 1890, § 30; G.L. 1956, § 12-9-1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-10. - Authority granted by warrant.

§ 12-9-10. Authority granted by warrant.
The warrant shall authorize the peace officer or other person to whom directed to arrest the accused at any time and any place where he or she may be found within the state and to command the aid of all peace officers or other persons in the execution of the warrant, and to deliver the accused, subject to the provisions of this chapter, to the duly authorized agent of the demanding state.
History of Section.
P.L. 1947, ch. 1890, § 8; G.L. 1956, § 12-9-10.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-11. - Commanding assistance in execution of warrant.

§ 12-9-11. Commanding assistance in execution of warrant.
Every peace officer, or other person empowered to make the arrest, shall have the same authority, in arresting the accused, to command assistance in the arrest as peace officers have by law in the execution of any criminal process directed to them, with like penalties against those who refuse their assistance.
History of Section.
P.L. 1947, ch. 1890, § 9; G.L. 1956, § 12-9-11.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-12.1. - Extradition of juveniles.

§ 12-9-12.1. Extradition of juveniles.
(a)
When the extradition of a child under the age of eighteen (18) years of age is demanded by another state, the child shall be summoned to appear or ordered to appear before the family court pursuant to the provisions of chapter 1 of title 14.
(b)
The provisions of § 12-9-12 shall apply to the hearing conducted by the family court. In addition when the other state seeks the extradition of the child for trial as an adult, the family court shall determine whether or not the child would have been tried as an adult in this state if charged with the offense alleged to have been committed in the other state. The family court shall apply the provisions of §§ 14-1-7 and 14-1-7.1 in making the determination.
(c)
No person under the age of eighteen (18) years of age shall be extradited for trial in another state as an adult unless a justice of the family court determines that the person would have been tried as an adult in the state of Rhode Island.
History of Section.
P.L. 1979, ch. 366, § 1.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-12. - Appearance of prisoner before judge — Application for habeas corpus.

§ 12-9-12. Appearance of prisoner before judge — Application for habeas corpus.
No person arrested upon a warrant issued under § 12-9-9 shall be delivered over to the agent whom the executive authority demanding him or her shall have appointed to receive him or her unless he or she shall first be taken immediately before a judge of a court of record in this state, who shall inform him or her of the demand made for his or her surrender and of the crime with which he or she is charged, and that he or she has the right to demand and procure legal counsel. If the prisoner or his or her counsel shall state that he or she or they desire to test the legality of the arrest, the judge of the court of record shall fix a reasonable time to be allowed him or her within which to apply for a writ of habeas corpus. When the writ is applied for, notice of the writ, and of the time and place of hearing on the writ, shall be given to the prosecuting officer and to the agent of the demanding state.
History of Section.
P.L. 1947, ch. 1890, § 10; G.L. 1956, § 12-9-12.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-13. - Penalty for violating § 12-9-12.

§ 12-9-13. Penalty for violating § 12-9-12.
Any officer who shall deliver to the agent for extradition of the demanding state a person in his or her custody under the governor's warrant, in willful disobedience to § 12-9-12, shall be guilty of a misdemeanor and, on conviction, shall be fined not more than one thousand dollars ($1,000), or be imprisoned not more than six (6) months, or both.
History of Section.
P.L. 1947, ch. 1890, § 11; G.L. 1956, § 12-9-13.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-14. - Confinement of prisoner pending extradition or en route.

§ 12-9-14. Confinement of prisoner pending extradition or en route.
The officer or persons executing the governor's warrant or arrest, or the agent of the demanding state to whom the prisoner may have been delivered, may, when necessary, confine the prisoner in the jail of any county or city through which he or she may pass; and the keeper of the jail must receive and safely keep the prisoner until the officer or person having charge of the person is ready to proceed on his or her route, the officer or person being chargeable with the expense of keeping.
History of Section.
P.L. 1947, ch. 1890, § 12; G.L. 1956, § 12-9-14.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-15. - Confinement of prisoners passing through state.

§ 12-9-15. Confinement of prisoners passing through state.
The officer or agent of a demanding state to whom a prisoner may have been delivered following extradition proceedings in another state, or to whom a prisoner may have been delivered after waiving extradition in the other state, and who is passing through this state with a prisoner for the purpose of immediately returning the prisoner to the demanding state may, when necessary, confine the prisoner in the jail of any county or city through which he or she may pass; and the keeper of the jail must receive and safely keep the prisoner until the officer or agent having charge of him or her is ready to proceed on his or her route, the officer or agent, however, being chargeable with the expense of keeping; provided, that the officer or agent shall produce and show to the keeper of the jail satisfactory written evidence of the fact that he or she is actually transporting the prisoner to the demanding state after a requisition by the executive authority of the demanding state, or waiver of the requisition. The person shall not be entitled to demand a new requisition while in this state.
History of Section.
P.L. 1947, ch. 1890, § 12; G.L. 1956, § 12-9-15.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-16. - Warrant of arrest on affidavit.

§ 12-9-16. Warrant of arrest on affidavit.
Whenever any person within this state shall be charged on the oath of any credible person before any judge of this state with the commission of any crime in any other state and, except in cases arising under §§ 12-9-7 and 12-9-8, with having fled from justice, or with having been convicted of a crime in that state and having escaped from confinement, or having broken the terms of his or her bail, probation, or parole, or whenever complaint shall have been made before any judge in this state setting forth on the affidavit of any credible person in another state that a crime has been committed in that other state and that the accused has been charged in that state with the commission of the crime, and, except in cases arising under §§ 12-9-7 and 12-9-8, has fled from justice, or with having been convicted of a crime in that state and having escaped from confinement, or having broken the terms of his or her bail, probation, or parole, and is believed to be in this state, the judge shall issue a warrant directed to any peace officer commanding him or her to apprehend the person named in the warrant, wherever he or she may be found in this state, and to bring him or her before the judge or any other judge or court who or which may be available in or convenient of access to the place where the arrest may be made, to answer the charges or complaint and affidavit, and a certified copy of the sworn charge or complaint and affidavit upon which the warrant is issued shall be attached to the warrant.
History of Section.
P.L. 1947, ch. 1890, § 13; G.L. 1956, § 12-9-16.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-17. - Arrest without warrant.

§ 12-9-17. Arrest without warrant.
The arrest of a person may also be lawfully made by any peace officer or a private person without a warrant, upon reasonable information that the accused stands charged in the courts of a state with a crime punishable by death or imprisonment for a term exceeding one year, but when so arrested, the accused must be taken before a judge with all practicable speed, and complaint must be made against him or her under oath, setting forth the ground for the arrest as in § 12-9-16; and thereafter after that his or her answer shall be heard as if he or she had been arrested on a warrant.
History of Section.
P.L. 1947, ch. 1890, § 14; G.L. 1956, § 12-9-17.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-18. - Commitment awaiting requisition.

§ 12-9-18. Commitment awaiting requisition.
If, from the examination before the judge, it appears that the person being held is the person charged with having committed the

alleged crime and, except in cases arising under §§ 12-9-7 and 12-9-8, that the person has fled from justice, the judge must, by a warrant reciting the accusation, commit him or her to the adult correctional institutions for a time not exceeding thirty (30) days and specified in the warrant, as will enable the arrest of the accused to be made under a warrant of the governor or on requisition of the executive authority of the state having jurisdiction of the offense, unless the accused give bail as provided in § 12-9-19, or until he or she shall be legally discharged.
History of Section.
P.L. 1947, ch. 1890, § 15; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 12-9-18.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-19. - Admission to bail.

§ 12-9-19. Admission to bail.
Unless the offense with which the prisoner is charged is shown to be an offense punishable by death or life imprisonment under the laws of the state in which it was committed, a judge in this state may admit the person arrested to bail by bond, with sufficient sureties, and in any sum that the judge deems proper, conditioned for the person's appearance before the judge at a time specified in the bond, but not later than thirty (30) days after the examination referred to in § 12-9-18, and for his or her surrender, to be arrested upon the warrant of the governor of this state.
History of Section.
P.L. 1947, ch. 1890, § 16; G.L. 1956, § 12-9-19.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-2. - Definitions.

§ 12-9-2. Definitions.
Where appearing in this chapter:
(1)
"Executive authority" includes the governor, and any person performing the functions of governor in a state other than this state.
(2)
"Governor" includes any person performing the functions of governor by authority of the law of this state.
(3)
"State," referring to a state other than this state, includes any other state or territory, organized or unorganized, of the United States of America.
History of Section.
P.L. 1947, ch. 1890, § 1; G.L. 1956, § 12-9-2.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-20. - Failure to arrest on governor's warrant within time specified.

§ 12-9-20. Failure to arrest on governor's warrant within time specified.
If the accused is not arrested under warrant of the governor by the expiration of the time specified in the warrant or bond, a judge may discharge the accused or may recommit him or her for a further period not to exceed sixty (60) days, or a judge may again take bail for his or her appearance and surrender, as provided in § 12-9-19, but within a period not to exceed sixty (60) days after the date of the new bond.
History of Section.
P.L. 1947, ch. 1890, § 17; G.L. 1956, § 12-9-20.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-21. - Forfeiture of bail.

§ 12-9-21. Forfeiture of bail.
If the prisoner is admitted to bail, and fails to appear and surrender according to the conditions of his or her bond, the judge, by proper order, shall declare the bond forfeited and order his or her immediate arrest without warrant if he or she is within this state. Recovery may be had on the bond in the name of the state as in the case of other bonds given by the accused in criminal proceedings within this state.
History of Section.
P.L. 1947, ch. 1890, § 18; G.L. 1956, § 12-9-21.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-22. - Persons under prosecution in this state.

§ 12-9-22. Persons under prosecution in this state.
If a criminal prosecution has been instituted against the person under the laws of this state and is still pending, the governor, in his or her discretion, either may surrender him or her on demand of the executive authority of another state or hold him or her until he or she has been tried and discharged or convicted and punished in this state.

History of Section.
P.L. 1947, ch. 1890, § 19; G.L. 1956, § 12-9-22.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-23. - Guilt or innocence as subject of inquiry.

§ 12-9-23. Guilt or innocence as subject of inquiry.
The guilt or innocence of the accused as to the crime of which he or she is charged may not be inquired into by the governor or in any proceeding after the demand for extradition accompanied by a charge of crime in legal form as provided in this chapter shall have been presented to the governor, except as it may be involved in identifying the person held as the person charged with the crime.
History of Section.
P.L. 1947, ch. 1890, § 20; G.L. 1956, § 12-9-23.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-24. - Recall or reissue of governor's warrant.

§ 12-9-24. Recall or reissue of governor's warrant.
The governor may recall his or her warrant of arrest or may issue another warrant whenever he or she deems it proper.
History of Section.
P.L. 1947, ch. 1890, § 21; G.L. 1956, § 12-9-24.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-25. - Warrant to return prisoner from another state.

§ 12-9-25. Warrant to return prisoner from another state.
Whenever the governor of this state shall demand a person charged with crime or with escaping from confinement or breaking the terms of his or her bail, probation, or parole in this state, from the executive authority of any other state, or from the chief justice or an associate justice of the supreme court of the District of Columbia authorized to receive a demand under the laws of the United States, he or she shall issue a warrant under the seal of this state to some agent, commanding the agent to receive the person so charged if delivered to him or her and convey the person to the proper officer of the county in this state in which the offense was committed.
History of Section.
P.L. 1947, ch. 1890, § 22; G.L. 1956, § 12-9-25.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-26. - Application for requisition of person charged with crime.

§ 12-9-26. Application for requisition of person charged with crime.
When the return to this state of a person charged with a crime in this state is required, the attorney general shall present to the governor his or her written application for a requisition for the return of the person charged, in which application shall be stated the name of the person so charged, the crime charged against the person, the approximate time, place and circumstances of its commission, the state in which the person is believed to be, including the location of the accused in that state at the time the application is made, and certifying that, in the opinion of the attorney general, the ends of justice require the arrest and return of the accused to this state for trial and that the proceeding is not instituted to enforce a private claim.
History of Section.
P.L. 1947, ch. 1890, § 23; G.L. 1956, § 12-9-26.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-27. - Application for requisition of person convicted of crime.

§ 12-9-27. Application for requisition of person convicted of crime.
When the return to this state is required of a person who has been convicted of a crime in this state and has escaped from confinement or broken the terms of his or her bail, probation, or parole, the attorney general or the warden of the institution from which escape was made shall present to the governor a written application for a requisition for the return of the person, in which shall be stated the name of the person, the crime of which the person was convicted, the circumstances of his or her escape from confinement or of the breach of the terms of his or her bail, probation, or parole, the state in which the person is believed to be, including the location of the person in that state at the time application is made.
History of Section.
P.L. 1947, ch. 1890, § 23; G.L. 1956, § 12-9-27.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-28. - Affidavits and documents to support application.

§ 12-9-28. Affidavits and documents to support application.
The application shall be verified by affidavit, shall be executed in duplicate, and shall be accompanied by two (2) certified copies of the indictment returned, or information and affidavit filed, or of the complaint made of the judge, stating the offense with which the accused is charged, or of the judgment of conviction, or of the sentence. The attorney general, the director of corrections, or the warden may also attach any further affidavits and other documents in duplicate that he or she shall deem proper to be submitted with the application. One copy of the application, with the action of the governor indicated by endorsement on it, and one of the certified copies of the indictment, complaint, information, and affidavits, or of the judgment of conviction, or of the sentence shall be filed in the office of the secretary of state to remain on record in that office. The other copies of all papers shall be forwarded with the governor's requisition.
History of Section.
P.L. 1947, ch. 1890, § 23; impl. am. P.L. 1951, ch. 2724, § 2; G.L. 1956, § 12-9-28.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-29. - Immunity from civil process arising out of occurrence for which extradited.

§ 12-9-29. Immunity from civil process arising out of occurrence for which extradited.
A person brought into this state by, or after waiver of, extradition based on a criminal charge shall not be subject to service of personal process in civil actions arising out of the same facts as the criminal proceedings to answer which he or she is being or has been returned, until he or she has been convicted in the criminal proceeding, or, if acquitted, until he or she has had reasonable opportunity to return to the state from which he or she was extradited.
History of Section.
P.L. 1947, ch. 1890, § 24; G.L. 1956, § 12-9-29.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-3. - Governor's duty to deliver fugitives from justice.

§ 12-9-3. Governor's duty to deliver fugitives from justice.
Subject to the provisions of this chapter, the provisions of the Constitution of the United States controlling, and any and all acts of Congress enacted in pursuance of the Constitution, it is the duty of the governor of this state to have arrested and delivered up to the executive authority of any other state of the United States any person charged in that state with treason, felony, or other crime, who has fled from justice and is found in this state.
History of Section.
P.L. 1947, ch. 1890, § 2; G.L. 1956, § 12-9-3.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-30. - Execution of waiver of extradition.

§ 12-9-30. Execution of waiver of extradition.
Any person arrested in this state charged, with having committed any crime in another state, or alleged to have escaped from confinement or broken the terms of his or her bail, probation, or parole, may waive the issuance and service of the warrant provided for in §§ 12-9-9 and 12-9-10 and all other procedure incidental to extradition proceedings, by executing or subscribing in the presence of a judge of any court of record within this state a writing which states that he or she consents to return to the demanding state; provided, that before the waiver shall be executed or subscribed by the person it shall be the duty of the judge to inform the person of his or her rights to the issuance and service of a warrant of extradition and to obtain a writ of habeas corpus as provided for in § 12-9-12.
History of Section.
P.L. 1947, ch. 1890, § 25; G.L. 1956, § 12-9-30.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-31. - Filing of consent — Delivery of prisoner to extradition agents.

§ 12-9-31. Filing of consent — Delivery of prisoner to extradition agents.
If and when consent pursuant to § 12-9-30 has been duly executed it shall be immediately forwarded to the office of the governor of this state and filed in that office. The judge shall direct the officer having the person in custody to immediately deliver the person to the duly accredited agent or agents of the demanding state and shall deliver or cause to be delivered to the agent or agents a copy of his or her consent; provided, that nothing in this section and § 12-9-30 shall be deemed to limit the rights of the accused person to return voluntarily and without formality to the demanding state, nor shall this waiver procedure be deemed to be an exclusive procedure or to limit the powers, rights, or duties of the officers of the demanding state or of this state.
History of Section.
P.L. 1947, ch. 1890, § 25; G.L. 1956, § 12-9-31.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-32. - State's rights against extradited persons not waived.

§ 12-9-32. State’s rights against extradited persons not waived.
Nothing contained in this chapter shall be deemed to constitute a waiver by this state of its right, power, or privilege to try the demanded person for a crime committed within this state, or of its right, power, or privilege to regain custody of the person by extradition proceedings or otherwise for the purpose of trial, sentence, or punishment for any crime committed within this state, nor shall any proceedings had under this chapter which result in, or fail to result in, extradition be deemed a waiver by this state of any of its rights, privileges, or jurisdiction in any way whatsoever.
History of Section.
P.L. 1947, ch. 1890, § 26; G.L. 1956, § 12-9-32.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-33. - Trial for crimes not specified in requisition.

§ 12-9-33. Trial for crimes not specified in requisition.
After a person has been brought back to this state by, or after waiver of, extradition proceedings, he or she may be tried in this state for other crimes which he or she may be charged with having committed here as well as that specified in the requisition for his or her extradition.
History of Section.
P.L. 1947, ch. 1890, § 27; G.L. 1956, § 12-9-33.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-34. - Uniformity of construction.

§ 12-9-34. Uniformity of construction.
The provisions of this chapter shall be so interpreted and construed as to effectuate its general purposes to make uniform the law of those states which enact it.
History of Section.
P.L. 1947, ch. 1890, § 28; G.L. 1956, § 12-9-34.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-35. - Severability.

§ 12-9-35. Severability.
If any provision of this chapter or its application to any person or circumstances is held invalid, its invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provisions of application, and to this end the provisions of this chapter are declared to be severable.
History of Section.
P.L. 1947, ch. 1890, § 29; G.L. 1956, § 12-9-35.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-36. - Interstate extradition.

§ 12-9-36. Interstate extradition.
Notwithstanding any other provision in this chapter to the contrary, except as required by federal law, the governor may not comply with any request received from the executive authority of any other state to issue a warrant for the arrest or surrender of any person charged with a criminal violation of a law of that other state where the violation alleged involves legally protected healthcare activity, as defined in § 23-101-2, or aiding and assisting legally protected healthcare activity, as defined in § 23-101-2. Consistent with the requirements of the United States Constitution, this limitation does not apply in the circumstance where the person who is the subject of the request for arrest or surrender was physically present in the requesting state at the time of the commission of the alleged offense and thereafter fled from that state.
History of Section.
P.L. 2024, ch. 260, § 4, effective June 25, 2024; P.L. 2024, ch. 261, § 4, effective June 25, 2024.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-4. - Form of demand from another state.

§ 12-9-4. Form of demand from another state.
No demand for the extradition of a person charged with a crime in another state shall be recognized by the governor unless in writing alleging, except in cases arising under §§ 12-9-7 and 12-9-8, that the accused was present in the demanding state at the time of the commission of the alleged crime, and that after the commission of the alleged crime he or she fled from the state, and accompanied by a copy of an indictment found or by information supported by affidavit in the state having jurisdiction of the crime, or by a copy of an affidavit made before a judge there, together with a copy of any warrant which was issued, upon the indictment or information, or by a copy of a judgment of conviction or of a sentence imposed in execution of the judgment, together with a statement by the executive authority of the demanding state that the person claimed has escaped from confinement or has broken the terms of his or her bail, probation, or parole. The indictment, information, or affidavit made before the judge must substantially

charge the person demanded with having committed a crime under the law of that state, and the copy of indictment, information, affidavit, judgment of conviction, or sentence must be authenticated by the executive authority making the demand.
History of Section.
P.L. 1947, ch. 1890, § 3; G.L. 1956, § 12-9-4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-5. - Investigation as to demanded person.

§ 12-9-5. Investigation as to demanded person.
When a demand shall be made upon the governor of this state by the executive authority of another state for the surrender of a person so charged with a crime, the governor may call upon the attorney general or any prosecuting officer in this state to investigate or assist in investigating the demand and to report to him or her the situation and circumstances of the person so demanded, and whether he or she ought to be surrendered.
History of Section.
P.L. 1947, ch. 1890, § 4; G.L. 1956, § 12-9-4.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-6. - Agreement to return person demanded from another state.

§ 12-9-6. Agreement to return person demanded from another state.
When it is desired to have returned to this state a person charged in this state with a crime, and the person is imprisoned or is held under criminal proceedings then pending against the person in another state, the governor of this state may agree with the executive authority of the other state for the extradition of the person before the conclusion of the proceedings or his or her term of sentence in the other state upon condition that the person be returned to the other state at the expense of this state as soon as the prosecution in this state is terminated.
History of Section.
P.L. 1947, ch. 1890, § 5; G.L. 1956, § 12-9-6.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-7. - Surrender of person who left demanding state involuntarily.

§ 12-9-7. Surrender of person who left demanding state involuntarily.
The governor of this state may also surrender on demand of the executive authority of any other state any person in this state who is charged in the manner provided in § 12-9-4 with having violated the laws of the state whose executive authority is making the demand, even though the person left the demanding state involuntarily.
History of Section.
P.L. 1947, ch. 1890, § 6; G.L. 1956, § 12-9-7.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-8. - Surrender of person committing an act in one state resulting in a crime in another.

§ 12-9-8. Surrender of person committing an act in one state resulting in a crime in another.
The governor of this state may also surrender, on demand of the executive authority of any other state, any person in this state charged in the other state in the manner provided in § 12-9-4 with committing an act in this state or in a third state, intentionally resulting in a crime in the state whose executive authority is making the demand, when the acts for which extradition is sought would be punishable by the laws of this state, and if the consequences claimed to have resulted from the crime in the demanding state had taken effect in this state. The provisions of this chapter, not otherwise inconsistent, shall apply to those cases, even though the accused was not in that state at the time of the commission of the crime and has not fled from that state; provided, that the governor of this state may, in his or her discretion, make any surrender conditional upon agreement by the executive authority of the demanding state that the person so surrendered will be held to answer no criminal charges of any nature except those set forth in the requisition upon which the person is so surrendered, at least until the person has been given reasonable opportunity to return to this state after his or her acquittal, if he or she shall be acquitted, or if he or she shall be convicted, after he or she shall be released from confinement. Nothing in §§ 12-9-7 and 12-9-8 shall apply to the crime of libel.
History of Section.
P.L. 1947, ch. 1890, § 6; G.L. 1956, § 12-9-8.

2024 Rhode Island General LawsTitle 12 - Criminal ProcedureChapter 12-9 - ExtraditionSection 12-9-9. - Warrant of arrest on executive demand.

§ 12-9-9. Warrant of arrest on executive demand.
If the governor decides that the demand should be complied with, he or she shall sign a warrant of arrest, which shall be sealed with the state seal, and be directed to any peace officer or other person whom he or she may think fit to entrust with its execution. The warrant must substantially recite the facts necessary to the validity of its issuance.

History of Section.
P.L. 1947, ch. 1890, § 7; G.L. 1956, § 12-9-9.

Title: title-31

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-1. - Short title.

§ 31-1-1. Short title.
Chapters 1 — 27 of this title may be cited as the “Motor Vehicle Code”.
History of Section.
P.L. 1950, ch. 2595, art. 39, § 1; G.L. 1956, § 31-1-1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-10. - Types of tires.

§ 31-1-10. Types of tires.
(a)
“Metal tire” means every tire having a surface made wholly or partly of metal, or other hard, non-resilient material, in contact with the highway.
(b)
“Pneumatic tire” means every tire in which compressed air is designed to support the load.
(c)
“Solid rubber tire” means every solid tire constructed of rubber or other nonmetallic substances, except pneumatic tires.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 9; G.L. 1956, § 31-1-10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-11. - Railroads and trains.

§ 31-1-11. Railroads and trains.
(a)
“Railroad” means a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.
(b)
“Railroad train” means an engine driven by steam, electric, or other means, excluding streetcars, with or without cars coupled to it, operated upon stationary rails.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 10; G.L. 1956, § 31-1-11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-12. - Explosives and flammable liquids.

§ 31-1-12. Explosives and flammable liquids.
(a)
“Explosive” means any chemical compound or chemical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, friction, concussion, percussion, or detonation of any part of the compound or mixture may cause a sudden generation of highly heated gases with resultant gaseous pressures capable of producing destructive effects on contiguous objects or of destroying life or limb.
(b)
“Flammable liquid” means any liquid which has a flash point of seventy degrees Fahrenheit (70 degrees F.), or less, as determined by a tagliabue or equivalent closed cup test device.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 11; G.L. 1956, § 31-1-12.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-13. - Gross weight.

§ 31-1-13. Gross weight.
“Gross weight” means the weight of a vehicle without load plus the maximum weight of any load allowed to be carried on the vehicle. Maximum weight shall be determined by the manufacturer’s allowed gross weight, or as determined by the division.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 12; G.L. 1956, § 31-1-13; P.L. 1969, ch. 173, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-14. - Renewal.

§ 31-1-14. Renewal.
"Renewal" means the reissuance of a registration, license, or instruction permit, issued under the provisions of chapters 1 — 27 of this title, the term of which has expired.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 13; P.L. 1952, ch. 2937, § 1; G.L. 1956, § 31-1-14.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-15. - Suspension, revocation, and cancellation.

§ 31-1-15. Suspension, revocation, and cancellation.
(a)
"Cancellation" means the registration, driver's license, or instruction permit is annulled and terminated because of some error or defect or because the former bearer is no longer entitled to one, but the cancellation is without prejudice and a new application may be made at any time after the cancellation.
(b)
"Revocation" means the registration, driver's license, instruction permit and privilege to drive a motor vehicle on the public highways is terminated and shall not be renewed or restored, except that an application for a new registration, license, or the privilege to drive may be presented and acted upon in accordance with the provisions of chapters 1 — 27 of this title.
(c)
"Suspension" means the registration, license, or instruction permit and privilege to drive a motor vehicle on the public highways is withdrawn for a specified period.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 14; P.L. 1951, ch. 2826, § 3; P.L. 1952, ch. 2937, § 1; G.L. 1956, § 31-1-15.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-16. - Administrator and division.

§ 31-1-16. Administrator and division.
(a)
"Administrator" means the administrator of the division of motor vehicles of this state.
(b)
"Division" means the division of motor vehicles within the department of revenue of this state acting directly or through its authorized officers and agents.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 15; G.L. 1956, § 31-1-16; P.L. 2008, ch. 98, § 2; P.L. 2008, ch. 145, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-17. - Types of persons.

§ 31-1-17. Types of persons.
(a)
"Bailee" means a bailee is one to whom possession of personal property has been entrusted by the bailor for a specific purpose resulting from either an express or implied contract, with the understanding that this personal property shall be returned to the bailor or any person designated by the bailor when the terms and purposes of the contract have been accomplished.
(b)
"Chauffeur" means any person who drives a jitney, bus, school bus, motor vehicle used principally for hire with operator, or trackless trolley coach, regardless of the vehicle's capacity, and any person who drives a truck, tractor, or tractor semi-trailer, if the gross vehicle weight is twenty-six thousand and one pounds (26,001 lbs.) or more. Proper officers and drivers of fire apparatus when in the performance of their duties are not deemed to be chauffeurs.
(c)
"Driver" means any operator or chauffeur who drives or is in actual physical control of a vehicle.
(d)
"Operator" means every person, other than a chauffeur, who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.
(e)
"Owner" means a person who holds the legal title to a vehicle. In the event a vehicle is the subject of an agreement for conditional sale or lease with right of purchase upon performance of stated conditions and immediate right of possession vested in the vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then the conditional vendee, lessee, or mortgagor is deemed the owner for the purposes of chapters 1 — 27 of this title.

(f)
“Pedestrian” means any person afoot.
(g)
“Person” means every individual, firm, partnership, corporation, or association.
(h)
“Skateboarder, rollerskater, inline skater, or scooter rider” means any person who utilizes a human-powered device containing any number of wheels, whether in tandem or inline, which enables the person to propel himself or herself in a given direction.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 16; P.L. 1951, ch. 2826, § 4; G.L. 1956, § 31-1-17; P.L. 1984, ch. 295, § 1; P.L. 1994, ch. 417, § 1; P.L. 2001, ch. 202, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-18. - Resident and nonresident.

§ 31-1-18. Resident and nonresident.
(a)
“Nonresident” means any person who is not a resident of this state or is temporarily residing in this state as a student or as a member of the armed forces of the United States.
(b)
“Resident” means a person:
(1)
Who owns, rents, or leases real estate within the state as his or her residence and:
(i)
Engages in a trade, business, or profession in this state; or
(ii)
Enrolls his or her children in a school in this state for a period exceeding ninety (90) days; or
(2)
Who is registered to vote or is eligible to register to vote under the laws of this state.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 17; G.L. 1956, § 31-1-18; P.L. 1966, ch. 104, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-19. - Types of business.

§ 31-1-19. Types of business.
(a)
“Applicant” means any person, firm, corporation, or association making application under chapters 1 — 27 of this title.
(b)
“Dealer” means every person engaged in the business of buying, selling, or exchanging vehicles required to be registered under chapters 3 — 9 of this title, and who has an established place of business for that purpose in this state.
(c)
“Distributor” means every person, resident, or nonresident of this state, who sells or distributes motor vehicles to motor vehicle dealers in this state, or who maintains a distributor representative in this state.
(d)
“Factory branch” means every branch office maintained by a manufacturer for the sale of motor vehicles to distributors, or for the sale of motor vehicles to motor vehicle dealers or for directing or supervising, in whole or in part, its representatives in this state.
(e)
“Factory representative” means every representative employed by a manufacturer or by a factory branch for the purpose of making or promoting the sale of its motor vehicles, or for supervising or contacting its dealers or prospective dealers.
(f)
“Licensee” means any person receiving a license under chapters 1 — 27 of this title.
(g)
“Licensor” means either the administrator, an authorized representative, or both, who are authorized to issue a license under chapters 1 — 27 of this title.
(h)
“Manufacturer” means every person engaged in the business of constructing or assembling vehicles required to be registered under chapters 3 — 9 of this title at an established place of business in this state.
(i)
“New and unused motor vehicle dealer” means every person, firm, or corporation which sells, solicits, or advertises the sale of new and unused motor vehicles; holds a bona fide contract or franchise in effect with a manufacturer or distributor of the vehicle(s) to be dealt in; maintains adequate space in the building or structure where the established business is conducted for the display of those

vehicle(s); provides for vehicle repair and servicing; and stores parts and accessories for those motor vehicles.
(j)
"Transporter" means every person engaged in the business of delivering vehicles required to be registered under chapter 3 of this title from a manufacturing, assembling, and distributing plant to a point of destination or for the purpose of weighing, testing, transporting, or delivering that vehicle, or for the purpose of moving that vehicle in connection with making installations on or improvements to it, or for repossession of or foreclosure of it.
(k)
"Wrecker" means every person engaged in the business of wrecking or dismantling motor vehicles for the resale of the parts or material from them.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 18; G.L. 1956, § 31-1-19; P.L. 1960, ch. 155, § 1; P.L. 1966, ch. 189, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-2. - Applicability of definitions.

§ 31-1-2. Applicability of definitions.
Except as otherwise provided, the following definitions of the words and phrases in this chapter apply throughout this title.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 1; G.L. 1956, § 31-1-2; P.L. 1962, ch. 204, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-20. - Established place of business.

§ 31-1-20. Established place of business.
"Established place of business" means the place actually occupied either continuously or at regular periods by a dealer or manufacturer where the books and records of that business are kept and where a large share of that business is transacted.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 19; G.L. 1956, § 31-1-20.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-21. - Enforcement officers.

§ 31-1-21. Enforcement officers.
(a)
"Police officer" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations or the administrator of the division of motor vehicles and up to five (5) subordinates designated by the administrator under the provisions of § 31-2-3.
(b)
"Proper officer" means for the purposes of chapters 1 — 50 of this title, any member of the state or municipal police, deputy sheriff, city or town sergeant, the administrator of the division of motor vehicles, or any subordinate appointed by the administrator of the division of motor vehicles under the provisions of § 31-2-3.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 20; G.L. 1956, § 31-1-21; P.L. 1975, ch. 121, § 1; P.L. 2012, ch. 324, § 60.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-22. - Local authorities.

§ 31-1-22. Local authorities.
"Local authorities" means every city, town, or other local board or body having authority to enact laws relating to traffic under the constitution and laws of this state.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 21; G.L. 1956, § 31-1-22.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-23. - Types of roads.

§ 31-1-23. Types of roads.
(a)
"Bicycle lane" means a portion of highway right-of-way designated by the state and identified by official traffic control devices (pavement markings) for the exclusive use of bicyclists. The operation and parking of motor vehicles is prohibited within the lane identified for exclusive use by bicyclists, except when making a turn, entering or leaving the roadway or a parking lane, or when required in the course of official duty.
(b)

“Bicycle route” means a shared right-of-way along a highway, designated by the state and identified by official traffic control devices (signs) for use by bicyclists.
(c)
“Bicycle trail or path” means a bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way. Bicycle trails or paths may also be used by pedestrians, skaters, riders of Class 1 electric bicycles as defined in § 31-19.7-1, wheelchair users, joggers, and other nonmotorized users.
(d)
“Laned roadway” means a roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic.
(e)
“Limited access highway” means every highway, street, or roadway to or from which owners or occupants of abutting lands and other persons have no legal right of access except at those points and in that manner determined by the public authority having jurisdiction over it.
(f)
“Local highway” means every street or highway other than a state highway, private road, or driveway.
(g)
“Private road or driveway” means every way or place in private ownership that is used for vehicular travel only by the owner and by those others having express or implied permission from the owner.
(h)
“Roadway” means that portion of a highway improved, designed, or ordinarily used for vehicular travel, excluding the sidewalk, berm, or shoulder even when used by persons riding bicycles. In the event a highway includes two (2) or more separate roadways, “roadway” refers to the roadway separately and not the roadways collectively.
(i)
“Sidewalk” means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
(j)
“State highway” means every street or highway constructed and/or maintained by the director of public works and the division of roads and bridges.
(k)
“Street or highway” means the entire width between boundary lines of every way when any part of it is open to the use of the public for purposes of vehicular traffic.
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“Through highway” means every highway or portion of a highway having entrances from intersecting highways at which vehicular traffic is required by law to stop before entering or crossing, and where stop signs are erected under the provisions of chapters 1 — 27 of this title.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 22; P.L. 1951, ch. 2826, §§ 5, 6; G.L. 1956, § 31-1-23; P.L. 1976, ch. 58, § 3; P.L. 1982, ch. 302, § 1; P.L. 2005, ch. 64, § 1; P.L. 2005, ch. 67, § 1; P.L. 2006, ch. 640, § 3; P.L. 2024, ch. 172, § 2, effective July 1, 2024; P.L. 2024, ch. 173, § 2, effective July 1, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-24. - Intersection.

§ 31-1-24. Intersection.
(a)
“Intersection” means the area embraced within the prelongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two (2) highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.
(b)
Where a highway includes two (2) roadways thirty feet (30′) or more apart, then every crossing of each roadway of that divided highway by an intersecting highway is to be regarded as a separate intersection. When the intersecting highway also includes two (2) roadways thirty feet (30′) or more apart, then every crossing of the two (2) roadways of that highway is to be regarded as a separate intersection.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 23; G.L. 1956, § 31-1-24.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-25. - Crosswalk.

§ 31-1-25. Crosswalk.

“Crosswalk” means:
(1)
That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway; or
(2)
Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 24; G.L. 1956, § 31-1-25.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-26. - Safety zone.

§ 31-1-26. Safety zone.
“Safety zone” means the area or space officially set apart within a roadway for the exclusive use of pedestrians, and which is protected or is marked or indicated by adequate signs to be plainly visible at all times while set apart as a safety zone.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 25; G.L. 1956, § 31-1-26.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-27. - Business and residence districts.

§ 31-1-27. Business and residence districts.
(a)
“Business district” means the territory contiguous to and including a highway when within any six hundred feet (600′) along that highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks or office buildings, railroad stations, and public buildings which occupy at least three hundred feet (300′) of frontage on one side or three hundred feet (300′) collectively on both sides of the highway.
(b)
“Residence district” means the territory, contiguous to and including a highway but not comprising a business district, when for a distance of three hundred feet (300′) or more the property is in the main improved with residences or residences and buildings in use for business.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 26; G.L. 1956, § 31-1-27.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-28. - Types of traffic control devices.

§ 31-1-28. Types of traffic control devices.
(a)
“Official traffic control devices” means all signs, signals, markings, and devices not inconsistent with chapters 1 — 27 of this title placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.
(b)
“Railroad sign or signal” means any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.
(c)
“Traffic control signs” means any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 27; G.L. 1956, § 31-1-28.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-29. - Traffic.

§ 31-1-29. Traffic.
“Traffic” means pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any highway for purposes of travel.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 28; G.L. 1956, § 31-1-29.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-3.1. - Autocycles.

§ 31-1-3.1. Autocycles.
(a)
“Autocycle” means only those motor vehicles that:
(1)
Do not have more than three (3) wheels in contact with the ground;
(2)
Are designed to be controlled with a steering wheel and foot pedals for acceleration, braking, or shifting;
(3)
Are equipped with seating that does not require occupants to straddle or sit astride the seating; and
(4)
Are manufactured and certified to comply with federal safety requirements for a motorcycle.
(b)
Except as otherwise provided in this title, an “autocycle” shall be considered to be a “motorcycle” as defined in § 31-1-3.
History of Section.
P.L. 2016, ch. 390, § 1; P.L. 2016, ch. 404, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-3. - Types of vehicles.

§ 31-1-3. Types of vehicles.
(a)(1)
“Antique motor car” means any motor vehicle that is more than twenty-five (25) years old. Unless fully inspected and meeting inspection requirements, the vehicle may be maintained solely for use in exhibitions, club activities, parades, and other functions of public interest. The vehicle may also be used for limited enjoyment and purposes other than the previously mentioned activities, but may not be used primarily for the transportation of passengers or goods over any public highway.
(2)
After the vehicle has met the requirements of state inspection, a registration plate may be issued to it on payment of the standard fee. The vehicle may be operated on the highways of this and other states, and may, in addition to the registration plate, retain the designation “antique” and display an “antique plate.”
(3)
For any vehicle that is more than twenty-five (25) years old, the division of motor vehicles may also issue or approve, subject to rules and regulations that may be promulgated by the administrator, a “year of manufacture plate” for the vehicle that is an exact replica plate designating the exact year of manufacture of the vehicle. The year of manufacture plate, as authorized by this subsection, need only be attached to the rear of the vehicle.
(b)(1)
“Antique motorcycle” means any motorcycle that is more than twenty-five (25) years old. Unless fully inspected and meeting inspection requirements, the vehicle shall be maintained solely for use in exhibitions, club activities, parades, and other functions of public interest. The vehicle may also be used for limited enjoyment and purposes other than the previously mentioned activities, but may not be used primarily for the transportation of passengers or goods over any public highway; and
(2)
After the vehicle has met the requirements of state inspection, a registration plate may be issued to it, on payment of the standard fee, and the vehicle may be operated on the highways of this and other states, and may, in addition to the registration plate, retain the designation “antique” and display an “antique plate.”
(c)
“Authorized emergency vehicle” means vehicles of the fire department (fire patrol); police vehicles; vehicles of the department of corrections while in the performance of official duties; vehicles used by the state bomb squad within the office of state fire marshal; vehicles of municipal departments or public service corporations designated or authorized by the administrator as ambulances and emergency vehicles; and privately owned motor vehicles of volunteer firefighters or privately owned motor vehicles of volunteer ambulance drivers or attendants, as authorized by the department chief or commander and permitted by the Rhode Island Association of Fire Chiefs and Rhode Island Association of Police Chiefs Joint Committee for Volunteer Warning Light Permits.
(d)
“Automobile” means, for registration purposes, every motor vehicle carrying passengers other than for hire.
(e)
“Bicycle” means every vehicle having two (2) tandem wheels, except scooters and similar devices, propelled exclusively by human power, and upon which a person may ride.
(f)
“Camping recreational vehicle” means a vehicular type camping unit, certified by the manufacturer as complying with ANSI A119.2 Standards, designed primarily as temporary living quarters for recreation that has either its own motor power or is mounted on, or towed by, another vehicle. The basic units are tent trailers, fifth-wheel trailers, motorized campers, travel trailers, and pick-up campers.

(g)
“Electric motorized bicycle”, also called an “electric bicycle”, as defined in § 31-19.7-1, means a two-wheel (2) vehicle that may be propelled by human power or electric motor power, or by both, with an electric motor rated not more than two (2) (S.A.E.) horsepower, that is capable of a maximum speed of not more than twenty-eight miles per hour (28 m.p.h.).
(h)
“Electric personal assistive mobility device” (“EPAMD”) is a self-balancing, non-tandem two-wheeled (2) device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to fifteen miles per hour (15 m.p.h.).
(i)
“Fifth-wheel trailer”: A towable recreational vehicle, not exceeding four hundred (400) square feet in area, designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle’s rear axle and that is eligible to be registered for highway use.
(j)
“Hearse” means every motor vehicle used for transporting human corpses. A hearse shall be considered an automobile for registration purposes.
(k)
“Jitney or bus” means: (1) A “public bus” that includes every motor vehicle, trailer, semi-trailer, tractor trailer, or tractor trailer combination, used for the transportation of passengers for hire, and operated wholly or in part upon any street or highway as a means of transportation similar to that afforded by a street railway company, by indiscriminately receiving or discharging passengers, or running on a regular route or over any portion of one, or between fixed termini; or (2) A “private bus” that includes every motor vehicle other than a public bus or passenger van designed for carrying more than ten (10) passengers and used for the transportation of persons, and every motor vehicle other than a taxicab designed and used for the transportation of persons for compensation.
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“Kei car” or “Kei truck” means every motor vehicle of the keijid■sha class of imported vehicles, including, but not limited to, mini-trucks, microvans, and Kei cars imported pursuant to 49 U.S.C. § 30112(b)(9), having four (4) wheels, an engine displacement of six hundred sixty cubic centimeters (660 cc) or less, an overall length of one hundred thirty inches (130″) or less, an overall height of seventy-eight inches (78″) or less, and an overall width of sixty inches (60″) or less.
(m)
“Low-speed motor vehicle” or “low-speed vehicle” means a motor vehicle defined in 49 C.F.R. § 571.3 as a vehicle that is four (4) wheeled, whose speed attainable in one mile is more than twenty miles per hour (20 m.p.h.) and not more than twenty-five miles per hour (25 m.p.h.) on a paved level surface, is electric, and whose gross vehicle weight rating is less than three thousand pounds (3,000 lbs.). All low-speed motor vehicles shall comply with the standards established in 49 C.F.R. § 571.500, as amended, and pursuant thereto, shall be equipped with headlamps, front and rear turn signal lamps, tail lamps, stop lamps, an exterior mirror mounted on the driver’s side of the vehicle and either an exterior mirror mounted on the passenger’s side of the vehicle or an interior mirror, a parking brake, a windshield that conforms to the federal standards on glazing materials, a vehicle identification number that conforms to the requirements of 49 C.F.R. pt. 565 for such numbers, a Type 1 or Type 2 seat belt assembly conforming to 49 C.F.R. § 571.209, installed at each designated seating position, and reflex reflectors; provided, that one reflector is red on each side as far to the rear as practicable and one reflector is red on the rear. A low-speed motor vehicle that meets the requirements of 49 C.F.R. § 571.500, as amended, and is equipped as herein provided, may be registered in this state, subject to inspection and insurance requirements.
(n)
“Motorcycle” means only those motor vehicles having not more than three (3) wheels in contact with the ground and a saddle on which the driver sits astride, except bicycles with helper motors as defined in subsection (p) of this section.
(o)
“Motor-driven cycle” means every motorcycle, including every motor scooter, with a motor of no greater than five (5) horsepower, except bicycles with helper motors as defined in subsection (p) of this section.
(p)
“Motorized bicycles” means two-wheel (2) vehicles that may be propelled by human power or helper power, or by both, with a motor rated not more than four and nine-tenths (4.9) horsepower and not greater than fifty cubic centimeters (50 cc), that are capable of a maximum speed of not more than thirty miles per hour (30 m.p.h.).
(q)
“Motorized camper”: A camping recreational vehicle, built on, or permanently attached to, a self-propelled motor vehicle chassis cab or van that is an integral part of the completed vehicle.
(r)
“Motorized tricycles” means tricycles that may be propelled by human power or helper motor, or by both, with a motor rated no more than 1.5 brake horsepower that is capable of a maximum speed of not more than thirty miles per hour (30 m.p.h.).

(s)
“Motorized wheelchair” means any self-propelled vehicle, designed for, and used by, a person with a disability that is incapable of speed in excess of eight miles per hour (8 m.p.h.).
(t)
“Motor scooter” means a motor-driven cycle with a motor rated not more than four and nine-tenths (4.9) horsepower and not greater than fifty cubic centimeters (50 cc) that is capable of a maximum speed of not more than thirty miles per hour (30 m.p.h.).
(u)
“Motor vehicle” means every vehicle that is self-propelled or propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except vehicles moved exclusively by human power, an EPAMD and electric motorized bicycles as defined in subsection (g) of this section, and motorized wheelchairs.
(v)
“Motor vehicle for hire” means every motor vehicle other than jitneys, public buses, hearses, and motor vehicles used chiefly in connection with the conduct of funerals, to transport persons for compensation in any form, or motor vehicles rented for transporting persons either with or without furnishing an operator.
(w)
“Natural gas vehicle” means a vehicle operated by an engine fueled primarily by natural gas.
(x)
“Park trailer”: A camping recreational vehicle that is eligible to be registered for highway use and meets the following criteria: (1) Built on a single chassis mounted on wheels; and (2) Certified by the manufacturer as complying with ANSI A119.5.
(y)
“Passenger van” means every motor vehicle capable of carrying ten (10) to fourteen (14) passengers plus an operator and used for personal use or on a not-for-hire basis. Passenger vans may be used for vanpools, transporting passengers to and from work locations, provided that the operator receives no remuneration other than free use of the vehicle.
(z)
“Pedal carriage” (also known as “quadricycles”) means a nonmotorized bicycle with four (4) or more wheels operated by one or more persons for the purpose of, or capable of, transporting additional passengers in seats or on a platform made a part of or otherwise attached to the pedal carriage. The term shall not include a bicycle with trainer or beginner wheels affixed to it, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for the transportation of a person with a disability, nor shall it include a tricycle built for a child or an adult with a seat for only one operator and no passenger.
(aa)
“Pick-up camper”: A camping recreational vehicle consisting of a roof, floor, and sides designed to be loaded onto and unloaded from the back of a pick-up truck.
(bb)
“Rickshaw” (also known as “pedi cab”) means a nonmotorized bicycle with three (3) wheels operated by one person for the purpose of, or capable of, transporting additional passengers in seats or on a platform made a part of, or otherwise attached to, the rickshaw. This definition shall not include a bicycle built for two (2) where the operators are seated one behind the other, nor shall it include the operation of a bicycle with trainer or beginner wheels affixed thereto, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for the transportation of a person with a disability.
(cc)
“School bus” means every motor vehicle owned by a public or governmental agency, when operated for the transportation of children to or from school; or privately owned, when operated for compensation for the transportation of children to or from school.
(dd)
“Suburban vehicle” means every motor vehicle with a convertible or interchangeable body or with removable seats, usable for both passenger and delivery purposes, and including motor vehicles commonly known as station or depot wagons or any vehicle into which access can be gained through the rear by means of a hatch or trunk and where the rear seats can be folded down to permit the carrying of articles as well as passengers.
(ee)
“Tent trailer”: A towable recreational vehicle that is mounted on wheels and constructed with collapsible partial side walls that fold for towing by another vehicle and unfold for use and that is eligible to be registered for highway use.
(ff)
“Trackless trolley coach” means every motor vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated on rails.
(gg)
“Travel trailer”: A towable recreational vehicle, not exceeding three hundred twenty square feet (320 sq. ft.) in area, designed to be towed by a motorized vehicle containing a towing mechanism that is mounted behind the tow vehicle’s bumper and that is eligible to be registered for highway use.
(hh)
“Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks.

History of Section.
P.L. 1950, ch. 2595, art. 1, § 2; P.L. 1950, ch. 2595, art. 1, § 3; P.L. 1953 (1st S.S.), ch. 3236, § 1; P.L. 1954, ch. 3378, § 1; G.L. 1956, § 31-1-3; P.L. 1964, ch. 214, § 1; P.L. 1967, ch. 217, § 1; P.L. 1973, ch. 252, § 1; P.L. 1976, ch. 58, § 3; P.L. 1976, ch. 64, § 1; P.L. 1976, ch. 64, § 2; P.L. 1978, ch. 377, § 1; P.L. 1981, ch. 413, § 1; P.L. 1985, ch. 116, § 1; P.L. 1987, ch. 476, § 1; P.L. 1988, ch. 369, § 1; P.L. 1988, ch. 654, § 1; P.L. 1990, ch. 208, § 4; P.L. 1997, ch. 186, § 1; P.L. 1999, ch. 83, § 68; P.L. 1999, ch. 130, § 68; P.L. 1999, ch. 447, § 1; P.L. 2002, ch. 56, § 2; P.L. 2002, ch. 136, § 1; P.L. 2002, ch. 360, § 1; P.L. 2002, ch. 397, § 1; P.L. 2004, ch. 308, § 1; P.L. 2004, ch. 380, § 1; P.L. 2006, ch. 11, § 1; P.L. 2006, ch. 12, § 1; P.L. 2010, ch. 239, § 25; P.L. 2014, ch. 344, § 1; P.L. 2014, ch. 389, § 1; P.L 2014, ch. 454, § 1; P.L. 2014, ch. 547, § 1; P.L. 2018, ch. 39, § 1; P.L. 2018, ch. 45, § 1; P.L. 2019, ch. 58, § 1; P.L. 2019, ch. 73, § 1; P.L. 2019, ch. 288, § 1; P.L. 2019, ch. 301, § 1; P.L. 2023, ch. 207, § 1, effective July 1, 2024; P.L. 2023, ch. 224, § 1, effective July 1, 2024; P.L. 2024, ch. 172, § 2, effective July 1, 2024; P.L. 2024, ch. 173, § 2, effective July 1, 2024; P.L. 2024, ch. 414, § 1, effective July 1, 2024; P.L. 2024, ch. 415, § 1, effective July 1, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-30. - Right-of-way.

§ 31-1-30. Right-of-way.
“Right-of-way” means the privilege of the immediate use of the highway.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 29; G.L. 1956, § 31-1-30.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-31. - Types of stops.

§ 31-1-31. Types of stops.
(a)
“Park” means, when prohibited, the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.
(b)
“Stop” means, when required, a complete cessation from movement.
(c)
“Stop, stopping or standing” means, when prohibited, any stopping or standing of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 30; G.L. 1956, § 31-1-31.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-32. - Severability.

§ 31-1-32. Severability.
If any part or parts of this title are held to be unconstitutional that unconstitutionality shall not affect the validity of the remaining parts of this title.
History of Section.
P.L. 1950, ch. 2295, art. 39, § 2; P.L. 1952, ch. 3002, § 44; G.L. 1956, § 31-1-32; P.L. 1962, ch. 204, § 3; P.L. 1992, ch. 324, § 9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-4. - Trucks and tractors.

§ 31-1-4. Trucks and tractors.
(a)
“Covered heavy-duty tow and recovery vehicle” means a vehicle that is transporting a disabled vehicle from the place where the vehicle became disabled to the nearest appropriate repair facility; and, provided the vehicle has a gross vehicle weight that is equal to or exceeds the gross vehicle weight of the disabled vehicle being transported.
(b)
“Farm tractor” means every motor vehicle designed and used primarily as a farm implement, for drawing plows, mowing machines, and other implements of husbandry or farm vehicles.
(c)
“Tow cars and tow trucks” means every motor vehicle ordinarily used for the purpose of towing or removing motor vehicles or assisting disabled motor vehicles.
(d)(1)
“Trailer transporter towing unit” means a power unit that is not used to carry property when operating in a towaway trailer transporter combination.
(2)

“Towaway trailer transporter combination” means a combination of vehicles consisting of a trailer transporter towing unit and two (2) trailers or semitrailers:
(i)
With a total weight that does not exceed twenty-six thousand pounds (26,000 lbs.); and
(ii)
In which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of the trailers or semitrailers.
(e)
“Truck” means every motor vehicle designed, used, or maintained primarily for the transportation of property. The administrator of the division of motor vehicles shall determine, in case of doubt, if a motor vehicle is subject to registration as a truck.
(f)
“Truck tractor” means a non-cargo-carrying power unit that operates in combination with a semi-trailer or trailer, except that a truck tractor and a semi-trailer or trailer engaged in the transportation of automobiles may transport motor vehicles on part of the power unit.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 3; P.L. 1951, ch. 2826, § 1; G.L. 1956, § 31-1-4; P.L. 1983, ch. 294, § 1; P.L. 1992, ch. 324, § 9; P.L. 2018, ch. 39, § 1; P.L. 2018, ch. 45, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-5. - Trailers.

§ 31-1-5. Trailers.
(a)
“Automobile transporter” means any vehicle combination designed and used for the transport of assembled highway vehicles, including truck camper units. An automobile transporter shall not be prohibited from the transport of cargo or general freight on a backhaul, provided it complies with weight limitations for a truck tractor and semitrailer combination.
(b)
“Pole trailer” means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.
(c)
“Semi-trailer” means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle, constructed so that some of its weight and that of its load rests upon or is carried by another vehicle.
(d)
“Tractor-semi-trailer combination” means every combination of a tractor and a semi-trailer properly attached to the tractor to form an articulated vehicle.
(e)
“Tractor-trailer combination” means every combination of a tractor and a trailer, properly attached to the tractor to form an articulated vehicle.
(f)
“Trailer” means every vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle, constructed so that none of its weight rests upon the towing vehicle.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 4; G.L. 1956, § 31-1-5; P.L. 2010, ch. 239, § 25; P.L. 2018, ch. 39, § 1; P.L. 2018, ch. 45, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-6. - Specially constructed and reconstructed vehicles.

§ 31-1-6. Specially constructed and reconstructed vehicles.
(a)
“Essential parts” means all integral and body parts of a vehicle of a type that must be registered under chapters 3 — 9 of this title, the removal, alteration, or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model, type, or mode of operation.
(b)
“Reconstructed vehicle” means every vehicle of a type that must be registered under chapters 3 — 9 of this title, which has been materially altered from its original construction by the removal, addition, or substitution of essential parts, new or used.
(c)
“Specially constructed vehicle” means every vehicle of a type that must be registered under chapters 3 — 9 of this title, but not originally constructed under a distinctive name, make, model, or type by a generally recognized manufacturer of vehicles; provided,

that specially constructed vehicles shall include hand-built, home-built, and one-off cars that do not resemble any production car. Specially constructed vehicles shall be entitled to standard passenger automobile plates; provided, that all safety and emissions standards applied to reconstructed vehicles are met.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 5; P.L. 1951, ch. 2826, § 2; G.L. 1956, § 31-1-6; P.L. 2013, ch. 188, § 1; P.L. 2013, ch. 203, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-7. - Foreign vehicle.

§ 31-1-7. Foreign vehicle.
"Foreign vehicle" means every vehicle, of a type that must be registered under chapters 3 — 9 of this title, brought into this state from another state, territory or country, other than in the ordinary course of business by or through a manufacturer or dealer, and not registered in this state.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 6; G.L. 1956, § 31-1-7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-8. - Farm vehicle.

§ 31-1-8. Farm vehicle.
"Farm vehicle" means every vehicle which is designed for and used for agricultural purposes and used by the owner of the vehicle or family member(s) or employee(s) or designees of the owner, in the conduct of the owner's agricultural operations, which use shall include the delivery of agricultural products produced by the farmer but shall not include commercial hire for nonagricultural uses, including, but not limited to, hauling of sand and gravel, snow plowing, land clearing for other than agricultural purposes or directly on the vehicle owner's farm, and landscaping. For an owner to qualify as having agricultural purposes, the owner shall provide evidence that he or she meets the requirements of § 44-18-30.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 7; G.L. 1956, § 31-1-8; P.L. 2002, ch. 404, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-1 - Definitions and General Code ProvisionsSection 31-1-9. - Mobile equipment.

§ 31-1-9. Mobile equipment.
"Mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: ditch digging apparatus, well boring apparatus, and road construction or maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth moving carry-alls and scrapers, power shovels and drag lines, and self-propelled cranes and earth moving equipment. The term does not include house trailers, dump trucks, truck mounted transit mixers, cranes, or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.
History of Section.
P.L. 1950, ch. 2595, art. 1, § 8; G.L. 1956, § 31-1-9; P.L. 1959, ch. 123, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.1 - Special Licenses for Motorcycles, Motor Scooters, Low-Speed Vehicles and Other Motor Driven CyclesSection 31-10.1-1.1. - Motorcycle driver education program.

§ 31-10.1-1.1. Motorcycle driver education program.
(a)
The council on postsecondary education and the office of the postsecondary commissioner shall through the Community College of Rhode Island provide:
(1)
A minimum of six (6) and up to a maximum of twenty (20) hours of classroom instruction and/or on-the-road driver training, as determined by the council and/or the Community College of Rhode Island, for applicants or prospective applicants for a first motorcycle operator's license to operate two-wheeled (2) motorcycles under this chapter; and
(2)
A minimum of six (6) and up to a maximum of twenty (20) hours of classroom instruction and/or on-the-road driver training, as determined by the council and/or the Community College of Rhode Island, for applicants or prospective applicants for a first motorcycle operator's license to operate three-wheeled (3) motorcycles under this chapter. Instruction shall be given by a person eligible for a teacher's certificate issued under the authority of the council on elementary and secondary education and/or certified to teach motorcycle safety classes by completion of a course of instruction recognized by the Community College of Rhode Island.
(b)

Motorcycle driver education programs shall be available to any eligible resident applicant holding a valid Rhode Island motor vehicle operator's license.
(c)
The council on postsecondary education shall establish any fees that are deemed necessary to support this program.
(d)
The council on postsecondary education and the office of the postsecondary commissioner are authorized to establish regulations to further implement this chapter.
(e)
Reasonable accommodations shall be made for persons with disabilities to fully participate in all courses of instruction offered pursuant to this section.
History of Section.
P.L. 1978, ch. 184, § 1; P.L. 1983, ch. 131, § 1; P.L. 1984, ch. 367, § 1; P.L. 1992, ch. 364, § 1; P.L. 2002, ch. 309, § 1; P.L. 2008, ch. 96, § 1; P.L. 2008, ch. 147, § 1; P.L. 2021, ch. 412, § 1, effective March 1, 2022; P.L. 2021, ch. 413, § 1, effective March 1, 2022; P.L. 2023, ch. 211, § 1, effective June 21, 2023; P.L. 2023, ch. 226, § 1, effective June 21, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.1 - Special Licenses for Motorcycles, Motor Scooters, Low-Speed Vehicles and Other Motor Driven CyclesSection 31-10.1-1.2. - Approved motorcycle rider education program.

§ 31-10.1-1.2. Approved motorcycle rider education program.
(a)
The council on postsecondary education and/or the Community College of Rhode Island may certify motorcycle dealers engaged in selling motorcycles or an association engaged in motorcycle safety to provide motorcycle driver education courses in the state if the curriculum used during the course of instruction is certified by the Motorcycle Safety Foundation, or other programs approved by the council and/or the Community College of Rhode Island.
(b)(1)
The course of instruction for operation of two-wheeled (2) motorcycles shall provide students with a minimum of sixteen and a half (16½) hours of combined classroom instruction, and on the range motorcycle training for a beginner rider course, and a minimum of five (5) hours for a licensed rider course.
(2)
The course of instruction for operation of three-wheeled (3) motorcycles shall provide students with a minimum of sixteen and a half (16½) hours of combined classroom instruction, and on the range motorcycle training for a beginner rider course, and a minimum of five (5) hours for a licensed rider course.
(c)
In order for an instructor to teach in a motorcycle rider education program in the state, the person shall meet all of the following requirements:
(1)
Must be twenty-one (21) years of age or older, and must possess a valid drivers license recognized by the state of Rhode Island for at least three (3) consecutive years;
(2)
Possess a high school diploma or GED;
(3)
Must be certified by the Motorcycle Safety Foundation as an instructor;
(4)
Must be licensed to teach motorcycle training in the state of Rhode Island;
(5)
An instructor has not had more than one moving traffic violation within one year prior to obtaining certification; not more than two (2) moving violations within a three-year (3) period prior to licensure as a motorcycle rider education instructor; and not more than three (3) moving violations within a five-year (5) period prior to licensure as a motorcycle rider education instructor;
(6)
An instructor has not had their driving privileges suspended or revoked in the five (5) preceding years prior to obtaining certification by the state of Rhode Island;
(7)
An instructor has no driving under the influence of alcohol or drug convictions within ten (10) years prior to obtaining certification by the state of Rhode Island as a motorcycle rider education instructor;
(8)
Must successfully pass a criminal background check by the department;
(9)
For out of state instructors, the person must provide the department with a certified copy of their driving record from the previous five (5) years.

(d)
Class sizes shall not exceed twenty-four (24) students in the classroom, and twelve (12) on the range during instruction.
(e)
A student who successfully completes a department approved two-wheeled (2) motorcycle rider education program's skills and written test requirements, shall be deemed compliant with § 31-10.1-1.1(a)(1) and exempted from the road test under § 31-10.1-3(a) provided the student passes a written, vision, and road sign examination at a department licensing facility. A student who successfully completes a department approved three-wheeled (3) motorcycle rider education program's skills and written test requirements, shall be deemed compliant with § 31-10.1-1.1(a)(2) and exempted from the road test under § 31-10.1-3(b), provided the student passes a written, vision, and road sign examination at a department facility. In order to take the written, vision, and road sign examination under § 31-10.1-3(a) or (b) the student shall bring their Motorcycle Safety Foundation completion card and a road test waiver form provided by the rider education program where the course was successfully completed. The road test waiver form shall include the following:
(1)
Student's full name, as written on their valid drivers license;
(2)
Motorcycle Safety Foundation's Basic Rider Course Completion Card number;
(3)
Course completion date;
(4)
Dealership or association name;
(5)
Dealership or association contact name;
(6)
MSF Rider Education Recognition Program number, or equivalent;
(7)
Instructor's name, signature, and Motorcycle Safety Foundation number or an identifier from any other program approved by the council and/or the Community College of Rhode Island instructor number.
(f)
The department or the Community College of Rhode Island has the right to inspect ranges to ensure they fulfill the Motorcycle Safety Foundation's range standards for motorcycle training. The department shall have the right to inspect the courses authorized under this section at any time. The entity providing the motorcycle rider education program shall maintain records for a minimum of two (2) years, including those who participated in the class, those who successfully completed the class, and those individuals who failed any portion of the class.
(g)
No state subsidies shall be provided to a dealer or association for operating a motorcycle driver education program under this section.
(h)
The state of Rhode Island shall not be liable for any acts or omissions on the part of motorcycle dealers and/or associations in the implementation of the motorcycle rider education program pursuant to this section.
(i)
Each dealership and/or association seeking to provide a motorcycle driver education course under this chapter shall pay an application fee of seven hundred and fifty dollars ($750) and a yearly renewal fee of one hundred dollars ($100) to the office of higher education for the purpose of program oversight.
History of Section.
P.L. 2008, ch. 96, § 2; P.L. 2008, ch. 147, § 2; P.L. 2021, ch. 412, § 1, effective March 1, 2022; P.L. 2021, ch. 413, § 1, effective March 1, 2022; P.L. 2024, ch. 41, § 2, effective August 31, 2024; P.L. 2024, ch. 42, § 2, effective August 31, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.1 - Special Licenses for Motorcycles, Motor Scooters, Low-Speed Vehicles and Other Motor Driven CyclesSection 31-10.1-1. - License required.

§ 31-10.1-1. License required.
(a)
No resident of this state, except those expressly exempted in this chapter, shall drive any two-wheeled (2) motorcycle or motor-driven cycle upon a highway in this state, unless the person shall first obtain a special license as an operator under the provisions of this chapter; provided, however, motorized bicycles and motor scooters with a motor rated not more than four and nine-tenths horsepower (4.9 h.p.) and not greater than fifty cubic centimeters (50 cc), which is capable of a maximum speed of not more than thirty miles per hour (30 m.p.h.), shall be exempt from the provisions of this section. No person shall be licensed pursuant to this chapter unless he or she shall be at least sixteen (16) years of age or unless the person previously has been issued a full operator's license or a limited provisional license and has satisfied the requirements of § 31-10.1-3(a) or is already licensed under a prior act of this state. Any person under the age of eighteen (18) duly licensed under the prior act shall be eligible to have his or her

license renewed in the same manner as persons over the age of eighteen (18). All licenses issued pursuant to this chapter shall reflect any requirement of the operator to wear a helmet pursuant to § 31-10.1-4.
(b)
No resident of this state, except those expressly exempted in this chapter, shall drive any three-wheeled (3) motorcycle or motor-driven cycle upon a highway in this state, unless the person shall first obtain a special license as an operator under the provisions of this chapter; provided, however, motorized bicycles and motor scooters with a motor rated not more than four and nine-tenths horsepower (4.9 h.p.) and not greater than fifty cubic centimeters (50 cc), which is capable of a maximum speed of not more than thirty miles per hour (30 m.p.h.), shall be exempt from the provisions of this section. No person shall be licensed pursuant to this chapter unless he or she shall be at least sixteen (16) years of age or unless the person previously has been issued a full operator's license or a limited provisional license and has satisfied the requirements of § 31-10.1-3(b) or is already licensed under a prior act of this state. Any person under the age of eighteen (18) years duly licensed under the prior act shall be eligible to have their license renewed in the same manner as persons over the age of eighteen (18) years. All licenses issued pursuant to this chapter shall reflect any requirement of the operator to wear a helmet pursuant to § 31-10.1-4.
(c)
Any person currently licensed pursuant to this chapter, prior to March 1, 2022, shall continue to be permitted to operate both two-wheeled (2) and three-wheeled (3) motorcycles and motor-driven cycles without further examination.
(d)
The holder of a special license as an operator under the provisions of this chapter who has a limited provisional license may drive the motorcycle only at times when the license holder could drive a motor vehicle without supervision pursuant to § 31-10-6.
History of Section.
P.L. 1967, ch. 27, § 1; P.L. 1992, ch. 324, § 15; P.L. 1992, ch. 364, § 1; P.L. 1998, ch. 371, § 3; P.L. 1998, ch. 386, § 3; P.L. 2006, ch. 11, § 2; P.L. 2006, ch. 12, § 2; P.L. 2021, ch. 412, § 1, effective March 1, 2022; P.L. 2021, ch. 413, § 1, effective March 1, 2022; P.L. 2024, ch. 41, § 2, effective August 31, 2024; P.L. 2024, ch. 42, § 2, effective August 31, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.1 - Special Licenses for Motorcycles, Motor Scooters, Low-Speed Vehicles and Other Motor Driven CyclesSection 31-10.1-3. - Examination.

§ 31-10.1-3. Examination.
(a)
All applicants for a two-wheeled (2) motorcycle, motor scooter, or motor-driven cycle license, except those exempted in this chapter, shall pass a written, vision, road sign, and road test as prescribed by the administrator of the division of motor vehicles in a vehicle supplied by the applicant.
(b)
All applicants for a three-wheeled (3) motorcycle, motor scooter, or motor-driven cycle license, except those exempted under this chapter, shall pass a written, vision, road sign, and road test, as prescribed by the administrator of the division of motor vehicles in a vehicle supplied by the applicant.
(c)
An applicant who within six (6) months of having been certified by the department of elementary and secondary education as having passed a written examination, road sign, and road test administered by that department, shall, upon completion of an eyesight test by the division of motor vehicles, be considered in compliance with this section.
History of Section.
P.L. 1967, ch. 27, § 1; P.L. 1987, ch. 362, § 1; P.L. 2021, ch. 412, § 1, effective March 1, 2022; P.L. 2021, ch. 413, § 1, effective March 1, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.1 - Special Licenses for Motorcycles, Motor Scooters, Low-Speed Vehicles and Other Motor Driven CyclesSection 31-10.1-4. - Required equipment.

§ 31-10.1-4. Required equipment.
Operators of motorcycles, motor scooters, and motor-driven cycles shall use eye protection of a type approved by the administrator of the division of motor vehicles when operating their vehicles on streets and highways. Every motorcycle, motor scooter, and motor-driven cycle shall be equipped with a rear view mirror. Any operator under the age of twenty-one (21) shall wear a helmet of a type approved by the administrator of motor vehicles. In addition, all new operators, regardless of age, shall be required, for a period of one year from the date of issuance of the first license pursuant to § 31-10.1-1, to wear a helmet of a type approved by said administrator. Any person deemed in violation of this provision shall be subject to the fines enumerated in § 31-41.1-4, which shall be paid in accordance with the provisions of chapter 41.1 of this title. The administrator of the division of motor vehicles is authorized to set forth rules and regulations governing the use of other equipment on those vehicles. All fines collected under this section shall be deposited in a general restricted receipt account for the use of the Rhode Island governor's office on highway safety in order to promote educational and informational programs encouraging helmet use.
History of Section.
P.L. 1967, ch. 27, § 1; P.L. 1969, ch. 254, § 1; P.L. 1976, ch. 104, § 1; P.L. 1992, ch. 364, § 1; P.L. 2002, ch. 292, § 105; P.L. 2006, ch. 216, § 8; P.L. 2008, ch. 100, art. 12, § 6.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.1 - Special Licenses for Motorcycles, Motor Scooters, Low-Speed Vehicles and Other Motor Driven CyclesSection 31-10.1-5. - Handlebars.

§ 31-10.1-5. Handlebars.
No person shall operate on a highway or in any parking area for ten (10) or more motor vehicles, any motorcycle, motor scooter, or motor driven cycle equipped with handlebars that are more than fifteen inches (15") in height above the uppermost portion of the seat when depressed by the weight of the operator. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1967, ch. 27, § 1; P.L. 2002, ch. 292, § 105.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.1 - Special Licenses for Motorcycles, Motor Scooters, Low-Speed Vehicles and Other Motor Driven CyclesSection 31-10.1-6.1. - Autocycles — Exemptions.

§ 31-10.1-6.1. Autocycles — Exemptions.
The provisions of § 31-10.1-1 through § 31-10.1-6, inclusive, shall not apply to autocycles. Any person licensed as an operator or chauffeur pursuant to chapter 10 of this title may operate an autocycle.
History of Section.
P.L. 2016, ch. 390, § 2; P.L. 2016, ch. 404, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.1 - Special Licenses for Motorcycles, Motor Scooters, Low-Speed Vehicles and Other Motor Driven CyclesSection 31-10.1-6. - Passengers.

§ 31-10.1-6. Passengers.
Any passenger on a motorcycle, motor scooter, or motor-driven cycle must be provided with a separate rear seat, a separate foot-rest, and an appropriate handlebar or grip for his or her use, and must wear a properly fitting helmet of a type approved by the administrator of the division of motor vehicles. No person shall operate a motorcycle, motor scooter, or motor-driven cycle unless any passenger on it wears a helmet and is able to rest his or her feet upon a foot-rest. Any passenger on a motorcycle, motor scooter, or motor-driven cycle under twelve (12) years of age must have a properly secured back-rest or equivalent, shall have his or her feet placed upon the foot-rest, and shall be seated behind the operator unless a side car is provided. When, however, a side car is provided this age requirement shall not apply to any passenger(s) in the sidecar. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1967, ch. 27, § 1; P.L. 1968, ch. 35, § 1; P.L. 1992, ch. 364, § 1; P.L. 2001, ch. 197, § 1; P.L. 2001, ch. 299, § 1; P.L. 2002, ch. 292, § 105.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.1 - Special Licenses for Motorcycles, Motor Scooters, Low-Speed Vehicles and Other Motor Driven CyclesSection 31-10.1-7. - Inspection.

§ 31-10.1-7. Inspection.
Every motorcycle, motor scooter, low-speed vehicle, or motor-driven cycle shall be inspected in accordance with the law providing for inspection of motor vehicles and shall display a certificate of inspection as provided in chapter 38 of this title. Inspection standards for the motor vehicles shall be established by the administrator of the division of motor vehicles. Inspection stations shall be specially licensed to inspect motorcycles, motor scooters, and motor-driven cycles. Certificates of inspection for these vehicles shall be clearly distinguishable from those issued to other motor vehicles. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1967, ch. 27, § 1; P.L. 2002, ch. 292, § 105; P.L. 2023, ch. 207, § 4, effective July 1, 2024; P.L. 2023, ch. 224, § 4, effective July 1, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.1 - Special Licenses for Motorcycles, Motor Scooters, Low-Speed Vehicles and Other Motor Driven CyclesSection 31-10.1-8. - Anatomical gifts by operators.

§ 31-10.1-8. Anatomical gifts by operators.
(a)
The division of motor vehicles, in conjunction with the federally designated organ and tissue procurement agency, shall develop and implement a program encouraging and allowing for persons to make anatomical gifts, during the process of issuing and renewing licenses provided for in § 31-10.1-1. The division of motor vehicles shall give to all persons seeking the licenses, a document containing a summary description and explanation of the Anatomical Gift Act, chapter 18.6 of title 23. Any person wishing to donate tissue or organs under the provisions of chapter 18.6 of title 23 shall be included in the Rhode Island Donor Registry as defined by § 31-10-26.1(g) and issued a driver’s license or nonoperator’s identification card bearing a notation or symbol indicating the person’s consent to donate under the chapter and defining the term “qualified donee” as outlined in chapter 18.6 of title 23. The division of motor vehicles, in conjunction with the federally designated organ and tissue procurement agency, may on behalf of the state, accept and deposit with the general treasurer any grant, gift or contribution made to assist in meeting the cost of carrying out

the purposes of this section, and may expend the funds for these purposes.
(b)
Application for monies to support these purposes will be made to the general treasurer by the division of motor vehicles, and/or the federally designated organ and tissue procurement agency.
(c)
The division of motor vehicles may make and sign any agreements and may do and perform any and all acts necessary to carry out the purposes of this section.
History of Section.
P.L. 1989, ch. 246, § 1; P.L. 2003, ch. 392, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.1 - Special Licenses for Motorcycles, Motor Scooters, Low-Speed Vehicles and Other Motor Driven CyclesSection 31-10.1-9. - Recreational vehicles — Non-applicability.

§ 31-10.1-9. Recreational vehicles — Non-applicability.
The provisions of this chapter shall not apply to the operation of recreational vehicles, as defined in § 31-3.2-1, including all classes of all-terrain vehicles; nor shall they authorize their registration by the division of motor vehicles.
History of Section.
P.L. 2021, ch. 412, § 2, effective March 1, 2022; P.L. 2021, ch. 413, § 2, effective March 1, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.2 - Voluntary Termination of Operators' and Chauffeurs' LicensesSection 31-10.2-1. - Purpose.

§ 31-10.2-1. Purpose.
The department of revenue, division of motor vehicles, presently lacks the authority to allow the voluntary termination of operators' and chauffeurs' licenses by an individual. It is the intent of this chapter to establish rules and regulations regarding the voluntary termination of operators' and chauffeurs' licenses in this state. Pursuant to §§ 31-2-4, 42-35-3(b), and 42-35-4(b)(2), the department of revenue shall adopt and establish the following rules and regulations regarding voluntary termination of operators' and chauffeurs' licenses. Any and all regulations previously promulgated for this purpose are rescinded.
History of Section.
P.L. 1988, ch. 342, § 1; P.L. 2008, ch. 98, § 10; P.L. 2008, ch. 145, § 10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.2 - Voluntary Termination of Operators' and Chauffeurs' LicensesSection 31-10.2-2. - Operators' licenses.

§ 31-10.2-2. Operators' licenses.
(a)
An individual may voluntarily terminate his or her operators' license by tendering the license to the operator control section of the department of revenue, division of motor vehicles.
(1)
Should an individual terminate his or her operators' license, the individual may not reapply for a new operators' license for a period of six (6) months from the date of the voluntary license termination.
(2)
Before an individual may voluntarily terminate his or her license, the individual must sign an affidavit as established by the division of motor vehicles, notifying the individual of the consequences of voluntary license termination.
(b)
Upon reapplication for an operators' license following voluntary termination by an individual, the individual shall be required to take a written test and a road test, but shall not pay the required reinstatement fee as established by the operator control division before the granting of a new operators' license.
History of Section.
P.L. 1988, ch. 342, § 1; P.L. 2001, ch. 86, § 85; P.L. 2008, ch. 98, § 10; P.L. 2008, ch. 145, § 10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.2 - Voluntary Termination of Operators' and Chauffeurs' LicensesSection 31-10.2-3. - Chauffeur's licenses.

§ 31-10.2-3. Chauffeur's licenses.
(a)
An individual may voluntarily terminate his or her chauffeur's license by tendering the license to the operator control section of the department of revenue, division of motor vehicles.
(1)
Should the individual terminate his or her chauffeur's license, the individual may not reapply for a new chauffeur's license for a period of one year from the date of the voluntary license termination.

(2)
Before an individual may voluntarily terminate his or her license, the individual must sign an affidavit as established by the division of motor vehicles, notifying the individual of the consequences of voluntary license termination.
(b)
Upon reapplication for a chauffeur's license following voluntary termination by an individual, the individual shall be required to take a written test and a road test, but shall not pay the required reinstatement fee as established by the operator control division before the granting of a new chauffeur's license.
History of Section.
P.L. 1988, ch. 342, § 1; P.L. 2008, ch. 98, § 10; P.L. 2008, ch. 145, § 10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.2 - Voluntary Termination of Operators' and Chauffeurs' LicensesSection 31-10.2-4. - Severability.

§ 31-10.2-4. Severability.
If any provision of this chapter or its application to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of this chapter, which can be given effect without the invalid provision or application, and to this end, the provisions of this chapter are declared to be severable.
History of Section.
P.L. 1988, ch. 342, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 1 - General ProvisionsSection 31-10.3-1. - Short title.

§ 31-10.3-1. Short title.
This chapter shall be known as the "Uniform Classified and Commercial Driver's License Act".
History of Section.
P.L. 1990, ch. 176, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 1 - General ProvisionsSection 31-10.3-2. - Statement of intent and purpose.

§ 31-10.3-2. Statement of intent and purpose.
(a)
The purpose of this chapter is to implement the federal Commercial Motor Vehicle Safety Act of 1986 (CMVSA) (see now 49 U.S.C. § 31101 et seq.), as may be amended from time to time and reduce or prevent commercial motor vehicle accidents, fatalities, and injuries by:
(1)
Permitting drivers to hold only one license;
(2)
Disqualifying commercial drivers who have committed certain serious traffic violations, or other specified offenses;
(3)
Strengthening commercial driver licensing and testing standards.
(b)
It is the intent of this chapter to have an operator's license serve as the base license to which classifications, endorsements, and restrictions can be added which may change the classification to a commercial or chauffeur's license. If the person commits any offense which results in a withdrawal of the commercial license or privilege under this chapter and the offense would be cause for withdrawal of the base license or privilege, the department shall withdraw the commercial endorsements, restrictions, or classifications and for the required fee(s) issue an operator's license or privilege.
(c)
If any offense would cause withdrawal of the base license and commercial or chauffeur's license but for different terms that person may be restored to the base license after the time specified in the applicable section(s) within this title upon payment of the required fee(s). If an offense is committed which, except for this chapter, causes a license or privilege withdrawal of a base license, it shall be cause for removing the commercial or chauffeur classification(s), restriction(s), and endorsement(s) or privileges to operate a commercial vehicle for the time specified in this title.
(d)
This chapter is a remedial law which shall be liberally construed to promote the public health, safety, and welfare. To the extent that this chapter conflicts with general driver licensing provisions, this chapter shall prevail. Where this chapter is silent, the general driver licensing provisions shall apply. This chapter applies to every person who operates a commercial motor vehicle in interstate, foreign, or intrastate commerce and to all employers of these persons.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 2005, ch. 77, § 2; P.L. 2005, ch. 82, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 1 - General ProvisionsSection 31-10.3-3. - Definitions.

§ 31-10.3-3. Definitions.

Notwithstanding any other provisions of title 31, the following definitions apply to this chapter unless the context requires otherwise:

(1)

"Administrator" means the division of motor vehicles administrator, the chief executive of the division of motor vehicles, an agency within the department of revenue.

(2)

"Alcohol or alcoholic beverage" means (a) beer as defined in 26 U.S.C. § 5052(a), of the Internal Revenue Code of 1954; (b) wine of not less than one-half of one percentum (0.5%) of alcohol by volume; or (c) distilled spirits as defined in section 5002(a)(8), of said code.

(3)

"Base license" means the operator's or driver's license without any classifications, endorsements, or restrictions.

(4)

"Bus" means every motor vehicle designed for carrying sixteen (16) or more passengers (including the driver).

(5)

"Cancellation of driver's license" means the annulment or termination by formal action of the department of a person's driver's license because of some error or defect in the license (or application) or because the licensee is no longer entitled to the license.

(6)

"Certified commercial driving instructor" means any person who gives commercial driver training or who offers a course in driver training, and who is certified as such by the administrator.

(7)

"Commerce" means:

(i)

Trade, traffic, and transportation within the jurisdiction of the United States within the state; between a place in a state and a place outside the state, including a place outside the United States; and

(ii)

Trade, traffic, and transportation in the United States that affects any trade, traffic, and transportation in paragraph (i) of this subdivision.

(8)

"Commercial license" means a license issued by the department in accordance with the standards contained in Part 383 of Title 49 of the Code of Federal Regulations, referred to as 49 C.F.R. Part 383, as it may be revised from time to time, to an individual that authorizes the individual to operate a class of commercial motor vehicle.

(9)

"Commercial motor vehicle" means a motor vehicle, or combination of vehicles, used to transport passengers or property if the motor vehicle:

(i)

Has a gross combination weight rating of twenty-six thousand one (26,001) or more pounds, of a towed unit with a gross vehicle rating of more than ten thousand pounds (10,000 lbs.), or has a gross vehicle weight rating of twenty-six thousand one (26,001) or more pounds;

(ii)

Is designed to transport sixteen (16) or more passengers, including the driver; or

(iii)

Is transporting hazardous materials as defined in this section.

(10)

"Controlled substance" means any substance as classified under § 102(6) of the Controlled Substance Act (21 U.S.C. § 802(6)) and includes all substances as listed in schedules I through V of Part 1308 of Title 21 of the Code of Federal Regulations, referred to as 21 C.F.R. Part 1308 as they may be revised from time to time.

(11)

"Conviction" means an unvacated adjudication of guilt or a determination that a person has violated, or failed to comply with, the law in a court of original jurisdiction, or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost or violation of condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(12)

"Department" means the department of revenue acting directly or through its duly authorized officers and agents.

(13)

"Disqualification" means withdrawal of the privilege to drive a commercial motor vehicle due to:

(i)
The suspension, revocation, or cancellation of a commercial driver's license by the state or jurisdiction of issuance; or
(ii)
Any withdrawal of a person's privileges to drive a commercial motor vehicle by a state or other jurisdiction as the result of a violation of state or local law relating to motor vehicle traffic control (other than parking, vehicle weight or vehicle defect violations); or
(iii)
A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a commercial motor vehicle under Part 391 of Title 49 of the Code of Federal Regulations, referred to as 49 C.F.R. 391, as they may be revised from time to time.
(14)
"Driver's license" means a license issued by the department to an individual that authorizes the individual to operate a motor vehicle on the highways.
(15)
"Employee" means any operator of a commercial motor vehicle, including full-time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers; and independent, owner-operator contractors (while in the course of operating a commercial motor vehicle) who are either directly employed by or under lease to an employer.
(16)
"Employer" means any person, including the United States, a state, or a political subdivision of a state, who or that owns or leases a commercial motor vehicle or assigns persons to operate such a vehicle.
(17)
"Farm tractors" means every motor vehicle designated and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.
(18)
"Fatality" means the death of a person as a result of motor vehicle accident.
(19)
"Felony" means any offense under state or federal law that is punishable by death or imprisonment for a term exceeding one year and/or fine of one thousand dollars ($1,000) or more.
(20)
"Gross vehicle weight rating (GVWR)" means the value specified by the manufacturer as the maximum loaded weight of a single or a combination (articulated). The GVWR of a combination (articulated) vehicle (commonly referred to as the "gross combination weight rating" or GCWR) is the GVWR of the power unit plus the GVWR of the towed unit or units.
(21)
"Hazardous materials" means any material that has been designated as hazardous under Part 172 of Title 49 of the Code of Federal Regulations, referred to as 49 C.F.R. 172 or any quantity of a material listed as a select agent or toxin in Part 73 of Title 42 of the Code of Federal Regulations, referred to as 42 C.F.R. 73 as they may be revised from time to time.
(22)
"Motor vehicle" means a vehicle, machine, tractor, trailer, or semi-trailer propelled or drawn by mechanical power and used on highways; or any other vehicle required to be registered under the laws of this state; but does not include any vehicle, machine, tractor, trailer, or semi-trailer operated exclusively on a rail.
(23)
"Operator's license" means driver's license.
(24)
"School bus" means a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, and to and from school-sponsored events. School bus does not include a bus used as a common carrier.
(25)
"Secretary" means the Secretary of Transportation of the United States.
(26)
"Serious traffic violation" means a conviction when operating a commercial motor vehicle except weight, defect, and parking violations of:
(i)
Excessive speeding involving any single offense for any speed of fifteen miles per hour (15 m.p.h.) or more above the posted speed limit;
(ii)
Reckless driving as defined by state or local law or regulation including, but not limited to, offenses of driving a commercial motor vehicle in willful or wanton disregard for the safety of person or property;
(iii)
Improper or erratic lane changes;
(iv)

Following the vehicle ahead too closely;
(v)
A violation, arising in connection with a fatal accident, of state or local law relating to motor vehicle traffic control;
(vi)
Operating a commercial motor vehicle without obtaining a commercial license;
(vii)
Operating a commercial motor vehicle without having his or her commercial license in his or her immediate possession; or
(viii)
Operating a commercial motor vehicle without possessing a commercial driver's license containing the endorsements or classifications applicable to the type of vehicle being operated or for the passengers or type of cargo being transported; or
(ix)
Operating a commercial motor vehicle while using a hand-held mobile telephone.
(27)
"State" means a state of the United States and the District of Columbia.
(28)
"Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank that is either permanently or temporarily attached to the vehicle or the chassis. These vehicles include, but are not limited to, cargo tanks and portable tanks as defined in Part 171 of Title 49 of the Federal Hazardous Material Regulations, referred to as 49 C.F.R. 171 as they may be revised from time to time. However, this definition does not include portable tanks having a rated capacity under one thousand gallons (1,000 gals.).
(29)
"Withdrawal" means any suspension, revocation, cancellation, disqualification, out-of-service of any license, privilege, endorsement, restriction, or classification of any license.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 2005, ch. 77, § 2; P.L. 2005, ch. 82, § 2; P.L. 2008, ch. 98, § 11; P.L. 2008, ch. 145, § 11; P.L. 2014, ch. 257, § 1; P.L. 2014, ch. 307, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 2 - Administration by DepartmentSection 31-10.3-7. - Administration by department.

§ 31-10.3-7. Administration by department.
This chapter shall be administered by the department of revenue, division of motor vehicles.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 2008, ch. 98, § 11; P.L. 2008, ch. 145, § 11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 2 - Administration by DepartmentSection 31-10.3-8. - Rulemaking authority.

§ 31-10.3-8. Rulemaking authority.
The administrator for motor vehicles, department of revenue, is authorized to adopt and enforce any rules and regulations that may be necessary to carry out the provisions of chapters 1 — 27 of this title and any other laws the enforcement and administration of which are vested in the division of motor vehicles, including rules and regulations concerning specialized testing and standards for operators of commercial vehicles. Any former member of the Armed Forces, including, but not limited to, the Rhode Island National Guard, who received a military license to drive heavy equipment, shall be exempt from taking a road test when applying for a commercial driver's license for a similar class of commercial motor vehicle for which the applicant has been previously licensed by the military, if such applicant is deemed to be otherwise qualified pursuant to 49 C.F.R. § 383.77.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 2004, ch. 296, § 1; P.L. 2005, ch. 217, § 1; P.L. 2005, ch. 229, § 1; P.L. 2008, ch. 98, § 11; P.L. 2008, ch. 145, § 11; P.L. 2022, ch. 259, § 1, effective July 2, 2022; P.L. 2022, ch. 315, § 1, effective July 6, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 2 - Administration by DepartmentSection 31-10.3-9. - Authority to enter into agreements.

§ 31-10.3-9. Authority to enter into agreements.
The administrator may enter into or make agreements, arrangements, policy(ies), or declarations to carry out the provisions of this chapter.
History of Section.
P.L. 1990, ch. 176, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-13. - Requirements — Commercial.

§ 31-10.3-13. Requirements — Commercial.
(a) License required
— requirements.
Every person applying for an original or renewal of a commercial license shall be required to comply with and be issued a commercial license meeting the requirements of the Commercial Motor Vehicle Safety Act of 1986 (see now 49 U.S.C. § 31101 et seq.) and the implementing regulations in 49 CFR 383 and 384, as may be amended from time to time.
(b)
No person, except those expressly exempted in this chapter, shall drive any commercial motor vehicle upon a highway in this state unless that person has a valid commercial license under the provisions of this chapter for the type or class of vehicle being driven.
(c)
No person, except those expressly exempted in this chapter, shall steer or, while within the passenger compartment of a vehicle, exercise any degree of physical control of a vehicle being towed by a motor vehicle upon a highway in this state unless that person has a valid commercial license under the provisions of this chapter for the type or class of vehicle being towed.
(d)
No person shall receive a commercial license unless and until he or she surrenders to the department all valid licenses in his or her possession issued to him or her by this or any other jurisdiction. All surrendered licenses issued by another jurisdiction shall be returned to it, together with information that the person is licensed in this state. No person holding a commercial license shall be permitted to have more than one license at any time.
(e)
Any person licensed as a commercial driver pursuant to this chapter may exercise that privilege granted upon all streets and highways in this state, and shall not be required to obtain any other license to exercise that privilege by any municipal, local board, or other body having authority to adopt local police regulations.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 2005, ch. 77, § 2; P.L. 2005, ch. 82, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-14. - Classes of licenses — Endorsements.

§ 31-10.3-14. Classes of licenses — Endorsements.
(a)
The department, upon issuing a commercial license, shall indicate on the license the class or type of vehicles the licensee may drive. Licenses shall be issued with the classifications and endorsements and any restrictions as defined by state regulation or 49 C.F.R. 383.
(b)
The department shall establish any qualifications that it believes reasonably necessary for the safe operation of the various types, sizes, or combinations of vehicles and shall determine by appropriate examination whether each applicant is qualified for the license classification, endorsement, or restriction for which application has been made.
(c)
The department shall not issue a commercial license unless the applicant meets the following qualifications in addition to all other applicable qualifications adopted by policy or regulation:
(1)
The applicant shall be at least twenty-one (21) years of age; except for intrastate operations, the applicant must be at least eighteen (18) years of age. This exception shall not apply to school bus drivers and drivers of placarded vehicles.
(2)
The applicant shall not currently be under a license or privilege withdrawal in this or any other state, Mexico, or province of Canada.
(3)
Within the three (3) years immediately preceding the application, the applicant shall not have committed any of the offenses for which license withdrawal is mandatory upon conviction and shall not have engaged in any conduct for which a license withdrawal may be implemented.
(4)
The applicant shall not have been found to have committed a disqualifying offense under the Federal Commercial Motor Vehicle Safety Act of 1986 (now 49 U.S.C. § 31101 et seq.), as may be amended from time to time.
(5)
The applicant shall certify in the license application that all of these qualifications have been met.
(d)
The department shall not issue a tank endorsement unless the applicant, in addition to all other applicable qualifications, has been licensed for a vehicle or combination of vehicles covered by the license classification on which the tank endorsement shall be placed.
(e)

The department shall not issue a school bus endorsement unless the applicant has had at least three (3) years of driving experience prior to the date of application and the department is fully satisfied as to the applicant's good character, competency, and fitness to be so employed. Effective September 30, 2005, all school bus operators must have the "S" endorsement as defined under 49 Code of Federal Regulations § 383.153(a)(9)(vi) subject to endorsement and testing requirements set forth in 49 Code of Federal Regulations §§ 383.93 and 383.123. The administrator shall adopt regulations governing character, competency, and fitness.
(f)
The department shall not issue a passenger endorsement unless the applicant has had at least three (3) years of driving experience prior to the date of application and the department is fully satisfied as to the applicant's good character, competency, and fitness to be so employed. The administrator shall adopt regulations governing character, competency, and fitness.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 1993, ch. 401, § 1; P.L. 2005, ch. 77, § 2; P.L. 2005, ch. 82, § 2; P.L. 2014, ch. 77, § 1; P.L. 2014, ch. 84, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-15. - Persons not eligible for licensing.

§ 31-10.3-15. Persons not eligible for licensing.
(a)
The department shall not issue any license pursuant to this chapter:
(1)
To any person, as a commercial driver, who is under the age of twenty-one (21) years; except for intrastate operations, the applicant must be at least eighteen (18) years of age. This exception shall not apply to school bus drivers and drivers of placarded vehicles.
(2)
To any person whose license or privilege has been suspended, canceled, revoked or otherwise withdrawn during suspension, cancellation, revocation, or withdrawal and not until the person has complied with all requirements for reinstatement.
(3)
To any person who is a habitual drunkard, or is addicted to controlled substances.
(4)
To any person who is required by this chapter to take an examination, unless the person shall have successfully passed the examination.
(5)
To any person when the administrator has good cause based on clear and convincing evidence to believe that the person does not meet a standard of physical or mental fitness for motor vehicle licensure established pursuant to § 31-10-44(b), and that the person's physical or mental condition prevents him or her from being able to operate a motor vehicle with safety upon the highways. However, an insulin dependent person shall not automatically be denied a license. Each case shall be decided individually; certification by a physician that the person is being regularly monitored, that the person's condition is stable and under control, and that the person is otherwise medically qualified to safely operate a motor vehicle shall be conclusive and a license strictly limited to intrastate use shall be issued. The license must clearly state on its face that the license is restricted to intrastate use only; provided, however, nothing contained in this section shall prohibit the issuance of an interstate license as long as all federal regulations are met.
(6)
To any person who is required under the laws of this state to file or deposit proof of financial responsibility and who has not deposited that proof.
(7)
To any person when, after a hearing, the administrator has good cause to conclude that the operation of a motor vehicle on the highways by the person is likely to pose an imminent safety risk to the general public by reason of the person's past conduct in motor vehicle operation during the preceding two (2) year period. The hearing shall focus exclusively upon whether a declination to issue a license is necessary in order to protect public safety, relying upon findings of the circumstances under which each past motor vehicle offense was committed, the likelihood of recurrence, and the deterrent effect that might reasonably be expected from the declination.
(b)
The department shall notify in writing any person whose application for a license has been denied pursuant to subsection (a) of this section. The notice shall contain the factual and legal basis for the denial, the procedure for requesting a hearing, and the rights afforded the individual pursuant to § 31-11-7(d) — (f). When physical or mental fitness is the basis for the denial, the notice shall refer to the specific functional standard promulgated pursuant to § 31-10-44(b), which was relied upon by the department. Upon his or her request the department shall afford the license applicant an opportunity for a hearing as early as practical and no later than twenty (20) days after receipt of the request.
(c)
The hearing procedures afforded the applicant shall conform to the provisions of § 31-11-7(d) — (f).
History of Section.

P.L. 1990, ch. 176, § 1; P.L. 1993, ch. 401, § 1; P.L. 1997, ch. 349, § 1; P.L. 1998, ch. 89, § 3; P.L. 2009, ch. 297, § 1; P.L. 2009, ch. 298, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-16. - Persons exempt from licensing.

§ 31-10.3-16. Persons exempt from licensing.

The following persons shall be exempt from the commercial licensing requirements under this chapter:

(1)

Any active duty military personnel, members of the military reserves, members of the National Guard on active duty, including personnel on full-time National Guard duty, personnel on part-time National Guard training, and National Guard military technicians (civilians who are required to wear military uniforms), and active duty U.S. Coast Guard personnel while operating a motor vehicle for military purposes.

(2)

Any person eighteen (18) years or older who satisfies the exemptions set forth in 49 CFR 391.67, as may from time to time be amended, while driving or operating any farm tractor, implement of husbandry temporarily operated or moved on a highway, or any farm vehicle, which would otherwise require the driver to be the holder of a commercial driver's license, provided that said farm vehicle is under seventy-six thousand six hundred (76,600) lbs. registered weight and is not a truck- tractor, semi-trailer combination as defined by § 31-1-5(d), and further provided that the farm vehicle is used to transport either agricultural products, farm machinery, farm supplies, or both to or from a farm.

(3)

A nonresident who is at least twenty-one (21) years of age and who has in his or her immediate possession a valid license equivalent to a Rhode Island class license issued to him or her in his or her home state, or province of Canada, may operate a motor vehicle in this state of a comparable class.

(4)

Firefighters and other persons who operate commercial motor vehicles which are necessary to the preservation of life or property or the execution of emergency governmental functions are equipped with audible and visual signals and are not subject to normal traffic regulation. These vehicles include fire trucks, hook and ladder trucks, foam or water transport trucks, police SWAT team vehicles, ambulances, or other vehicles that are used in response to emergencies.

(5)

Any person operating a vehicle for personal or family use such as a motorized camper or travel trailer equipped with permanent living and sleeping facilities used for camping activities. Any furtherance of commercial or quasi-commercial enterprise shall lapse this exemption.

(6)

A nonresident, who establishes residency in the state of Rhode Island, may operate a commercial vehicle in this state not to exceed thirty (30) days from the date of establishing that residency; provided, that the nonresident has in his or her immediate possession a valid commercial license issued by another state, or province of Canada.

History of Section.

P.L. 1990, ch. 176, § 1; P.L. 2002, ch. 404, § 3; P.L. 2005, ch. 77, § 2; P.L. 2005, ch. 82, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-18. - Applications.

§ 31-10.3-18. Applications.

(a)

Every application for a commercial license, change of endorsement, classification, or restriction shall be made upon a form furnished by the department. Every application shall be accompanied by a valid license and by the nonrefundable fee of ten dollars ($10.00). This application fee shall be used by the department to offset the costs of investigating the applicants.

(b)

Every application shall state the full name, date of birth, sex, current mailing address, residential address, height, weight, hair and eye color, social security number, and whether the applicant's license or privilege is withdrawn or whether an application has ever been refused, and if so, the date of and reason for the withdrawal or refusal. It shall also require the applicant to disclose any other names used in the past and any other information that the department may require to determine the applicant's identity, competency, and eligibility. It shall be signed by the applicant under the penalties of perjury.

(c)

Whenever an application is received from a person previously licensed in another jurisdiction, the department shall request and accept a copy of the driver's record in that jurisdiction with the same force and effect as though entered on the driver's record in this state in the original instance.

(d)

The provisions of § 11-18-1 shall apply to any person who falsely signs or attests the affidavit, under oath, required by this section. Any false attestation, knowingly made, shall also be punishable by suspension of the commercial license or privilege of that person

for a period of not less than one year nor more than two (2) years; provided, that person shall be entitled to the rights and remedies established by § 31-11-15.
(e)
The medical examiner's certificate or medical certification required prior to the issuance of a commercial driver's license may be electronically transmitted to the division of motor vehicles by electronic means of transmission approved by the department of motor vehicles that shall be accessible through the department's website by way of a menu item labeled "commercial driver's license (CDL) medical certificate," so long as the transmission is legible.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 2018, ch. 17, § 1; P.L. 2018, ch. 19, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-19. - Examination of applicants.

§ 31-10.3-19. Examination of applicants.
(a)
The department shall examine every applicant for a commercial license or learner's permit. The examination shall include: (1) A test of the applicant's eyesight to be administered according to standards set by the Federal Motor Carrier Regulations; (2) His or her ability to read English in understanding highway signs regulating, warning, and directing traffic; (3) His or her knowledge of the traffic laws of this state; and (4) Shall include an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle or combination of vehicles of the type covered by the license classification, endorsement, or restrictions which the applicant is seeking. Each applicant shall successfully complete the skills test in the following order:
(1)
Pre-trip inspection;
(2)
Basic vehicle controls skills; and
(3)
On-road skills.
If an applicant fails one segment of the skills test, the applicant cannot continue to the next segment of the test; however, scores for the passed segments of the skills test shall remain valid and an applicant will not be required to retake the segments previously passed prior to expiration of the commercial learner's permit. The examination may also include any further physical and mental examinations that the department deems necessary to determine the applicant's fitness to safely operate a motor vehicle upon the highways.
(b)
A nonresident, who establishes residence in the state of Rhode Island and makes application for a Rhode Island commercial license, shall not be required to demonstrate his or her ability to operate a motor vehicle, unless the examiner has reason to believe such a demonstration is needed; provided, that the nonresident surrenders a valid commercial license that was issued under the requirements of the Commercial Motor Vehicle Safety Act of 1986 (see now 49 U.S.C. § 31101 et seq.); may be as amended from time to time by another state.
(c)
The department shall be permitted to promulgate rules and regulations pertaining to third-party testing for the skills tests required for commercial driver's licenses in accordance with 49 C.F.R. Part 383, as it may be revised from time to time.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 2005, ch. 77, § 2; P.L. 2005, ch. 82, § 2; P.L. 2019, ch. 49, § 1; P.L. 2019, ch. 75, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-20. - Fees.

§ 31-10.3-20. Fees.
The fees charged for commercial licenses, endorsements, classifications, restrictions, and required examinations shall be as follows:
(1)
For every commercial operator's first license, thirty dollars ($30.00);
(2)
For every renewal of a commercial license, fifty dollars ($50.00);
(3)
For every duplicate commercial license, ten dollars ($10.00);
(4)
For every duplicate commercial learner's permit, ten dollars ($10.00);
(5)
For any change of:
(i)
Classification(s), ten dollars ($10.00);

(ii)
Endorsement(s), ten dollars ($10.00);
(iii)
Restriction(s), ten dollars ($10.00);
(6)
For every written and/or oral examination, ten dollars ($10.00);
(7)
For the division of motor vehicles to administer the skill test, one hundred dollars ($100);
(8)
For every commercial learner's permit, sixty dollars ($60.00).
(9)
[Deleted by P.L. 2019, ch. 49, § 1 and P.L. 2019, ch. 75, § 1].
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 2002, ch. 219, § 1; P.L. 2011, ch. 151, art. 19, § 13; P.L. 2015, ch. 58, § 1; P.L. 2015, ch. 63, § 1; P.L. 2019, ch. 49, § 1; P.L. 2019, ch. 75, § 1; P.L. 2021, ch. 162, art. 3, § 5, effective January 1, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-21. - Revenue.

§ 31-10.3-21. Revenue.
Revenue derived from the fees assessed in this chapter shall be deposited in general revenue.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 1993, ch. 138, art. 85, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-22. - Document security.

§ 31-10.3-22. Document security.
The department shall use any process or processes in the issuance of licenses that will prohibit, as nearly as practicable, the ability to alter or reproduce the license or the ability to superimpose a photograph on the license without ready detection.
History of Section.
P.L. 1990, ch. 176, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-23. - Expiration of licenses.

§ 31-10.3-23. Expiration of licenses.
Every commercial license issued by the department shall expire on the licensee's birth date in the fifth year following the initial issuance, excluding commercial learner's permits which shall expire one year from the date of initial issuance, and excluding a first issuance which shall expire on the licensee's birth date in the second year following initial issuance.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 2015, ch. 58, § 1; P.L. 2015, ch. 63, § 1; P.L. 2019, ch. 49, § 1; P.L. 2019, ch. 75, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-24. - Renewals.

§ 31-10.3-24. Renewals.
Every commercial license shall be renewable as early as forty-five (45) days before its expiration upon application, payment of all required fees, and satisfactory completion of any examination required by federal or state law or regulation.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 2018, ch. 174, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-25. - Existing commercial drivers.

§ 31-10.3-25. Existing commercial drivers.
The department shall be permitted to promulgate rules and regulations pertaining to requirements authorizing the division of motor vehicles to issue newly established commercial license classification(s), endorsement(s), or restriction(s) to current licensees. The rules and regulations shall comply with the federal regulations or standards relative to existing commercial drivers.
History of Section.
P.L. 1990, ch. 176, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-26. - License to be carried and exhibited

on demand.

§ 31-10.3-26. License to be carried and exhibited on demand.
Every licensee shall have his or her commercial license or permit in his or her immediate possession at all times when operating a motor vehicle and shall display the license or permit upon demand of any peace officer or officer of the division of motor vehicles, and shall, upon request by any proper officer, write his or her name in the presence of that officer for the purpose of being identified.
History of Section.
P.L. 1990, ch. 176, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-27. - Limitation on number of driver's licenses.

§ 31-10.3-27. Limitation on number of driver's licenses.
No person holding a commercial license, who operates a motor vehicle, shall have more than one license from any jurisdiction.
History of Section.
P.L. 1990, ch. 176, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-28. - Notification required by employee.

§ 31-10.3-28. Notification required by employee.
(a) Notification of violations.
(1) To state.
Any person holding a commercial license issued by this state, who is convicted of violating, in any type of motor vehicle, any federal law, state law, or local ordinance relating to motor vehicles in this state, any other state or province of Canada, other than parking violations, shall notify the department of the conviction in the manner specified by the department within thirty (30) days of the date of conviction.
(2) To employers.
Any person holding a commercial license issued by this state, who is convicted of violating any, in any type of motor vehicles, federal law, state law, or local ordinance relating to motor vehicles in this state, any other state or province of Canada, other than parking violations, shall notify his or her employer, in writing, of the conviction within thirty (30) days of the date of conviction.
(b) Notification of suspensions, revocations, and cancellations.
Each person whose license is suspended, revoked, cancelled or otherwise withdrawn by this state or who loses the privilege to operate a motor vehicle in any state or province of Canada for any period, shall notify his or her employer of that fact before the end of the business day following the day the employee received notice of that fact. The employee shall also notify the division of motor vehicles in all cases of out-of-state and province of Canada suspensions, revocations, cancellations, or any withdrawal within seven (7) days of any those actions.
(c) Notification of previous employment.
(1)
Any person who has applied to be a commercial motor vehicle driver shall provide the employer, at the time of the application, with the following information for the ten (10) years preceding the date of application:
(i)
A list of the names and addresses of the applicant's previous employers for which the applicant was a driver of a commercial motor vehicle.
(ii)
The dates between which the applicant drove for each employer.
(iii)
The reason for leaving that employer.
(2)
The applicant shall certify that all information furnished is true and complete. An employer may require an applicant to provide additional information as deemed necessary.
History of Section.
P.L. 1990, ch. 176, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-29. - Employer responsibilities.

§ 31-10.3-29. Employer responsibilities.
No employer shall knowingly allow, permit, or authorize an employee to operate a commercial motor vehicle in the United States or province of Canada during any period:
(1)

In which the employee has more than one license;
(2)
Prior to obtaining, on a written application, the information specified in § 31-10.3-28(c);
(3)
When the employee's license is suspended, revoked, cancelled, or otherwise withdrawn;
(4)
During any period in which the driver, or the commercial motor vehicle he or she is driving, or the motor carrier operator, is subject to an out-of-service order; or
(5)
In violation of a federal, state, or local law or regulation pertaining to railroad-highway grade crossings.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 2003, ch. 161, § 1; P.L. 2003, ch. 171, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-30. - Commercial driver's license required.

§ 31-10.3-30. Commercial driver's license required.
(a)
Except when operating under a commercial learner's permit and accompanied by the holder of a commercial license valid for the vehicle being operated, no person shall operate a commercial motor vehicle unless the person has been issued a valid commercial driver's license containing the endorsements, classifications, or restrictions applicable to the type of vehicle being operated.
(b)
No person shall be issued a commercial driver's license until he or she has passed a written and driving test for the operation of a commercial motor vehicle that complies with the minimum federal standards in 49 C.F.R. Part 383, as revised from time to time, and has satisfied all other federal requirements as well as any other requirements imposed by state law subject to the provisions of § 31-10.3-19(a). The tests shall be prescribed and conducted by the department or a third party designated by the department.
(c)
A commercial license may be issued only to a person who operates, or who intends to operate, commercial motor vehicles and who is domiciled in this state.
(d)
A commercial license shall not be issued to a person during a period in which that person is disqualified from operating a commercial motor vehicle or while that person's license is suspended, revoked, cancelled, or otherwise withdrawn in any state or province of Canada; nor shall a commercial driver's license be issued to a person who has a license issued by any other state unless the person first surrenders the commercial driver's license issued by the other state, which license shall be returned to the issuing state for cancellation.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 2019, ch. 49, § 1; P.L. 2019, ch. 75, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-31. - Violations — Penalties.

§ 31-10.3-31. Violations — Penalties.
(a)
It shall be illegal for any person driving any commercial motor vehicle as defined in this chapter to operate or control that vehicle while under the influence of alcohol, drugs, toluene, or any other substance as defined in chapter 28 of title 21. For the purpose of this chapter, any person who drives, operates, or exercises physical control of a commercial motor vehicle while having a blood alcohol concentration of four-one-hundredths of one percent (.04%) or greater by weight, as shown by a chemical analysis of a blood, breath, or urine sample shall be guilty of the offense of driving while under the influence of liquor or drugs.
(b)(1)
Notwithstanding any other provision of this chapter, it shall be illegal for any person to drive, operate, or be in physical control of a commercial motor vehicle while having alcohol in his or her system.
(2)
The administrator shall suspend, for at least one year, a commercial motor vehicle operator's license or privilege who is found to have committed a first violation of:
(i)
Driving a commercial motor vehicle under the influence of alcohol or controlled substances;
(ii)
Driving a commercial motor vehicle while the alcohol concentration in the person's blood, breath, or other bodily substance is four-one-hundredths of one percent (.04%) or greater;
(iii)

Leaving the scene of an accident involving a commercial motor vehicle driven by the person;
(iv)
Using a commercial motor vehicle in the commission of a felony;
(v)
Refusing to submit to a chemical analysis of breath, blood, or urine while operating a commercial vehicle.
(3)
If the operator commits any of these violations while carrying hazardous materials requiring placards under federal/state regulations, the revocation shall be for a period of not less than three (3) years.
(4)
The administrator shall revoke for life, which may be reduced to a period of at least ten (10) years in accordance with department of revenue regulations, a commercial motor vehicle operator's license or privilege who is found to have committed a second violation of:
(i)
Driving a commercial motor vehicle under the influence of alcohol or controlled substances;
(ii)
Driving a commercial motor vehicle while the alcohol concentration in the person's blood, breath, or other bodily substance is four-one-hundredths of one percent (.04%) or greater;
(iii)
Knowingly and willfully leaving the scene of an accident involving a commercial motor vehicle driven by the person;
(iv)
Using a commercial motor vehicle in the commission of a felony;
(v)
Refusing to submit to a chemical analysis of breath, blood, and/or urine while in a commercial motor vehicle.
(5)
The administrator shall revoke for life the commercial motor vehicle operator's license or privilege of any person who is found to have used a commercial motor vehicle in the manufacture, distribution, or dispensing of a controlled substance or the possession with intent to distribute, manufacture, or dispense a controlled substance.
(6)
The administrator shall suspend the commercial motor vehicle operator's license or privilege for a period of not less than sixty (60) days of each person who, in a three (3) year period, has committed two (2) serious traffic violations involving a commercial motor vehicle, and for not less than one hundred twenty (120) days of each person who has committed three (3) or more serious traffic violations in a three (3) year period.
(7)
Any person violating subsection (a) of this section shall, upon conviction, be subject to the fines, penalties, and assessments enumerated in § 31-27-2 for driving under the influence of liquor or drugs; except for the provision of license or privilege suspension of which the license shall be withdrawn in accordance with this chapter.
(c)
Any person violating § 31-10.3-26, relating to the license to be carried and exhibited on demand, shall, upon conviction, be fined not less than fifty dollars ($50.00). For a second or subsequent conviction there shall be imposed a fine of not less than one hundred dollars ($100), and his or her commercial license or privilege shall be withdrawn for a period of one month.
(d)
Any person violating § 31-27-1, relating to driving so as to endanger resulting in death, or § 31-27-1.1, relating to driving so as to endanger, resulting in personal injury, shall, upon conviction, have his or her commercial license or privilege revoked for a period of one year. With respect to violations of §§ 31-27-1 and 31-27-1.1, the commercial penalties shall only apply while the operator is operating a commercial vehicle; should the operator be operating a passenger vehicle, passenger penalties shall apply under §§ 31-27-1 and 31-27-1.1.
(e)
Any person violating § 31-10.3-27, relating to the limitation on the number of driver licenses, shall, upon conviction, be fined not less than two hundred fifty dollars ($250) nor more than twenty-five hundred dollars ($2,500), and any commercial license shall be cancelled immediately.
(f)
Any person violating § 31-10.3-28, relating to notification required by the employee, shall, upon conviction, be fined not less than two hundred fifty dollars ($250) nor more than five hundred dollars ($500).
(g)
Any person violating § 31-10.3-29, relating to employer responsibilities, shall, upon conviction be fined not less than five hundred dollars ($500) nor more than two thousand five hundred dollars ($2,500).
(h)
Any person violating subdivision (b)(1) of this section, relating to violations and penalties, shall immediately cease operating any commercial vehicle for a period of twenty-four (24) hours. Failure to do so shall result in a commercial license or privilege

revocation for a period of three (3) months and a fine of one hundred fifty dollars ($150).
(i)
Any person violating § 31-10.3-30, relating to the requirement of a commercial driver's license, shall, upon conviction of a first offense, be fined not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000); and, upon conviction of a second or subsequent offense, be fined not less than one thousand dollars ($1,000) nor more than two thousand five hundred dollars ($2,500). The person's commercial license or privilege shall be revoked for a period of at least one year but not more than five (5) years.
(j)
The administrator may, after notice and hearing suspend a school bus driver's certificate or privilege to obtain a certificate for a period of up to five (5) years from the date of adjudication or conviction of the following:
(1)
Any motor vehicle driving offense committed by a school bus driver while operating a self-propelled vehicle and which is a criminal offense in the state of Rhode Island or which, if committed outside the state, would be considered a criminal offense if committed in the state of Rhode Island;
(2)
Any alcohol or drug-related motor vehicle driving offense referred to in this section and committed by a school bus operator who is operating a self-propelled vehicle.
(k)(1)
"Out-of-Service Order" means a declaration by the Federal Motor Carrier Safety Administration or an authorized enforcement officer of a federal, state, Commonwealth of Puerto Rico, Canadian, Mexican or local jurisdiction that a driver of a commercial motor vehicle, a commercial motor vehicle or a motor carrier operation is out-of-service, pursuant to the Federal Motor Carrier Safety Regulations contained in 49 CFR Parts 383, 386, 387 and 390 — 399, as amended, or pursuant to comparable laws, or the North American Uniform Out-of-Service criteria.
(2)
The term "disqualified" means the withdrawal of a person's privilege to drive a commercial motor vehicle.
(3)
Any person who violates an out-of-service order shall be disqualified as follows except as provided in subdivision (4) of this subsection:
(i)
A person shall be disqualified from driving a commercial motor vehicle for a period of ninety (90) days if convicted of a first violation of an out-of-service order.
(ii)
A person shall be disqualified for a period of one year if convicted of a second violation of an out-of-service order during any ten (10) year period arising from separate incidents.
(iii)
A person shall be disqualified for a period of three (3) years if convicted of a third or subsequent violation of an out-of-service order during any ten (10) year period arising from separate incidents.
(4)
Any person who violates an out-of-service order while transporting hazardous materials or while operating a commercial motor vehicle designed or used to transport sixteen (16) or more passengers including the driver shall be disqualified as follows:
(i)
A person shall be disqualified for a period of one hundred eighty (180) days if convicted of a first violation of an out-of-service order.
(ii)
A person shall be disqualified for a period of three (3) years if convicted of a second or subsequent violation of an out-of-service order during any ten (10) year period arising from separate incidents.
(5)
Notwithstanding any other provision of law to the contrary, any driver who violates or fails to comply with an out-of-service order is subject to a penalty of one thousand one hundred dollars ($1,100) in addition to disqualification under this subsection.
(6)
Any employer who violates an out-of-service order, or who knowingly requires or permits a driver to violate or fail to comply with an out-of-service order, is subject to a penalty of two thousand seven hundred fifty dollars ($2,750).
(l) Disqualification for railroad-highway grade crossing violation.
(1) General rule.
A driver who is convicted of operating a commercial motor vehicle in violation of a federal, state, or local law or regulation pertaining to one of the following six (6) offenses at a railroad-highway grade crossing must be disqualified for the period of time specified in subsection (
l
)(2) of this section:

(i)
For drivers who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train;
(ii)
For drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear;
(iii)
For drivers who are always required to stop, failing to stop before driving onto the crossing;
(iv)
For all drivers, failing to have sufficient space to drive completely through the crossing without stopping;
(v)
For all drivers, failing to obey a traffic control device or the directions of an enforcement official at the crossing;
(vi)
For all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance.
(2) Duration of disqualification for railroad-highway grade crossing violation.
(i) First violation.
A driver must be disqualified for not less than sixty (60) days if the driver is convicted of a first violation of a railroad-highway grade crossing violation.
(ii) Second violation.
A driver must be disqualified for not less than one hundred twenty (120) days if, during any three (3) year period, the driver is convicted of a second railroad-highway grade crossing violation in separate incidents.
(iii) Third or subsequent violation.
A driver must be disqualified for not less than one year if, during any three (3) year period, the driver is convicted of a third or subsequent railroad-highway grade crossing violation in separate incidents.
(3)
Special penalties pertaining to railroad-highway grade crossing violations. An employer who is convicted of a violation of § 31-10.3-29(5) is subject to a civil penalty of not more than ten thousand dollars ($10,000).
(m)
Any person shall be subject to disqualification for a conviction of operating a commercial motor vehicle when the operator's license is suspended, revoked, or cancelled or the operator is otherwise disqualified based on prior motor vehicle convictions.
(n)
Any person shall be subject to disqualification in accordance with 49 CFR 383.51(b), (c), (d) and (e).
(o)
The administrator shall disqualify, for up to one year, the commercial motor vehicle operator's license or driving privilege of an operator whose driving constitutes an imminent hazard.
(1)
For the purposes of this section, "imminent hazard" means the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury or endangerment.
(p)
After issuing a disqualification for a period of thirty (30) days or less, the administrator may provide the driver an opportunity for a hearing, and must provide the driver notice of a proposed disqualification period of more than thirty (30) days and an opportunity for a hearing to present a defense to the proposed disqualification.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 1997, ch. 36, § 1; P.L. 1997, ch. 43, § 1; P.L. 2003, ch. 161, § 1; P.L. 2003, ch. 171, § 1; P.L. 2005, ch. 77, § 2; P.L. 2005, ch. 82, § 2; P.L. 2008, ch. 98, § 11; P.L. 2008, ch. 145, § 11; P.L. 2009, ch. 297, § 1; P.L. 2009, ch. 298, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-32. - Contents and issuance of commercial driver's license.

§ 31-10.3-32. Contents and issuance of commercial driver's license.
(a)
The commercial driver's license shall be, to the maximum extent practicable, tamper-proof and shall include, but not be limited to, the following information:
(1)
The full legal name and current legal residential or mailing address of the licensee.
(2)
A physical description of the licensee, including sex, height, weight, hair, and eye color.
(3)
The licensee's date of birth and any other identifier deemed appropriate by the department.

(4)
The class(es) of commercial motor vehicle or vehicles which the licensee is authorized to operate.
(5)
Any restrictions which may apply to the license or licensee.
(6)
Endorsements under which the licensee is authorized to operate a commercial motor vehicle.
(7)
The date of issuance and expiration of the license.
(8)
Whether the license is an original or duplicate.
(9)
Organ donor information.
(10)
Color photograph of the licensee.
(11)
The signature of the licensee.
(12)
A prominent statement indicating that the license is a “commercial driver’s license” which may be abbreviated “CDL”.
(13)
Any other information deemed appropriate by the administrator.
(b)
Before issuing a commercial driver’s license, the department shall notify the Commercial Driver’s License Information System (C.D.L.I.S.) of the proposed issuance of the license and provide the information required to ensure identification of the licensee. The department shall also request all information pertaining to the driving record of the licensee from any other state or province of Canada which has issued a driver’s license to the licensee over the prior ten (10) year period and from the National Driver Register.
(c)
Within ten (10) days after issuing a commercial driver’s license, the department shall notify the commercial driver’s license information system of that fact and provide all information required to ensure identification of the licensee.
(d)
The department shall maintain copies of all documents including, but not limited to, the application, commercial driver’s license issued, and any other documents pertaining to the licensee.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 2002, ch. 322, § 1; P.L. 2005, ch. 77, § 2; P.L. 2005, ch. 82, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver’s License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-33. - Notification of traffic violations.

§ 31-10.3-33. Notification of traffic violations.
(a)
Every clerk of the courts within the state of Rhode Island shall, within ten (10) days after receiving a report of the conviction of any resident or nonresident holder of a commercial driver’s license of any violation of state law, federal law, or local ordinance relating to motor vehicle traffic control, other than parking violations, committed in a commercial motor vehicle, notify the division of motor vehicles and the licensing authority of the offender and the offense committed.
(b)
This notice shall contain:
(1)
The name and residence address of the driver.
(2)
The date of birth of the driver.
(3)
The social security number and the license number of the driver and the state of issuance.
(4)
The violation of which the driver was convicted.
(5)
An indication that the person was operating a commercial motor vehicle.
(6)
The amount of any jail time, fine, costs, or conditions assessed for the violation.
(7)
The name of the court and city or county in which the conviction occurred.
(c)

The administrator shall notify the issuing state of any revocation, suspension, cancellation or disqualification of an out-of-state commercial driver's license holder's privilege to operate a commercial motor vehicle for at least sixty (60) days. Notification shall be made no later than ten (10) days after disqualifying, revoking, canceling or suspending the out-of-state commercial driver's license holder's privilege to drive a commercial motor vehicle. Notification shall include the disqualification and the violation which resulted in the disqualification, revocation, suspension or cancellation. This information shall be recorded on the driver's record.
History of Section.
P.L. 1990, ch. 176, § 1; P.L. 2002, ch. 322, § 1; P.L. 2009, ch. 297, § 1; P.L. 2009, ch. 298, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-34. - Abstracts of driver records.

§ 31-10.3-34. Abstracts of driver records.
The administrator shall, upon request, furnish a certified abstract of the record of any commercial operator on file fully designating the record of all convictions or adjudications of the commercial operator of any violations of the provisions of this chapter and the record of all the commercial operator's involvement(s) in accidents required to be reported pursuant to the provisions of this chapter. If the commercial operator shall have no record, the administrator shall so certify. The administrator shall collect for each certificate the sum required in § 31-2-10; provided, that if the request for a certificate is made by any governmental agency, bureau, or department for use in its official capacity, the administrator shall collect no fee. The requirement of this section that the certificate be certified shall make the certificate admissible as legal evidence in any legal proceeding whether criminal or civil. The administrator shall also provide on the certificate the person's license number, date of birth, name, social security number, endorsements, classifications, and/or restrictions, and any other information deemed necessary by the administrator.
History of Section.
P.L. 1990, ch. 176, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-35. - Unlawful use of commercial license.

§ 31-10.3-35. Unlawful use of commercial license.
This section shall be governed under § 31-11-6.
History of Section.
P.L. 1990, ch. 176, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-36. - Manufacture of commercial license — Unauthorized.

§ 31-10.3-36. Manufacture of commercial license — Unauthorized.
(a)
It shall be a felony for any person:
(1)
To photograph, photostat, duplicate, or in any way reproduce any driver's license or facsimile of a license in any manner that it could be mistaken for a valid license;
(2)
To issue, sell, or cause to be sold a commercial license or facsimile of a license unless sold in compliance with the provision of this chapter, and unless authorized to do so by the administrator.
(b)
Any person violating subsection (a) of this section shall be punished by imprisonment for not less than one year nor more than five (5) years, and there may be imposed an additional fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000), and suspension of license or privileges for a period of not less than one year nor more than five (5) years, or a period of suspension commensurate with the sentence imposed.
History of Section.
P.L. 1990, ch. 176, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-37. - Prohibition on masking convictions.

§ 31-10.3-37. Prohibition on masking convictions.
No representative of the district court or traffic tribunal may utilize the provisions of §§ 12-10-12, 12-18-3 or through any other programs, mask, defer imposition of judgment or allow an individual to enter a diversion program that would prevent a CDL driver's conviction for any violation, in any type of motor vehicle, of a state or local traffic control law (except a parking violation) from appearing on the driver's record, whether the driver was convicted for an offense committed in the state where the driver is

licensed or in another state.
History of Section.
P.L. 2005, ch. 77, § 3; P.L. 2005, ch. 82, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.3 - Rhode Island Uniform Commercial Driver's License ActPart 3 - Application, Examination and IssuanceSection 31-10.3-38. - Prohibition on use of hand-held mobile telephones while driving a commercial motor vehicle.

§ 31-10.3-38. Prohibition on use of hand-held mobile telephones while driving a commercial motor vehicle.
(a) Definitions.
For the purpose of this section only:
(1)
"Driving" means operating a commercial motor vehicle on a highway, including while temporarily stationary because of traffic, a traffic-control device, or other momentary delays. Driving does not include operating a commercial motor vehicle when the driver has moved the vehicle to the side of, or off, a highway and has halted in a location where the vehicle can safely remain stationary.
(2)
"Mobile telephone" means a mobile communication device that falls under or uses any commercial mobile radio service, as defined in Part 20.3 of Title 47 of the Code of Federal Regulations, referred to as 47 C.F.R. 20.3. It does not include two-way or citizens band radio services.
(3)
"Use a hand-held mobile telephone" means:
(i)
Using at least one hand to hold a mobile telephone to conduct a voice communication;
(ii)
Dialing or answering a mobile telephone by pressing more than a single button; or
(iii)
Reaching for a mobile telephone in a manner that requires a driver to maneuver so that he or she is no longer in a seated driving position, restrained by a seat belt that is installed in accordance with Part 393.93 of Title 49 of the Code of Federal Regulations, referred to as 49 C.F.R. 393.93, and adjusted in accordance with the vehicle manufacturer's instructions.
(b)(1)
No driver shall use a hand-held mobile telephone while driving a commercial motor vehicle.
(2)
No motor carrier shall allow, or require its drivers to use, a hand-held mobile telephone while driving a commercial motor vehicle.
(c) Emergency exception.
Using a hand-held mobile telephone is permissible by drivers of a commercial motor vehicle when necessary to communicate with law enforcement officials or other emergency services.
History of Section.
P.L. 2014, ch. 257, § 2; P.L. 2014, ch. 307, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.4 - Driver Privilege Cards and Permits; State Identification CardsSection 31-10.4-1. - Driver privilege cards and permits — State identification cards.

§ 31-10.4-1. Driver privilege cards and permits — State identification cards.
(a)
Upon application of any person who is unable to establish legal presence in the United States, the division of motor vehicles is authorized to issue a driver privilege card and/or driver privilege permit, if the applicant otherwise meets the requirements of chapter 10 of this title, or a Rhode Island state identification card, to any applicant, if the division of motor vehicles determines that the applicant:
(1)
Has verification from the tax administrator that the applicant either has filed a personal income tax return as a resident with this state for the tax year preceding the date of application or has been claimed as a dependent on a personal income tax return by an individual who has filed a personal income tax return as a resident with this state for the tax year preceding the date of application;
(2)
Presents two (2) primary proof of identity documents, as defined in § 31-10.4-5, or one primary proof of identity document and one secondary proof of identity document, as defined in § 31-10.4-5;
(3)
Presents two (2) proof of residency documents, which shall mean, for purposes of this subsection, the proof of residency documents set forth in 280-RICR-30-00-1.4.1(D), as may be amended from time to time; and
(4)
Is not in violation of the insurance requirements, set forth in chapters 31 and 32 of this title, provided that this subsection (a)(4) shall not apply to applicants for a Rhode Island state identification card.

(b)
Notwithstanding any other provision of law to the contrary, the administrator of the division of motor vehicles may provide information submitted by the applicant to the tax administrator for the sole purpose of implementing subsection (a)(1) of this section, and such information shall be kept confidential by the tax administrator.
(c)
Rhode Island state identification cards issued under this section shall be in the formats required by the division of motor vehicles pursuant to §§ 3-8-6 and 3-8-6.1, respectively. The division of motor vehicles may prescribe additional formatting requirements as it deems necessary to further the provisions of this section.
History of Section.
P.L. 2022, ch. 241, § 1, effective July 1, 2023; P.L. 2022, ch. 242, § 1, effective July 1, 2023; P.L. 2023, ch. 296, § 2, effective January 1, 2024; P.L. 2023, ch. 297, § 2, effective January 1, 2024; P.L. 2024, ch. 403, art. 2, § 19, effective June 26, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.4 - Driver Privilege Cards and Permits; State Identification CardsSection 31-10.4-2.1. - Issuance of state identification cards to individuals unable to establish legal presence.

§ 31-10.4-2.1. Issuance of state identification cards to individuals unable to establish legal presence.
(a)
Effective January 1, 2024, Rhode Island state identification cards issued pursuant to § 31-10.4-1 shall confer the same privileges and shall be subject to the same provisions as those issued under chapter 8 of title 3, unless otherwise provided, and shall be subject to the following conditions and exceptions:
(1)
The front and back of a Rhode Island state identification card issued pursuant to § 31-10.4-1 shall be identical in appearance to an identification card issued pursuant to §§ 3-8-6 and 3-8-6.1, respectively, that is not a REAL ID credential;
(2)
An applicant for a Rhode Island state identification card issued pursuant to § 31-10.4-1 shall not be required to present proof of legal presence in the United States or proof of a social security number, if the individual does not have one;
(3)
No applicant shall be required to provide proof of compliance with § 31-10.4-1(a)(1) through (a)(3) for a reissued, renewed, or duplicate Rhode Island state identification card issued pursuant to § 31-10.4-1; and
(4)
Any information collected pursuant to this section, that is not otherwise collected by the division of motor vehicles or required for the issuance of an identification card issued under chapter 8 of title 3 and any information regarding restrictions in the division of motor vehicles' records, related to the issuance of a credential issued pursuant to this section, shall not be considered a public record. The information shall not be released, except upon request by the subject of the information, the parent of a minor who is the subject of the information, the guardian of the subject of the information, or the authorized representative of the subject of the information, or pursuant to a court order.
(b)
A Rhode Island state identification card issued to any person who is unable to establish legal presence in the United States shall not be a valid form of identification for official federal purposes or state voting purposes.
(c)
The applicant for a Rhode Island state identification card issued pursuant to § 31-10.4-1 shall be required to comply with all other applicable Rhode Island laws, rules, and regulations.
(d)
A Rhode Island state identification card issued pursuant to § 31-10.4-1 shall not be used as evidence of the holder's citizenship or immigration status, and shall not be used as a basis for a criminal investigation, arrest, or detention in circumstances where a person with a regular Rhode Island state identification card would not be criminally investigated, arrested, or detained. Any person aggrieved by a violation of this subsection may seek appropriate declaratory and/or injunctive relief and may be awarded damages and costs, including attorneys' fees.
(e)
It shall be a violation of chapter 112 of title 42 to discriminate against an individual solely on the ground that they hold or present a Rhode Island state identification card issued under this section.
(f)
No person who holds an operator's license or a driver privilege card or permit issued by this state under this chapter or any other state shall be issued a Rhode Island state identification card pursuant to § 31-10.4-1.
History of Section.
P.L. 2023, ch. 296, § 4, effective January 1, 2024; P.L. 2023, ch. 297, § 4, effective January 1, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.4 - Driver Privilege Cards and Permits; State Identification CardsSection 31-10.4-2. - Issuance of driver privilege cards and permits.

§ 31-10.4-2. Issuance of driver privilege cards and permits.

(a)

Driver privilege cards and permits shall confer the same privileges and shall be subject to the same provisions of this title as driver's licenses and permits issued under chapter 10 of this title, unless otherwise provided, and shall be subject to the following conditions and exceptions:

(1)

The front and back of a driver privilege card or permit shall be identical in appearance to a driver's license or permit, that is not a REAL ID credential;

(2)

An applicant for a driver privilege card or permit shall not be required to present proof of legal presence in the United States or proof of a social security number, if the individual does not have one;

(3)

A driver privilege card or permit shall expire on the applicant's second birthday following the date of its issuance;

(4)

The fee for an original driver privilege card shall be twenty-five dollars ($25.00). Every driver privilege card renewal issued after expiration of the original driver privilege card shall expire on the birthday of the cardholder in the fifth year following the issuance of the driver privilege card, with the exception of any person seventy-five (75) years or older whose driver privilege card shall expire on the birthday of the cardholder in the second year following the issuance of the driver privilege card, and shall be renewable on or before expiration upon application and payment of a fee of thirty dollars ($30.00). No applicant shall be required to provide proof of compliance with § 31-10.4-1(a)(1) through (3) for a reissued, renewed, or duplicate card or permit; and

(5)

Any information collected pursuant to this section, that is not otherwise collected by the division of motor vehicles or required for the issuance of any other driving credential issued pursuant to the provisions of this chapter and any information regarding restrictions in the division of motor vehicles' records, related to the issuance of a credential issued pursuant to this section, shall not be considered a public record. The information shall not be released, except upon request by the subject of the information, the parent of a minor who is the subject of the information, the guardian of the subject of the information, or the authorized representative of the subject of the information, or pursuant to a court order.

(b)

Applicants for a driver privilege card will not be required to comply with successful completion of the written exam required by § 31-10-21 and the road test required by § 31-10-22 if they can provide one of the following:

(1)

A current valid driver's license, or one that has expired by less than five (5) years, issued by a state or U.S. territory, whose driving records are accessible through the Problem Driver Pointer System maintained by the National Driver Register; or

(2)

In the event the driver's license issued by another state or U.S. territory is not available at the time the application is made, or the driving records of the issuing state or territory are not accessible through the Problem Driver Pointer System maintained by the National Driver Register, a certified driving record issued less than thirty (30) days prior to application will be accepted.

(c)

Applicants under the age of eighteen (18) shall be required to comply with all of the education and testing requirements, set forth in §§ 31-10-19 through 31-10-22, and all of the provisions of the graduated licenses statutes, set forth in §§ 31-10-6 through 31-10-6.5.

(d)

Applicants eighteen (18) years of age and older, who do not meet the driving experience requirement in this chapter, shall be required to comply with all testing requirements set forth in §§ 31-10-21 through 31-10-22.

(e)

Unless they are in conflict with the provisions of this chapter or the context in which they are used clearly requires a different meaning or a different definition as prescribed for a particular section, group of sections, or provision, for purposes of this title, chapter 11.1 of title 15, chapter 12 of title 24, and chapter 18.1 of title 39, the terms "license" and "operator's license" shall include the "driver privilege card", and "permit" shall include "driver privilege permit" as defined by this section, and all examinations, education requirements, residency requirements, penalties, fees, and all other provisions for a license, operator's license, or permit shall also apply to the driver privilege card and driver privilege permit.

(f)

The driver privilege card and the driver privilege permit shall not be a valid form of identification for official federal purposes or state voting purposes.

(g)

The applicant for a driver privilege card or the driver privilege permit shall be required to comply with all other applicable Rhode Island laws, rules, and regulations.

(h)

A driver privilege card or a driver privilege permit shall not be used as evidence of the holder's citizenship or immigration status, and shall not be used as a basis for a criminal investigation, arrest, or detention in circumstances where a person with a regular

driver’s license would not be criminally investigated, arrested, or detained. Any person aggrieved by a violation of this subsection may seek appropriate declaratory and/or injunctive relief and may be awarded damages and costs, including attorneys’ fees.
(i)
It shall be a violation of chapter 112 of title 42 to discriminate against an individual solely on the ground that they hold or present a driver privilege card or driver privilege permit, issued under this section.
History of Section.
P.L. 2022, ch. 241, § 1, effective July 1, 2023; P.L. 2022, ch. 242, § 1, effective July 1, 2023; P.L. 2023, ch. 31, § 1, effective July 1, 2023; P.L. 2023, ch. 32, § 1, effective July 1, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.4 - Driver Privilege Cards and Permits; State Identification CardsSection 31-10.4-3. - Confidentiality of documents — Privacy.

§ 31-10.4-3. Confidentiality of documents — Privacy.
(a)
The division of motor vehicles shall not release the following information, relating to the issuance of a driver privilege card or permit, or a Rhode Island state identification card issued pursuant to § 31-10.4-1, except upon request by the subject of the information, the parent of a minor who is the subject of the information, the guardian of the subject of the information, or the authorized representative of the subject of the information, or pursuant to a court order:
(1)
Proof documents submitted for the purpose of obtaining a driver privilege card or permit or a Rhode Island state identification card issued pursuant to § 31-10.4-1;
(2)
The information in the division of motor vehicles’ records indicating the type of proof documentation that was provided; or
(3)
Applications.
(b)
Notwithstanding any other law to the contrary, any document, including photo images, provided by the applicant to the division of motor vehicles for purposes of proving the applicant’s eligibility for a non-commercial driver’s license, permit, or a Rhode Island state identification card issued pursuant to § 31-10.4-1, or for renewal of such license, permit, or Rhode Island state identification card, under this section is not a public record and may not be disclosed by the division, except to the person who is the subject of such records or in response to a subpoena for individual records in a criminal proceeding or pursuant to a lawful court order.
(c)(1)
The division, and any agent or employee of the division, shall not disclose or make accessible in any manner, records or information that the division, agent, or employee obtains or maintains under this section, including photo images, to any federal, state, or municipal agency or to any employee or agent of such agency for the purpose of enforcing immigration law, unless the division is presented with a lawful court order or judicial warrant signed by a judge, appointed pursuant to article III of the United States Constitution.
(2)
Upon receiving a request for such records or information, the division shall, no later than three (3) days after such request, notify the individual, about whom such information was requested, informing the individual of the request and the identity of the agency that made the request.
(d)
The division shall require any agency or entity that receives or has access to records or information from the division, including photo images, to certify, before such receipt or access, that such person or entity shall not:
(1)
Use such records or information for immigration enforcement purposes; or
(2)
Disclose such records or information to any other agency or entity, or to any employee or agent of any such agency or entity, unless that other agency or entity also certifies that the information will not be used for purposes of enforcing immigration law.
History of Section.
P.L. 2022, ch. 241, § 1, effective July 1, 2023; P.L. 2022, ch. 242, § 1, effective July 1, 2023; P.L. 2023, ch. 296, § 3, effective January 1, 2024; P.L. 2023, ch. 297, § 3, effective January 1, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.4 - Driver Privilege Cards and Permits; State Identification CardsSection 31-10.4-4. - Rules and regulations.

§ 31-10.4-4. Rules and regulations.
The administrator of the division of motor vehicles shall promulgate rules and regulations to implement the provisions of this chapter.
History of Section.
P.L. 2022, ch. 241, § 1, effective July 1, 2023; P.L. 2022, ch. 242, § 1, effective July 1, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10.4 - Driver Privilege Cards and Permits; State Identification CardsSection 31-10.4-5. - Definitions.

§ 31-10.4-5. Definitions.

For purposes of this chapter:

(1)

"Primary proof of identity document" means any of the following documents that bear the applicant's legal name and date of birth:

(i)

A valid foreign passport issued by an applicant's country of citizenship that is unexpired or expired for less than five (5) years;

(ii)

A valid, unexpired consular identification document issued by an applicant's country of citizenship;

(iii)

An employment authorization document;

(iv)

A refugee travel document (I-571);

(v)

A valid driver's license issued by a state of the United States with the applicant's photograph, signature, and date of birth that is unexpired or expired for less than five (5) years; or

(vi)

Any other document sufficient to prove the applicant's identity as determined by the division of motor vehicles.

(2)

"Secondary proof of identity document" means any of the following documents that bear the applicant's legal name:

(i)

A valid driver privilege card or state identification card issued by a state or territory of the United States that is unexpired or expired for less than five (5) years;

(ii)

An original or certified copy of a foreign birth certificate;

(iii)

A foreign driver's license;

(iv)

A valid foreign national identification card;

(v)

A marriage certificate issued by a state or territory of the United States;

(vi)

A divorce decree issued by a state or territory of the United States;

(vii)

A court order for adoption, name change or gender change issued by a court of the United States or a court of a state of the United States that contains a court seal;

(viii)

A U.S. permit to Reenter Travel Document (I-327);

(ix)

A USCIS form I-797;

(x)

A certified copy of school records or a school transcript issued by a school accredited by a state, jurisdiction, or territory of the United States;

(xi)

A U.S. Merchant Mariners Card;

(xii)

A U.S. Selective Service Card;

(xiii)

A U.S. Military DD214 or DD256;

(xiv)

A Veteran Administration Identification card with photograph;

(xv)

A Transportation Workers Identification Credential;

(xvi)

A U.S. Active Duty/Retiree/Reservist/Dependent Military ID card (DD-2 or Common Access card);

(xvii)

A U.S. Customs and Border Protection FAST card;

(xviii)

An individual taxpayer identification number assignment letter; or
(xix)
Any other document sufficient to prove the applicant's identity as determined by the division of motor vehicles.
(3)
Any primary proof of identity document or secondary proof of identity document that is in a language other than English shall be accompanied by a certified English translation of such document. Proof of change to the name contained on the applicant's primary proof of identity document or secondary proof of identity document must be demonstrated with a document issued by an authorized government agency.
History of Section.
P.L. 2022, ch. 241, § 1, effective July 1, 2023; P.L. 2022, ch. 242, § 1, effective July 1, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-1. - License required to drive.

§ 31-10-1. License required to drive.
(a)
No person, except those expressly exempted in this chapter, shall drive any motor vehicle upon a highway in this state unless that person has a valid license as an operator or chauffeur under the provisions of this chapter. No person shall receive an operator's license unless and until he or she surrenders to the division of motor vehicles all valid operators' licenses in his or her possession issued to that person by any other jurisdiction. All surrendered licenses shall be returned by the division of motor vehicles to the issuer together with the information that the licensee is now licensed in this state. No person shall be permitted to have more than one valid operator's license at any time. Any resident as defined under § 31-1-18 shall be required to obtain a Rhode Island operator's or chauffeur's license within thirty (30) days of establishing residency.
(b)
No person shall drive a motor vehicle as a chauffeur unless he or she holds a valid chauffeur's license. No person shall receive a chauffeur's license unless and until he or she surrenders to the division of motor vehicles any operator's license issued to him or her, or an affidavit that he or she does not possess an operator's license.
(c)
Any person holding a valid chauffeur's license under this chapter need not procure an operator's license.
(d)
Any person licensed as an operator or chauffeur under this chapter may exercise the privilege granted by that license upon all streets and highways in this state, and shall not be required to obtain any other license to exercise that privilege by any county, municipal, or local board, or by any body having authority to adopt local police regulations.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 1; G.L. 1956, § 31-10-1; P.L. 1962, ch. 204, § 1; P.L. 1982, ch. 26, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-10. - Rules as to armed forces license.

§ 31-10-10. Rules as to armed forces license.
The special license provided for in §§ 31-10-8 and 31-10-9, shall be issued under any rules and in any form that the administrator of the division of motor vehicles may prescribe. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1955, ch. 3584, § 2; G.L. 1956, § 31-10-10; P.L. 1962, ch. 204, § 1; P.L. 2002, ch. 292, § 106.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-11. - Application forms — Destruction of refused applications.

§ 31-10-11. Application forms — Destruction of refused applications.
Every application for an instruction permit or for an operator's or chauffeur's license shall be made upon a form furnished by the division of motor vehicles. Applications of unsuccessful applicants may be destroyed after a period of thirty (30) days from the date of the failure to pass the required examination.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 7; P.L. 1952, ch. 2937, § 8; G.L. 1956, § 31-10-11; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-12. - Contents of application.

§ 31-10-12. Contents of application.
(a)
Every application for an instruction permit or for a license shall:
(1)

State the full name, date of birth, sex, and residence address of the applicant;
(2)
Briefly describe the applicant;
(3)
State whether the applicant has previously been licensed as an operator or chauffeur, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked;
(4)
State whether an application has ever been refused, and, if so, the date of and reason for the suspension, revocation, or refusal; and
(5)
Provide any further information bearing on the applicant's character or ability to drive that may be required by the administrator of the division of motor vehicles.
(b)
Every application shall state whether the applicant desires to donate tissue or organs pursuant to the provisions of chapter 18.6 of title 23.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 7; G.L. 1956, § 31-10-12; P.L. 1962, ch. 204, § 1; P.L. 1986, ch. 180, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-13. - Record from other jurisdiction.

§ 31-10-13. Record from other jurisdiction.
(a)
Whenever an application is received from a person previously licensed in another jurisdiction, the division of motor vehicles may request a copy of the operator's record from that other jurisdiction. When received, the operator's record shall become a part of the operator's record in this state with the same force and effect as though entered on the operator's record in this state in the original instance.
(b)
Whenever the division of motor vehicles receives a request for an operator's record from another licensing jurisdiction the record shall be forwarded without charge.
History of Section.
P.L. 1962, ch. 204, § 1; P.L. 1984, ch. 371, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-14. - Applications of minors.

§ 31-10-14. Applications of minors.
The application of any person under the age of eighteen (18) years for a limited instruction permit, a limited provisional license, or a full operator's license shall be signed and verified, before a person authorized to administer oaths, by one or more of the following individuals: the father, mother, guardian, adult husband or wife, or licensed foster parent, who is a resident of this state and qualified to be a supervising driver pursuant to § 31-10-6.1. In the event there is no parent, guardian, or licensed foster parent, who meets these requirements, then by another responsible adult who is willing to assume the obligation imposed under §§ 31-10-1 — 31-10-33 upon a person signing the application of a minor.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 8; G.L. 1956, § 31-10-13; G.L. 1956, § 31-10-14; P.L. 1962, ch. 204, § 1; P.L. 1978, ch. 62, § 1; P.L. 1989, ch. 74, § 1; P.L. 1989, ch. 187, § 1; P.L. 1998, ch. 371, § 1; P.L. 1998, ch. 386, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-15. - Liability of person signing minor's application.

§ 31-10-15. Liability of person signing minor's application.
Any negligence or willful misconduct of a minor under the age of eighteen (18) years when driving a motor vehicle upon a highway shall be imputed to the person who has signed the application of that minor for a permit or license, which person shall be jointly and severally liable with the minor for any damages caused by the minor's negligence or willful misconduct except as otherwise provided in § 31-10-16.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 8; G.L. 1956, § 31-10-14; G.L. 1956, § 31-10-15; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-16. - Liability when minor proves financial responsibility.

§ 31-10-16. Liability when minor proves financial responsibility.
In the event a minor deposits or there is deposited upon the minor's behalf proof of financial responsibility in respect to the

operation of a motor vehicle owned by the minor, or if not the owner of a motor vehicle, then with respect to the operation of any motor vehicle, in form and in amounts as required under the motor vehicle financial responsibility laws of this state, then the division of motor vehicles may accept the application of the minor when signed by a parent or guardian of the minor or other responsible adult, and while that proof is maintained the parent or guardian or responsible adult shall not be subject to the liability imposed under § 31-10-15.

History of Section.

P.L. 1950, ch. 2595, art. 15, § 8; G.L. 1956, § 31-10-15; G.L. 1956, § 31-10-16; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-17. - Release from liability.

§ 31-10-17. Release from liability.

Any person who has signed the application of a minor for a license may later file with the division of motor vehicles a verified written request that the license granted to the minor be cancelled. On receipt of the request the division of motor vehicles shall cancel the license of the minor and the person who signed the application of the minor shall be relieved from the liability imposed under this chapter by reason of having signed the application on account of any subsequent negligence or willful misconduct of the minor in operating a motor vehicle.

History of Section.

P.L. 1950, ch. 2595, art. 15, § 9; G.L. 1956, § 31-10-16; G.L. 1956, § 31-10-17; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-18. - Cancellation of license upon death of person signing minor's application.

§ 31-10-18. Cancellation of license upon death of person signing minor's application.

The division of motor vehicles upon receipt of satisfactory evidence of the death of the person who signed the application of a minor for a license shall cancel the license and shall not issue a new license until such time as a new application, duly signed and verified, is made as required by this chapter. This provision shall not apply in the event the minor has attained the age of eighteen (18) years.

History of Section.

P.L. 1950, ch. 2595, art. 15, § 10; P.L. 1951, ch. 2826, § 14; G.L. 1956, § 31-10-17; G.L. 1956, § 31-10-18; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-19. - Driver education — Traffic safety education. [Effective until contingency in P.L. 2017, ch. 156 and 160 is met.]

§ 31-10-19. Driver education — Traffic safety education. [Effective until contingency in P.L. 2017, ch. 156 and 160 is met.]

(a)

The community college of Rhode Island shall provide thirty-three (33) hours of classroom instruction for applicants or prospective applicants, not more than twenty-one (21) years of age for a limited instruction permit or license. The instruction shall include eight (8) hours, specifically for instruction on the effects of alcohol and drugs on a driver, and the instruction shall be given by a person eligible for a teacher's certificate issued under the authority of the state board of regents and which course of instruction shall be approved by the board of governors for higher education. In case of emergency, the president of the community college of Rhode Island may declare, when no certified instructor is available to teach, an individual eligible to teach at the community college of Rhode Island who has taken the required course of instruction in driver education, may provide driver education instruction. All driver education programs shall include information concerning the Revised Uniform Anatomical Gift Act, chapter 18.6.1 of title 23, and information on donor cards pursuant to the applicable provisions of chapter 18.6.1 of title 23. The board of governors for higher education shall ensure that each person properly certified and approved to instruct driver education courses shall be given an equal opportunity for employment as an instructor within the driver education program. No person teaching driver education under this section shall own, be employed by, or be associated with a commercial driving school.

(b)

Driver education instruction shall be available to any eligible resident applicant not less than fifteen (15) years and ten (10) months of age.

(c)

That the state shall also provide a separate program of instruction, as previously set forth in this section, for special needs students whose individual education plan (IEP) indicates a need for a separate program of instruction.

(d)

The community college of Rhode Island shall provide a driver training program for physically handicapped drivers. The program shall instruct the physically handicapped driver in the operation of adapted vehicles for the handicapped. The adapted vehicles are to be provided by the handicapped individual. A physically handicapped person must be certified by a licensed physician that he or she is physically handicapped and possesses sufficient potential to become a competent motor vehicle operator. The community college of Rhode Island shall establish a tuition fee sufficient to cover the cost of the program.

(e)

A tuition or enrollment fee shall be required to be paid by an eligible applicant in accordance with rules and regulations of the board

of governors for higher education; provided, that personal checks shall be an acceptable method of payment of the tuition or enrollment fee. The tuition or enrollment fee shall be deposited in a restricted receipt account established to pay any and all costs associated with the driver education program at the community college of Rhode Island and administered by the community college of Rhode Island.

(f)

The board of governors for higher education is authorized to establish administrative regulations to further implement this section.

(g)

The community college of Rhode Island shall establish tuition fees sufficient to cover the cost of the program and the administration of the driver education program. All positions established to implement the driver education program and funded in full by driver education program fees shall be exempt from the full-time equivalency cap established in Article 1 of the Appropriations Act, provided, however, that the board of governors shall report by June 1, 2004, the actual number of filled positions funded exclusively by driver education fees to the chairperson of the house finance committee, the chairperson of the senate finance committee, and the state budget officer.

(h)

The board of governors for higher education shall provide for an optional and voluntary course of instruction for the applicant's parent, guardian, or designee where applicable, on the content of the driver education curriculum and the requirements for the graduated licensing for persons under the age of eighteen (18) as contained in § 31-10-6. The community college of Rhode Island shall be responsible to develop the course of instruction and content for the parent instruction, or may approve a similar course of instruction, such as AAA's course, as equivalent to it, and shall promulgate regulations and establish the appropriate method of providing the instruction.

(i)

Dangers of distracted driving, including, but not limited to, use of cell phones would be included in this section curriculum and included in all testing as part of the state's driver's license examination.

(j)

Included in the classroom instruction shall be curriculum related to the dangers of marijuana-impaired driving such as the course provided by AAA or similar equivalent.

(k)

The curriculum required by subsection (j) of this section shall become effective upon the effective date of this subsection [June 19, 2023] and shall only be implemented upon the approval of the course by the state board of education.

History of Section.

P.L. 1960, ch. 189, § 1; G.L. 1956, § 31-10-32; P.L. 1962, ch. 204, § 1; G.L. 1956, § 31-10-19; P.L. 1970, ch. 111, § 8; P.L. 1971, ch. 73, § 1; P.L. 1981, ch. 222, § 1; P.L. 1983, ch. 167, art. XI, § 1; P.L. 1984, ch. 129, § 1; P.L. 1986, ch. 287, art. 7, § 1; P.L. 1987, ch. 111, § 1; P.L. 1987, ch. 312, § 1; P.L. 1989, ch. 135, § 1; P.L. 1990, ch. 253, § 1; P.L. 1995, ch. 370, art. 40, § 103; P.L. 1998, ch. 295, § 1; P.L. 1998, ch. 371, § 1; P.L. 1998, ch. 376, § 1; P.L. 1998, ch. 386, § 1; P.L. 2003, ch. 217, § 1; P.L. 2003, ch. 361, § 1; P.L. 2009, ch. 112, § 1; P.L. 2009, ch. 150, § 1; P.L. 2013, ch. 52, § 1; P.L. 2013, ch. 61, § 1; P.L. 2017, ch. 156, § 1; P.L. 2017, ch. 160, § 1; P.L. 2018, ch. 346, § 22; P.L. 2023, ch. 115, § 1, effective June 19, 2023; P.L. 2023, ch. 116, § 1, effective June 19, 2023.

§ 31-10-19. Driver education — Traffic safety education. [Effective when contingency in P.L. 2017, ch. 156 and 160 is met.]

(a)

The community college of Rhode Island shall provide thirty-three (33) hours of classroom instruction for applicants or prospective applicants, not more than twenty-one (21) years of age, for a limited-instruction permit or license. The instruction shall include eight (8) hours, specifically for instruction on the effects of alcohol and drugs on a driver, and the instruction shall be given by a person eligible for a teacher's certificate issued under the authority of the state board of education and which course of instruction shall be approved by the state board of education. In case of emergency, the president of the community college of Rhode Island may declare, when no certified instructor is available to teach, that an individual eligible to teach at the community college of Rhode Island, who has taken the required course of instruction in driver education, may provide driver education instruction. All driver education programs shall include information concerning the Revised Uniform Anatomical Gift Act, chapter 18.6.1 of title 23, and information on donor cards pursuant to the applicable provisions of chapter 18.6.1 of title 23. The state board of education shall ensure that each person properly certified and approved to instruct driver education courses shall be given an equal opportunity for employment as an instructor within the driver education program. No person teaching driver education under this section shall own, be employed by, or be associated with a commercial driving school.

(b)

Driver education instruction shall be available to any eligible resident applicant not less than fifteen (15) years and ten (10) months of age.

(c)

That the state shall also provide a separate program of instruction, as previously set forth in this section, for special needs students whose individual education plan (IEP) indicates a need for a separate program of instruction.

(d)

The community college of Rhode Island shall provide a driver training program for physically handicapped drivers. The program shall instruct the physically handicapped driver in the operation of adapted vehicles for the handicapped. The adapted vehicles are to

be provided by the handicapped individual. A physically handicapped person must be certified by a licensed physician that he or she is physically handicapped and possesses sufficient potential to become a competent motor vehicle operator. The community college of Rhode Island shall establish a tuition fee sufficient to cover the cost of the program.
(e)
A tuition or enrollment fee shall be required to be paid by an eligible applicant in accordance with rules and regulations of the state board of education; provided, that personal checks shall be an acceptable method of payment of the tuition or enrollment fee. The tuition or enrollment fee shall be deposited in a restricted receipt account established to pay any and all costs associated with the driver education program at the community college of Rhode Island and administered by the community college of Rhode Island.
(f)
The state board of education is authorized to establish administrative regulations to further implement this section.
(g)
The community college of Rhode Island shall establish tuition fees sufficient to cover the cost of the program and the administration of the driver education program. All positions established to implement the driver education program and funded in full by driver education program fees shall be exempt from the full-time equivalency cap established in Article 1 of the Appropriations Act, provided, however, that the board of governors shall report by June 1, 2004, the actual number of filled positions funded exclusively by driver education fees to the chairperson of the house finance committee, the chairperson of the senate finance committee, and the state budget officer.
(h)
Notwithstanding any other provisions of this section, the state board of education shall provide for a required course of instruction for the applicant's parent, guardian, or designee where applicable, on the content of the driver education curriculum and the requirements for the graduated licensing for persons under the age of eighteen (18) as contained in § 31-10-6. The course of instruction shall be made available in a classroom setting at numerous locations, days, and times throughout the state, approved by the community college of Rhode Island. All costs and expenses associated with the course of instruction, including, but not limited to, materials, instructors, and location fees shall be at the sole expense of the program providers. Once approved by the state board of education, an online course of instruction shall be made available to parent(s), guardian(s), or designee(s), where applicable, to meet the requirements of this section. Under no circumstances shall any parent, guardian, or designee, where applicable, be required to pay any cost or fee in association with participation in the course required by this section. Upon completion of the course pursuant to this section, no parent, guardian, or designee shall be required to take the course more than one time in a five-year (5) period. Parents, guardians, and designees with multiple children having completed this course shall be deemed to have satisfied this requirement for each child in their care applying for his or her license during the five-year (5) period. Should AAA or any other provider cease to provide the course and no other provider exists, the community college of Rhode Island shall not be required to provide the course of instruction nor shall it be required to pay any of the costs associated therewith. Parents, guardians, and designees shall not be required to complete the course prior to their child obtaining a license during any time at which a qualified program under this section does not exist. The community college of Rhode Island shall be responsible to develop the course of instruction and content for the parent instruction, or may approve a similar course of instruction, such as AAA's course, as equivalent to it, and shall promulgate regulations and establish the appropriate method of providing the instruction. Should a qualified program cease to exist for a period of time greater than six (6) months, the course of instruction will not be required.
(i)
Dangers of distracted driving, including, but not limited to, use of cell phones would be included in this section curriculum and included in all testing as part of the state's driver's license examination.
(j)
Included in the classroom instruction shall be curriculum related to the dangers of marijuana-impaired driving such as the course provided by AAA or similar equivalent.
(k)
The curriculum required by subsection (j) of this section shall become effective upon the effective date of this subsection [June 19, 2023] and shall only be implemented upon the approval of the course by the state board of education.
History of Section.
P.L. 1960, ch. 189, § 1; G.L. 1956, § 31-10-32; P.L. 1962, ch. 204, § 1; G.L. 1956, § 31-10-19; P.L. 1970, ch. 111, § 8; P.L. 1971, ch. 73, § 1; P.L. 1981, ch. 222, § 1; P.L. 1983, ch. 167, art. XI, § 1; P.L. 1984, ch. 129, § 1; P.L. 1986, ch. 287, art. 7, § 1; P.L. 1987, ch. 111, § 1; P.L. 1987, ch. 312, § 1; P.L. 1989, ch. 135, § 1; P.L. 1990, ch. 253, § 1; P.L. 1995, ch. 370, art. 40, § 103; P.L. 1998, ch. 295, § 1; P.L. 1998, ch. 371, § 1; P.L. 1998, ch. 376, § 1; P.L. 1998, ch. 386, § 1; P.L. 2003, ch. 217, § 1; P.L. 2003, ch. 361, § 1; P.L. 2009, ch. 112, § 1; P.L. 2009, ch. 150, § 1; P.L. 2013, ch. 52, § 1; P.L. 2013, ch. 61, § 1; P.L. 2017, ch. 156, § 1; P.L. 2017, ch. 160, § 1; P.L. 2018, ch. 346, § 22; P.L. 2023, ch. 115, § 1, effective June 19, 2023; P.L. 2023, ch. 116, § 1, effective June 19, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-2. - Persons exempt from licensing requirements.

§ 31-10-2. Persons exempt from licensing requirements.
The following persons are exempt from the licensing requirements of this chapter:
(1)

Any employee of the United States government while operating a motor vehicle owned by or leased to the United States government and being operated on official business;
(2)
A nonresident who is at least sixteen (16) years of age and who has in his or her immediate possession a valid operator's license issued to him or her in his or her home state or country may operate a motor vehicle in this state only as an operator;
(3)
A nonresident who is at least eighteen (18) years of age and who has in his or her immediate possession a valid chauffeur's license issued to him or her in his or her home state or country may operate a motor vehicle in this state either as an operator or chauffeur. Subject to the age limits applicable to chauffeurs in this state, that license shall be accepted as a chauffeur class I license. Notwithstanding the foregoing, a nonresident must submit an application for a chauffeur class I license which must be approved before a nonresident may be employed as a chauffeur in this state;
(4)
Any nonresident who is at least eighteen (18) years of age, whose home state or country does not require the licensing of operators, may operate a motor vehicle as an operator only, for a period of not more than ninety (90) days in any calendar year, if the motor vehicle so operated is duly registered in the home state or country of that nonresident;
(5)
Any operator of any traction engine, road roller, farm tractor, crane, power shovel, well-borer, and any other road and building construction machinery and equipment, other than a truck used for the transportation of materials.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 2; P.L. 1954, ch. 3323, § 1; G.L. 1956, § 31-10-2; P.L. 1962, ch. 204, § 1; P.L. 2000, ch. 273, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-20. - Driver education course requirement before licensing.

§ 31-10-20. Driver education course requirement before licensing.
(a)
No limited-instruction permit or license shall be issued to any person not more than eighteen (18) years of age unless that person shall have successfully completed a course of instruction as provided in § 31-10-19, or a similar course of instruction recognized by the state board of education as equivalent to it. However, any person who is over eighteen (18) years of age and has been a holder of a motor vehicle operator's license issued to that person by any other state, territory, or possession of the United States, or any other sovereignty for a period of one year immediately prior to his or her application for a license under this chapter shall not be required to comply with the provisions of this section.
(b)
Commencing on July 1, 2004, no limited-instruction permit or license shall be issued to any person not more than eighteen (18) years of age unless that person shall have successfully completed a course of instruction as provided in § 31-10-19, or a similar course of instruction in another state recognized by the state board of education as equivalent to it. In determining whether a course is equivalent, the state board of education shall at a minimum require: (1) That the course consist of at least thirty-three (33) instructional hours that substantially conform with the current curriculum utilized by the instructor(s) at the Community College of Rhode Island, including a minimum of three (3) hours of instruction focusing upon specific Rhode Island traffic laws, the specific requirements of the Rhode Island graduated-licensing statute in § 31-10-6, and eight (8) hours specifically for instruction on the effects of alcohol and drugs on a driver. All driver's education programs shall include information concerning the Revised Uniform Anatomical Gift Act, chapter 18.6.1 of title 23, and information on donor cards pursuant to the applicable provisions of chapter 18.6.1 of title 23; (2) That the instructor holds a valid teacher's certificate; (3) That the instructor satisfactorily completes at least a three-credit (3) course in traffic safety education at an accredited institution of higher education; and (4) That the program does not offer outside the classroom road test instruction or driving lessons to Rhode Island students. However, any person who is over eighteen (18) years of age and has been a holder of a motor vehicle operator's license issued to that person by any other state, territory, or possession of the United States, or any other sovereignty for a period of one year immediately prior to his or her application for a license under this chapter shall not be required to comply with the provisions of this section.
(c)
The driver's education course and driver's license examination shall include material pertaining to a driver's rights and responsibilities when stopped by a law enforcement officer as explained during the driver education course, including, but not limited to, rights provided to drivers pursuant to chapter 21.2 of title 31, the "comprehensive community-police relationship act of 2015."
History of Section.
P.L. 1960, ch. 189, § 1; G.L. 1956, § 31-10-20; P.L. 1962, ch. 204, § 1; P.L. 1986, ch. 142, § 1; P.L. 1998, ch. 371, § 1; P.L. 1998, ch. 386, § 1; P.L. 2002, ch. 116, § 1; P.L. 2003, ch. 218, § 1; P.L. 2003, ch. 329, § 1; P.L. 2004, ch. 327, § 1; P.L. 2004, ch. 372, § 1; P.L. 2018, ch. 131, § 1; P.L. 2018, ch. 291, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-21. - Written and eye examination.

§ 31-10-21. Written and eye examination.
(a)
Every applicant for a license to operate a motor vehicle upon the public highways shall be required by the division of motor vehicles to show, by examination or otherwise, the ability to read and understand highway signs regulating, warning, and directing traffic, the proper knowledge of the operation and mechanism of motor vehicles, the rules of the road, the motor vehicle law, and such other qualifications as will demonstrate that the applicant is a proper and safe person to operate a motor vehicle upon the public highways. The examination shall include a test of the applicant's eyesight. Notwithstanding the foregoing,
(b)
Any person who has successfully completed a driver education course as set forth in § 31-10-19 and who has passed a standardized written driver's license examination approved by the director of the department of revenue shall not be required to take the written examination. The director of the department of revenue shall develop a standardized written driver's license examination which shall be administered by certified driver education instructors at the completion of each driver's education course.
(c)
An applicant, within six (6) months of having been certified by the department of elementary and secondary education as having passed a written examination administered by that department, shall, upon completion of an eyesight test by the division of motor vehicles, be considered in compliance with this section.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 11; G.L. 1956, § 31-10-18; G.L. 1956, § 31-10-21; P.L. 1962, ch. 204, § 1; P.L. 1987, ch. 326, § 1; P.L. 1987, ch. 454, § 1; P.L. 2008, ch. 98, § 9; P.L. 2008, ch. 145, § 9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-22. - Road test.

§ 31-10-22. Road test.
(a)
All applicants for a motor vehicle license shall pass a motor vehicle road test as prescribed by the administrator of the division of motor vehicles in a motor vehicle supplied by the applicant or in a dual-controlled motor vehicle supplied by the state. In the case of the examination for a chauffeur to operate a truck, tractor, trailer, tractor semi-trailer, bus, or other vehicle for hire, or a person who will operate only a vehicle equipped with automatic shift, or a person who is disabled and requires the use of a specially equipped motor vehicle, the person shall be examined in a vehicle furnished by the person. At the option of any person who is disabled, the road test shall be administered by the local office of the division of motor vehicles nearest that person's home. A fee of twenty-five dollars ($25) shall be charged for all road tests, including repeat road tests, following failure of a road test.
(b)
Any applicant for a motor vehicle license with limited English proficiency (LEP) may, during the road test, be accompanied by an interpreter, at the applicant's own expense and choosing, who may translate the road test examiner's directions to the applicant. The interpreter shall be eighteen (18) years of age or older. The applicant shall be responsible for and assume all liability for the presence of the interpreter in the motor vehicle. The division of motor vehicles is authorized and directed to promulgate rules and regulations necessary to carry out the provisions of this subsection.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 11; G.L. 1956, § 31-10-19; G.L. 1956, § 31-10-22; P.L. 1962, ch. 204, § 1; P.L. 1987, ch. 93, § 1; P.L. 1999, ch. 83, § 69; P.L. 1999, ch. 130, § 69; P.L. 2010, ch. 23, art. 9, § 6; P.L. 2017, ch. 356, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-23. - Examiners not liable for acts of persons being examined.

§ 31-10-23. Examiners not liable for acts of persons being examined.
The investigators or examiners in the employ of the division of motor vehicles shall not be liable for the acts of any person who is being examined by the investigators or examiners.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 11; G.L. 1956, § 31-10-20; G.L. 1956, § 31-10-23; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-24. - Applicants excused from road test.

§ 31-10-24. Applicants excused from road test.
The provisions of § 31-10-22 shall not apply in the case of an applicant who already has been granted a valid operator's license issued by a state or federal agency which has a reciprocal agreement with the state of Rhode Island in the matter of requirements for operator's licenses. Also, § 31-10-22 shall not apply when an examiner of the division of motor vehicles is examining any student of a public or parochial educational institution which offers a course in driver training education acceptable to the division of motor vehicles, provided that the motor vehicle used by the educational institution for driver training education in which the student has received his or her driver training has been equipped with a dual control.
History of Section.

P.L. 1950, ch. 2595, art. 15, § 11; G.L. 1956, § 31-10-21; G.L. 1956, § 31-10-24; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-26.1. - Anatomical gifts by drivers.

§ 31-10-26.1. Anatomical gifts by drivers.

(a)

The division of motor vehicles shall cause to be sent to each person applying for or renewing a license, as provided for in § 31-10-26, a document containing a summary description and explanation of the Revised Uniform Anatomical Gift Act, chapter 18.6.1 of title 23.

(b)

The division of motor vehicles may, on behalf of the state accept and deposit with the general treasurer any grant, gift, or contribution made to assist in meeting the cost of carrying out the purposes of this section and to expend the grant, gift, or contribution for those purposes.

(c)

The division of motor vehicles may make and sign any agreements and may do and perform any and all acts which may be necessary or desirable to carry out the purposes of this section.

(d)

The division of motor vehicles shall issue special licenses upon request of a licensee which conform to the provisions of the Revised Uniform Anatomical Gift Act, chapter 18.6.1 of title 23.

(e)

Neither the administrator of the division of motor vehicles nor any employee of the state shall be liable in any suit for damages as a result of his or her acts or omissions or for any action under the provisions of this section.

(f)

The division of motor vehicles shall cause to be posted in all of its customer service locations a sign or other material encouraging persons to make anatomical gifts during the process of issuing and renewing licenses provided for in § 31-10.1-1 and in accordance with the Revised Uniform Anatomical Gift Act, chapter 18.6.1 of title 23.

(g)

The division of motor vehicles shall cause to be produced application forms and renewal forms for driver's licenses and nonoperator identification cards that clearly offer Rhode Island residents the option to consent to organ and tissue donation in accordance with § 31-10.1-8. Only a "yes" or affirmative response will be noted. Information held by the division of motor vehicles regarding a person's consent to donate shall constitute the "Rhode Island Donor Registry." This information will be made available to all federally designated organ procurement organizations and law enforcement organizations twenty-four (24) hours a day via a password protected Internet connection and will only be used to facilitate anatomical gifts in accordance with the Revised Uniform Anatomical Gift Act, chapter 23-18.6.1.

(h)

The division of motor vehicles shall develop by January 1, 2008 a method that requires written consent and confirmation to allow residents of Rhode Island to have their names accurately added to or deleted from the division's Rhode Island Donor Registry in the periods between mandated driver's license renewals. Persons added to the Donor Registry in this manner shall be considered as having made a document of gift.

History of Section.

P.L. 1978, ch. 286, § 2; P.L. 1998, ch. 49, § 1; P.L. 1998, ch. 50, § 1; P.L. 2000, ch. 109, § 62; P.L. 2003, ch. 392, § 1; P.L. 2007, ch. 476, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-26. - Issuance of license.

§ 31-10-26. Issuance of license.

(a)

The division of motor vehicles shall, upon payment of the required fee, issue to every qualifying applicant an operator's or chauffeur's license. The license shall be approximately two and one-half inches (2½″) wide and three and one-half inches (3½″) long and shall bear on it a distinguishing number assigned to the licensee; the full name; date of birth; residence address; brief description of the licensee; a photograph of the licensee; whether the licensee has indicated a desire to donate tissue or organs pursuant to the provisions of chapter 18.6.1 of title 23; and either a space upon which the licensee shall write his or her usual signature with pen and ink or a facsimile of the signature of the licensee. No license shall be valid until it has been so signed by the licensee designated on it. A negative file of all photographs of licensees shall be maintained by the division of motor vehicles for a period of five (5) years.

(b)

The division of motor vehicles shall issue an operator's or chauffeur's license pursuant to this chapter to every qualifying applicant, including, but not limited to, any current or past recipient of a grant of deferred action under the Deferred Action for Childhood Arrivals (DACA) program, provided any applicant subject to the DACA program shall provide evidence of having received the

grant from the United States Citizenship and Immigration Services.
(c)
The division of motor vehicles shall issue special licenses to those licensees who have indicated that they desire to donate tissue or organs, which conform to the provisions of the Revised Uniform Anatomical Gift Act, chapter 18.6.1 of title 23.
(d)
Any person who is a law enforcement officer, meaning any permanently employed member of the state, city, or town police departments, sheriffs and deputy sheriffs, members of the marshal's unit, capitol police, and the state fire marshal and deputy fire marshals of the division of building, design and fire professionals or a member of the department of attorney general, any permanently employed federal law enforcement officer assigned in Rhode Island, or any member of the United States Attorney's Office in Rhode Island or any employee of the R.I. department of corrections, as recommended by the director of the department of corrections, and members of the Rhode Island judiciary or any employee of the Rhode Island judiciary as recommended by the chief justice, upon request of the applicant, shall be issued a license that contains the applicant's official business address in lieu of a residence address as required under the general provisions of this section.
(e)
The license issued to a person applying for the first time shall be designated as a "first license." A first license shall be issued for a one-year period after which time a permanent driver's license shall be issued according to this section.
(f)
If an applicant has been adjudicated for committing one moving motor vehicle violation, has been involved in one reportable motor vehicle accident, or both, he or she shall be summoned for a hearing before a judge of the traffic tribunal at which time the driving record will be reviewed. The traffic tribunal judge shall determine if the person should be granted an operator's license, be reissued a first license, or be denied a license to operate a motor vehicle in the state of Rhode Island.
(g)
Any person who is under the age of twenty-one (21) years shall, upon payment of the required fee and upon meeting the qualifications for the receipt of an operator's or chauffeur's license, be issued a license that shall be readily distinguishable in color from those licenses issued to persons who are twenty-one (21) years of age or older. When a person under the age of twenty-one (21) years to whom a license has been issued and whose license is in full force and effect, attains his or her twenty-first birthday, he or she shall be entitled to receive a new license of the type issued to persons who are older than the age of twenty-one (21) years from the administrator of the division of motor vehicles upon demand at no expense. Every person shall supply to the division of motor vehicles satisfactory proof of his or her date of birth.
(h)
The division of motor vehicles shall issue special licenses upon the request of a licensee that conform to the provisions of the Revised Uniform Anatomical Gift Act, chapter 18.6.1 of title 23.
(i)
The division of motor vehicles shall note in an appropriate manner a restriction on any person's license who is prohibited from operating a motor vehicle that is not equipped with an ignition interlock system as provided in chapter 27 of this title.
(j)
Any personal digitized information contained within an operator's or chauffeur's license shall be limited to: (a) the licensee's name, age, date of birth, address, gender, physical description such as weight, height, hair color and eye color, signature and organ donor status; and (b) the license number, commercial endorsements, expiration date, issue date, restriction, and class.
(k)
Except to the extent an entity is authorized to renew drivers' licenses, or except for financial institutions engaged in the verification of information for financial transactions, nongovernmental entities shall not have access to any digitized information contained in an operator's or chauffeur's license other than the licensee's name, age, date of birth, signature, and photographic image, and the license's expiration date; nor shall they store, record, or retain any such information obtained through a digital reading device. Access to digitized information by these entities shall be solely for the purpose of determining the age of an individual for a transaction, right, or privilege available by law only to persons of a certain age.
(l)
To the extent that nongovernmental entities shall have access to the digitized information stored on an operator's or chauffeur's license, the entity shall be civilly liable for the unauthorized access to, or retention or use of, the information by its agents or persons acting in the name of the entity.
(m)
The division of motor vehicles shall collect from applicants and licensees their social security numbers and tax identification numbers only to the extent required by federal law. The numbers shall not be included, either digitally or visually, on the operator's or chauffeur's license.
(n)
Issuance of a Rhode Island operator's license under this chapter to a current or past recipient of a grant of deferred action under the Deferred Action for Childhood Arrivals (DACA) program shall not confer the right to vote in the state of Rhode Island.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 12; G.L. 1956, § 31-10-23; G.L. 1956, § 31-10-26; P.L. 1962, ch. 204, § 1; P.L. 1966, ch. 61, § 1; P.L.

1969, ch. 122, § 1; P.L. 1970, ch. 316, § 1; P.L. 1974, ch. 206, § 1; P.L. 1976, ch. 57, § 2; P.L. 1978, ch. 175, § 1; P.L. 1978, ch. 286, § 1; P.L. 1984, ch. 371, § 1; P.L. 1986, ch. 148, § 1; P.L. 1986, ch. 180, § 1; P.L. 1989, ch. 157, § 1; P.L. 1990, ch. 35, § 1; P.L. 1990, ch. 136, § 1; P.L. 1991, ch. 354, § 6; P.L. 1992, ch. 405, § 4; P.L. 1992, ch. 465, § 1; P.L. 1995, ch. 109, § 1; P.L. 1997, ch. 30, art. 28, § 8; P.L. 1997, ch. 110, § 1; P.L. 2004, ch. 462, § 1; P.L. 2018, ch. 35, § 1; P.L. 2018, ch. 36, § 1; P.L. 2024, ch. 408, § 1, effective June 26, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-27. - License to be carried and exhibited on demand.

§ 31-10-27. License to be carried and exhibited on demand.

(a)

Every licensee shall have his or her operator's or chauffeur's license in his or her immediate possession at all times when operating a motor vehicle and shall display the license upon the demand of any peace office or inspector of the division of motor vehicles and shall, upon request by any proper officer, write his or her name in the presence of that officer for the purpose of being identified. However, no person charged with violating this section shall be convicted if he or she produces in court or the office of the arresting officer an operator's or chauffeur's license previously issued to him or her and valid at the time of his or her arrest.

(b)

Every school bus operator shall display in a prominent place in the bus he or she is operating both a valid chauffeur's license or a reasonable facsimile of it, and a valid school bus driver's certificate, both of which have been issued by this state under the provisions of this title. A display case shall be provided to display these documents by the registered owner.

History of Section.

P.L. 1950, ch. 2595, art. 15, § 13; G.L. 1956, § 31-10-25; G.L. 1956, § 31-10-27; P.L. 1962, ch. 204, § 1; P.L. 1986, ch. 413, § 1; P.L. 1988, ch. 372, § 1; P.L. 2000, ch. 109, § 62.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-28. - Restricted licenses.

§ 31-10-28. Restricted licenses.

(a)

The division of motor vehicles, upon issuing an operator's or chauffeur's license, shall have the authority whenever good cause appears to impose restrictions suitable to the licensee's driving ability with respect to the type of, or special mechanical control devices required on a motor vehicle which the licensee may operate or the other restrictions applicable to the licensee as the division of motor vehicles may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

(b)

The division of motor vehicles may either issue a special restricted license or may set forth such restrictions upon the usual license form. In the case of an individual who, because of any visual disability, is prohibited from operating a motor vehicle in darkness, the division of motor vehicles, upon receipt of an affidavit from a licensed physician or ophthalmologist certifying that the individual is capable of operating a motor vehicle during the daylight hours, may issue a special restricted license permitting the individual to operate a motor vehicle only during the daylight hours.

(c)

The division of motor vehicles may upon receiving satisfactory evidence of any violation of the restrictions of a restricted license suspend or revoke the license but the licensee shall be entitled to a hearing as upon a suspension or revocation under chapter 2 of this title.

(d)

It is a civil violation for any person to operate a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to that person.

History of Section.

P.L. 1950, ch. 2595, art. 15, § 14; G.L. 1956, § 31-10-24; G.L. 1956, § 31-10-28; P.L. 1962, ch. 204, § 1; P.L. 1986, ch. 280, § 1; P.L. 1999, ch. 218, art. 6, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-29. - Duplicate certificates.

§ 31-10-29. Duplicate certificates.

In the event that an instruction permit or operator's or chauffeur's license issued under the provisions of this chapter is lost or destroyed, the person to whom the permit or license was issued may apply for the permit or license, and upon payment of the required fee of ten dollars ($10.00) obtain a duplicate certificate. The applicant shall furnish proof satisfactory to the division of motor vehicles that the permit or license has been lost or destroyed.

History of Section.

P.L. 1950, ch. 2595, art. 15, § 15; G.L. 1956, § 31-10-29; P.L. 1962, ch. 204, § 1; P.L. 1988, ch. 197, § 1; P.L. 1990, ch. 10, art. 1, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-3. - Persons ineligible for licenses.

§ 31-10-3. Persons ineligible for licenses.

(a)

The division of motor vehicles shall not issue any license under this chapter:

(1)

To any person, as an operator, who is under the age of sixteen (16) years;

(2)

To any person, as a chauffeur, who is under the age of eighteen (18) years;

(3)

To any person, as an operator or chauffeur, whose license has been suspended, during that suspension, nor to any person whose license has been revoked, except as provided in § 31-11-10;

(4)

To any person, as an operator or chauffeur, who is a habitual drunkard or habitual user of drugs to such an extent that he or she is incapable of safely driving a motor vehicle;

(5)

To any person, as an operator or chauffeur, who is required by this chapter to take an examination unless that person shall have successfully passed that examination;

(6)

To any person who is required under the laws of this state to deposit proof of financial responsibility and who has not deposited that proof;

(7)

To any person when the administrator of the division of motor vehicles has good cause based on clear and convincing evidence to believe that that person does not meet a standard of physical or mental fitness for motor vehicle licensure established pursuant to § 31-10-44(b) and that the person's physical or mental condition prevents him or her from being able to operate a motor vehicle with safety upon the highway;

(8)

To any person when the administrator of the division of motor vehicles has good cause to believe that the operation of a motor vehicle on the highways by that person would pose an imminent safety risk to the general public as determined by objectively ascertainable standards;

(9)

To any person who is subject to an order issued pursuant to § 14-1-67.

(b)

The division of motor vehicles shall notify in writing any person whose application for a license has been denied pursuant to subsection (a) of this section. The notice shall contain the factual and legal basis for the denial, the procedure for requesting a hearing, and the rights afforded the individual pursuant to the provisions of § 31-11-7(d) — (f). When physical or mental fitness is the basis for the denial, the notice shall reference the specific functional standard promulgated pursuant to § 31-10-44(b), which was relied upon by the division of motor vehicles. Upon his or her request the division of motor vehicles shall afford the license applicant an opportunity for a hearing as early as practical and no later than twenty (20) days after receipt of the request.

(c)

The hearing procedures afforded the applicant shall conform to the provisions of § 31-11-7(d) — (f).

History of Section.

P.L. 1950, ch. 2595, art. 15, § 3; P.L. 1952, ch. 2937, § 8; G.L. 1956, § 31-10-3; P.L. 1959 (s.s.), ch. 190, § 2; P.L. 1962, ch. 204, § 1; P.L. 1984, ch. 196, § 2; P.L. 1998, ch. 89, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-30. - Expiration and renewal of licenses.

§ 31-10-30. Expiration and renewal of licenses.

Every operator's and chauffeur's first license to operate a motor vehicle shall be by the issuance of a temporary license for the period beginning at the date of issuance and expiring on the birthday of the licensee in the second year following the issuance of the temporary license. Every operator's and chauffeur's license issued after expiration of the temporary license shall expire on the birthday of the licensee in the fifth year following the issuance of the license, with the exception of any person seventy-five (75) years of age or older whose license shall expire on the birthday of the licensee in the second year following the issuance of the license, and shall be renewable on or before expiration upon application and payment of the fee required by this chapter. The administrator of the division of motor vehicles, having good cause to believe the applicant for renewal is incompetent or otherwise not qualified, may require an examination of the applicant as upon an original application; provided, however, if the renewal applicant is applying for a commercial driver's license and is in possession of a valid medical examination certificate issued pursuant to federal motor carrier safety regulations 49 CFR 391.41-391.49 that applicant shall be deemed to be competent and

qualified under this chapter. The administrator of the division of motor vehicles is authorized to adopt any regulations necessary to carry out the purposes of this section. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 16; P.L. 1954, ch. 3337, § 1; G.L. 1956, § 31-10-30; P.L. 1960, ch. 63, § 1; P.L. 1962, ch. 204, § 1; P.L. 1968, ch. 157, § 1; P.L. 1969, ch. 98, § 1; P.L. 1984, ch. 439, § 2; P.L. 2002, ch. 292, § 106; P.L. 2008, ch. 159, § 1; P.L. 2008, ch. 195, § 1; P.L. 2010, ch. 93, § 1; P.L. 2010, ch. 116, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-31. - Fees.

§ 31-10-31. Fees.
The following fees shall be paid to the division of motor vehicles:
(1)
For every operator's first license to operate a motor vehicle, twenty-five dollars ($25.00);
(2)
For every chauffeur's first license, twenty-five dollars ($25.00); provided, that when a Rhode Island licensed operator transfers to a chauffeur's license, the fee for the transfer shall be two dollars ($2.00);
(3)
[Deleted by P.L. 2024, ch. 41, § 1 and P.L. 2024, ch. 42, § 1.]
(4)
For every operator's first license to operate a motorcycle, fifty dollars ($50.00);
(5)
For every renewal of an operator's or chauffeur's license, thirty dollars ($30.00); with the exception of any person seventy-five (75) years of age or older for whom the renewal fee will be eight dollars ($8.00);
(6)
For every duplicate operator's or chauffeur's license and every routine information update, i.e., name change or address change, twenty-five dollars ($25.00);
(7)
For every certified copy of any license, permit, or application issued under this chapter, ten dollars ($10.00);
(8)
For every duplicate instruction permit, ten dollars ($10.00);
(9)
For every first license examination, five dollars ($5.00);
(10)
For surrender of an out-of-state license, in addition to the above fees, five dollars ($5.00).
History of Section.
P.L. 1950, ch. 2595, art. 18, § 1; P.L. 1952, ch. 2937, § 10; P.L. 1954, ch. 3337, § 2; G.L. 1956, § 31-10-31; P.L. 1960, ch. 63, § 2; P.L. 1962, ch. 204, § 1; P.L. 1984, ch. 439, § 1; P.L. 1990, ch. 10, art. 1, § 1; P.L. 1991, ch. 98, § 1; P.L. 2005, ch. 117, art. 24, § 2; P.L. 2008, ch. 159, § 1; P.L. 2008, ch. 195, § 1; P.L. 2010, ch. 23, art. 9, § 6; P.L. 2012, ch. 164, § 3; P.L. 2012, ch. 249, § 3; P.L. 2018, ch. 47, art. 8, § 2; P.L. 2024, ch. 41, § 1, effective August 31, 2024; P.L. 2024, ch. 42, § 1, effective August 31, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-32. - Notice of change of address or name.

§ 31-10-32. Notice of change of address or name.
Whenever any person after applying for or receiving an operator's or chauffeur's license shall move from the address named in his or her application or in the license issued to him or her, or when the name of a licensee is changed by marriage or otherwise, that person shall within ten (10) days thereafter notify the division of motor vehicles in writing of his or her old and new addresses or of his or her former and new names and of the number of any license then held by him or her. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 17; G.L. 1956, § 31-10-28; G.L. 1956, § 31-10-32; P.L. 1962, ch. 204, § 1; P.L. 2002, ch. 292, § 106.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-33. - Records to be kept by the division of motor vehicles.

§ 31-10-33. Records to be kept by the division of motor vehicles.
(a)
The division of motor vehicles shall file every application for a license received by it and shall maintain suitable indexes containing, in alphabetical order:
(1)
All applications denied and on each application shall note the reasons for the denial;

(2)
All applications granted; and
(3)
The name of every licensee whose license has been suspended or revoked and after each name shall note the reasons for the action.
(b)
The division of motor vehicles shall also file all accident reports and abstracts of court records of convictions received by it under the laws of this state. The division shall maintain convenient records or make suitable notations in order that an individual record of each licensee showing the convictions of that licensee and the traffic accidents in which the licensee has been involved shall be readily ascertainable and available for the consideration of the division of motor vehicles upon any application for a renewal of license and at other suitable times.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 18; G.L. 1956, §§ 31-10-26, 31-10-27; G.L. 1956, § 31-10-33; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-34.5. - Transfer of functions to administrator of division of motor vehicles.

§ 31-10-34.5. Transfer of functions to administrator of division of motor vehicles.
On May 4, 2005 all functions, services performed, responsibilities and duties formerly of the drivers' training school licensing board are hereby transferred to the administrator of the division of motor vehicles.
History of Section.
P.L. 2005, ch. 20, § 10; P.L. 2005, ch. 27, § 10; P.L. 2010, ch. 239, § 28.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-35. - Commercial drivers' school license required.

§ 31-10-35. Commercial drivers' school license required.
No person, unless licensed under the provisions of this chapter, shall engage in the business of giving instruction for compensation in the driving of motor vehicles and motorcycles. However, no license shall be required of a person who is engaged in teaching in a regularly recognized secondary school or college driver training program or a program in § 31-10.1-1.2, which is approved by the division of motor vehicles.
History of Section.
P.L. 1964, ch. 224, § 2; P.L. 2000, ch. 109, § 62; P.L. 2008, ch. 96, § 3; P.L. 2008, ch. 147, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-36. - Application for commercial drivers' school license.

§ 31-10-36. Application for commercial drivers' school license.
An application for a commercial drivers' school license shall be made upon the form prescribed by the administrator of the division of motor vehicles and shall contain the name and address of the applicant, the location or locations of the proposed school, and any other pertinent information as may be required by the administrator of the division of motor vehicles to safeguard the public interest. Every application shall be accompanied by the fee required by law.
History of Section.
P.L. 1964, ch. 224, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-37. - Fee — Expiration of license — Duplicates.

§ 31-10-37. Fee — Expiration of license — Duplicates.
The fee for each application for a commercial drivers' school license shall be fifty dollars ($50.00). The license shall be granted or denied by the administrator of the division of motor vehicles within thirty (30) days after the application has been filed. The license shall expire, unless sooner revoked or suspended, on the 30th day of June following its effective date. The administrator of the division of motor vehicles shall issue a separate license certificate for each location designated by the applicant and the certificate shall be displayed at that location. In case of the loss, mutilation, or destruction of a certificate, the administrator of the division of motor vehicles shall issue a duplicate of it upon proof of the facts and payment of a fee of one dollar ($1.00).
History of Section.
P.L. 1964, ch. 224, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-38. - Denial, suspension, or revocation of commercial drivers' school licenses.

§ 31-10-38. Denial, suspension, or revocation of commercial drivers' school licenses.
The administrator of the division of motor vehicles may deny an application for a license or suspend or revoke a license after it has been granted for any of the following reasons:

(1)
A material misstatement by the applicant in his or her application for a license or the concealing of a material fact in connection with it.
(2)
The applicant or any partner, officer, director, or stockholder in the school had previously held a drivers' school license or was a partner, officer, director, or stockholder in a school which held a drivers' school license, and that license was revoked or suspended by the administrator of the division of motor vehicles.
(3)
The applicant or any partner, officer, director, stockholder, or employee in the school was convicted of any felony or misdemeanor.
(4)
The applicant fails to furnish satisfactory evidence of good character, reputation, and fitness.
(5)
Any willful failure to comply with the provisions of this chapter or with any rule or regulation promulgated by the administrator of the division of motor vehicles establishing instructional standards and procedures.
(6)
Any conduct or representation by the applicant or any partner, officer, director, stockholder, or employee in the school tending to give the impression that a license to operate a motor vehicle or motorcycle or any other license or registration granted by the division of motor vehicles may be obtained by any means other than the means prescribed by law or tending to induce any person to resort to fraudulent representation, circumvention, concealment, or subterfuge in order to secure a license to drive a motor vehicle or motorcycle.
(7)
Knowingly employing as an instructor a person who has been convicted of a felony or misdemeanor.
(8)
Failure to furnish with the first application a copy of, or thereafter to maintain in force, a standard liability insurance policy approved by the administrator of the division of motor vehicles in the amount of ten thousand dollars ($10,000) for personal injury to or death of any one person, twenty thousand dollars ($20,000) for personal injury to or death of any number of persons involved in any one accident, and five thousand dollars ($5,000) for property damage in any one accident, suffered or caused by reason of the negligence of the applicant or licensee or his or her agent or employee.
(9)
The applicant does not hold a currently effective certificate issued by a college or school whose course in basic driver education is approved by the state board of education, manifesting the satisfactory completion of that course.
History of Section.
P.L. 1964, ch. 224, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-39. - Instructor's license required.

§ 31-10-39. Instructor's license required.
No person, unless licensed by the administrator of the division of motor vehicles, shall be employed by any commercial drivers' school licensee to give instruction to drive a motor vehicle or motorcycle. An application for an instructor's license shall contain the name and address of the applicant, the name and address of the school employing the applicant, and any other pertinent information that may be required by the administrator of the division of motor vehicles to safeguard the public interest. Every application shall be verified by the oath or affirmation of the applicant and shall be accompanied by the fee required by law.
History of Section.
P.L. 1964, ch. 224, § 2; P.L. 2000, ch. 109, § 62.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-4. - Classification of chauffeurs — Examination of applicants.

§ 31-10-4. Classification of chauffeurs — Examination of applicants.
The division of motor vehicles upon issuing a chauffeur's license shall indicate on it the class of license so issued and shall appropriately examine each applicant according to the class of license applied for and may impose any rules and regulations for the exercise of that license as it may deem necessary for the safety and welfare of the traveling public.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 5; G.L. 1956, § 31-10-4; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-40. - Fee — Expiration of instructor's license.

§ 31-10-40. Fee — Expiration of instructor's license.
The fee for each application for an instructor's license shall be fifteen dollars ($15.00). The license shall be granted or denied by the administrator of the division of motor vehicles within thirty (30) days after the application and shall expire, unless sooner revoked or

suspended, on the thirtieth (30th) day of June following its effective date.
History of Section.
P.L. 1964, ch. 224, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-41. - Denial, suspension, or revocation of instructor's license.

§ 31-10-41. Denial, suspension, or revocation of instructor's license.
The administrator of the division of motor vehicles may deny an application for an instructor's license or suspend or revoke an instructor's license after it has been granted for the following reasons:
(1)
Any reason set forth in subdivisions (1) — (9) of § 31-10-38.
(2)
The applicant's driving record shows that he or she is not a careful driver.
(3)
The applicant has not attained the age of twenty-one (21) years.
History of Section.
P.L. 1964, ch. 224, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-42. - Hearing on denial, suspension, or revocation of driver's school or instructor's licenses — Review.

§ 31-10-42. Hearing on denial, suspension, or revocation of driver's school or instructor's licenses — Review.
(a)
The administrator of the division of motor vehicles shall notify an applicant for a driver's school or instructor's license of the denial of his or her application and a licensee of the proposed suspension or revocation of his or her license by mailing to the applicant or licensee, postage prepaid, a written notice stating the ground or grounds for the denial or proposed suspension or revocation and designating the place and a time not less than five (5) days later for a hearing thereon before the administrator of the division of motor vehicles, if a hearing is requested by the applicant or licensee. The administrator of the division of motor vehicles may adopt reasonable rules and regulations governing the procedure to be followed in any matter that may come before him or her for hearing, may administer oaths, subpoena and examine witnesses, compel the production of documents and other evidence, take depositions of witnesses residing without the state, and order payment of witness fees and mileage, all in the same manner as in civil actions in the superior court. The administrator of the division of motor vehicles, however, shall not be bound by technical rules of evidence.
(b)
Any person aggrieved by the denial of an application or the suspension or revocation of a license may, within thirty (30) days from the date the notice is mailed to that person, file in the supreme court a petition, duly verified, for a writ of certiorari, setting forth that the decision is illegal in whole or in part and specifying the grounds of illegality. Upon presentation of that petition, the court may allow a writ of certiorari directed to the administrator of the division of motor vehicles to review the decision of the administrator of the division of motor vehicles and shall prescribe in it the time within which return must be made. The allowance of the writ shall not stay proceedings upon the decision or the effect of them, but the court, upon application of the person aggrieved, may stay those proceedings or the effect of them.
History of Section.
P.L. 1964, ch. 224, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-43. - Penalties for violations.

§ 31-10-43. Penalties for violations.
Any person violating the provisions of § 31-10-6, 31-10-35, or 31-10-39 shall be guilty of a misdemeanor and, upon conviction, shall be fined not exceeding two hundred dollars ($200) or be imprisoned not exceeding three (3) months.
History of Section.
P.L. 1964, ch. 224, § 2; P.L. 1990, ch. 253, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-44. - Medical advisory board.

§ 31-10-44. Medical advisory board.
(a)
There shall be established within the division of motor vehicles a medical advisory board to function solely as an advisory panel to the administrator of the division of motor vehicles on the subjects of physical and mental fitness standards for licensure to operate a motor vehicle and eligibility standards for disability parking privileges. When any person's eligibility or continuing eligibility for a license is questioned on the grounds of physical or mental fitness, the administrator of the division of motor vehicles may consult

with relevant specialist members of the medical advisory board in determining that person's qualifications to operate a motor vehicle. The administrator of the division of motor vehicles may also consult with relevant specialist members of the medical advisory board in making determinations of eligibility for disability parking privileges.
(b)
In accordance with chapter 35 of title 42, the administrator of the division of motor vehicles shall establish by regulations functional standards for determining physical and mental fitness for motor vehicle licensure. The promulgated standards will be based on current medical knowledge and objective data regarding fitness to safely operate motor vehicles, and will conform to the requirements of the Americans With Disabilities Acts and chapter 87 of title 42. In developing those functional standards the administrator of the division of motor vehicles shall consult with knowledgeable health and rehabilitation professionals including the Medical Society of Rhode Island and the medical advisory board.
(c)
The medical board shall consist of a physician in general practice, a neurologist, a psychiatrist, an optometrist, and an orthopedic physician who shall be appointed by the governor; a physician from the Rhode Island department of health designated by the director of health who shall serve ex officio; and two (2) members of the general public approved by the governor, one of whom shall be representative of the elderly, and one of whom shall be representative of the people who are disabled. These members shall be appointed for a period of three (3) years.
(d)
Any physician or optometrist who diagnoses a physical or mental condition which in the physician's or optometrist's judgment will significantly impair the person's ability to operate safely a motor vehicle may voluntarily report the person's name and other information relevant to the condition to the medical advisory board within the division of motor vehicles.
(e)
Any physician or optometrist reporting in good faith and exercising due care shall have immunity from any liability, civil or criminal, that otherwise might result by reason of his or her actions pursuant to this section. No cause of action may be brought against any physician or optometrist for not making a report pursuant to this section.
(f)
For the purposes of this section, a "physician" is any person practicing medicine requiring a license pursuant to chapter 37 of title 5, and an "optometrist" is any person as defined in § 5-35-1.
(g)
Members of the medical board shall not be compensated for their services on the board. They shall meet at the request of the administrator of the division of motor vehicles at a time convenient to them.
History of Section.
P.L. 1967, ch. 185, § 1; P.L. 1980, ch. 226, § 22; P.L. 1982, ch. 414, § 13; P.L. 1984, ch. 225, § 1; P.L. 1986, ch. 502, § 1; P.L. 1998, ch. 89, § 1; P.L. 1999, ch. 83, § 69; P.L. 1999, ch. 130, § 69; P.L. 2000, ch. 109, § 62; P.L. 2005, ch. 117, art. 21, § 27.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-45. - Safety belts.

§ 31-10-45. Safety belts.
Each licensee of a driver school shall equip the front seats of school training vehicles with safety belts for the instructor and the student, and the student shall wear a safety belt during road instruction.
History of Section.
P.L. 1985, ch. 422, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-46. - Driver education course — Credit given.

§ 31-10-46. Driver education course — Credit given.
A driver education student who passes the driver education course but fails the learner's permit examination shall be given credit for passing the driver education course and need not retake it provided the student within ten (10) days retakes the learner's permit examination at the division of motor vehicles and passes it.
History of Section.
P.L. 1988, ch. 330, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-47. - Notification of selective service registration requirement.

§ 31-10-47. Notification of selective service registration requirement.
(a)
Any male, United States citizen or immigrant who is at least eighteen (18) years of age, but less than twenty-six (26) years of age shall be registered in compliance with the requirements of section 3 of the "Military Selective Service Act", 50 U.S.C. App. 451 et seq., when applying to receive a driver's license, renewal or identification card or renewal.
(b)

The division of motor vehicles shall forward in an electronic format the name, address, date of birth, social security number, if applicable to the applicant, and date of application to the selective service system. The applicant's submission of the application shall serve as an indication that the applicant has already registered with the selective service or that he is authorizing the department to forward to the selective service the necessary information for such registration. The department shall notify the applicant on the application that his submission of the application will serve as his consent to be registered with the selective service system, if so required by federal law.
(c)
The provisions of this section shall apply to male United States citizens or immigrants between the ages of eighteen (18) and twenty-six (26) who are applying for issuance, renewal or duplicate of an instruction permit, a driver's license, a provisional driver's license, a commercial driver's license, or an identification card on or after June 28, 2002.
History of Section.
P.L. 2002, ch. 374, § 2; P.L. 2003, ch. 408, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-48. - Veteran designation on operator license.

§ 31-10-48. Veteran designation on operator license.
(a)
The administrator of the division of motor vehicles shall, upon presentation of a United States Department of Defense (DD) FORM 214 or other acceptable documentation of military service and verification of an honorable discharge, issue a motor vehicle operator's license or commercial driver's license to the presenter that is clearly marked "veteran."
(b)
The presentment of an operator's license marked "veteran" shall have the same validity in retail establishments as the presentment of a certified, government-issued military identification card as eligibility for preferential treatment.
History of Section.
P.L. 2012, ch. 164, § 2; P.L. 2012, ch. 249, § 2; P.L. 2015, ch. 206, § 1; P.L. 2015, ch. 225, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-49. - Autism designations for motor vehicle operators — Blue envelope program. [Effective January 1, 2025.]

§ 31-10-49. Autism designations for motor vehicle operators — Blue envelope program. [Effective January 1, 2025.]
The administrator of the division of motor vehicles, in consultation with the Rhode Island Police Chiefs' Association and the Governor's Commission on Disabilities, shall develop and institute a "Blue Envelope Program" to enhance communications between police officers and persons with autism spectrum disorder. In developing the program, the division of motor vehicles shall consider best practices from implementation of similar programs in other jurisdictions. Participation in any program pursuant to this section shall be strictly voluntary.
History of Section.
P.L. 2024, ch. 89, § 1, effective January 1, 2025; P.L. 2024, ch. 90, § 1, effective January 1, 2025.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-5.1. - School bus driver annual training.

§ 31-10-5.1. School bus driver annual training.
(a)
The department of revenue shall promulgate any rules and regulations that it deems necessary to ensure that a ten-hour (10) training course is provided for all new school bus drivers and a three-hour (3) retraining course is provided to all renewal applicants on at least a yearly basis.
(b)
The training shall include, but not be limited to, defensive driving, the National Highway Traffic Safety Administration's School Bus Driver In-Service Series, and instruction in all state laws, rules, and regulations relating to school buses and school bus safety.
(c)
Prior to any renewal of any certificate of a school bus driver, the division of motor vehicles shall require proof of the renewal applicant's having successfully completed the annual retraining as provided in this section. Every ten (10) years that proof shall include the passing of a written examination prepared by the department of revenue, or the department of revenue's designee, and conducted by employees of the department.
History of Section.
P.L. 1986, ch. 413, § 2; P.L. 2008, ch. 98, § 9; P.L. 2008, ch. 145, § 9; P.L. 2016, ch. 47, § 1; P.L. 2016, ch. 56, § 1; P.L. 2022, ch. 425, § 1, effective June 30, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-5. - Special restrictions for drivers for compensation.

§ 31-10-5. Special restrictions for drivers for compensation.
(a)
No person who is under the age of twenty-one (21) years shall drive any school bus transporting school children or any motor vehicle when in use for the transportation of persons or property for compensation nor in either event until he or she has been licensed as a chauffeur for either purpose and the license so indicates. Colleges and universities shall be exempt from the requirement for a public plate for vehicles used to shuttle only students or employees to various points within the college or university campus or if a college or university owned or leased vehicle is used for the occasional transportation of college or university employees or students either on or off campus provided that the vehicle is operated by a college or university employee possessing a valid Rhode Island chauffeur's license or a commercial drivers license with a passenger endorsement. Provided, however, that the college or university shall operate the shuttle service and there shall be no specific charge for the transportation of students or employees. The division of motor vehicles shall not issue a chauffeur's license for either purpose unless the applicant has had at least one year of driving experience prior to the application, and has filed with the division of motor vehicles one or more certificates signed by a total of at least three (3) responsible people to whom he or she is well known certifying to the applicant's good character and habits and the administrator of the division of motor vehicles is fully satisfied as to the applicant's competency and fitness to be so employed.
(b)
In addition to the requirements provided in subsection (a) of this section, any person attempting to obtain a chauffeur's license to drive a school bus transporting school children shall, prior to being certified:
(1)
Successfully complete a ten (10) hour school bus driver training course conducted by the department of revenue or the department of revenue's designee and file a certificate of successful completion with the division of motor vehicles. The curriculum of that course and the accreditation of courses offered shall be pursuant to rules and regulations promulgated by the division of motor vehicles;
(2)
Pass a written examination prepared and given by the department of revenue or the department of revenue's designee.
(3)
Pass a driving test in a school bus of a like type which that person will be employed to drive. The test will be prepared and given by the department of revenue.
(c)
Prior to issuing a certificate to any person who intends to drive a school bus, the division of motor vehicles shall conduct a search of that person's motor vehicle record. Any violation of any safety regulation or conviction of any motor vehicle law in this or any other state shall be grounds for refusing to issue a certificate.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 5; P.L. 1952, ch. 2937, § 8; G.L. 1956, § 31-10-5; P.L. 1962, ch. 204, § 1; P.L. 1975, ch. 235, § 1; P.L. 1986, ch. 413, § 1; P.L. 2000, ch. 109, § 62; P.L. 2002, ch. 408, § 1; P.L. 2007, ch. 380, § 1; P.L. 2008, ch. 98, § 9; P.L. 2008, ch. 145, § 9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-6.1. - Supervising driver.

§ 31-10-6.1. Supervising driver.
A supervising driver must be the parent, guardian, licensed foster parent or adult or a certified driver education instructor. A supervising driver must be a licensed driver who has been licensed to drive for five (5) years.
History of Section.
P.L. 1998, ch. 371, § 2; P.L. 1998, ch. 386, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-6.2. - Out-of-state exceptions.

§ 31-10-6.2. Out-of-state exceptions.
A nonresident who is at least seventeen (17) years old but less than eighteen (18) years old, who has an unrestricted drivers license issued by that state, and who becomes a resident of this state may apply for and obtain within thirty (30) days of establishing residency one of the following:
(1) Temporary permit.
If the person has not completed a drivers education course that meets the requirements of the department of education but is currently enrolled in a drivers education course that meets these requirements. A temporary permit is valid for the period specified in the permit and authorizes the holder of the permit to drive a specified type or class of motor vehicle when in possession of the permit, subject to any restrictions imposed by the division of motor vehicles concerning time of driving, supervision, and passenger limitations. The period must end within ten (10) days after the expected completion date of the drivers education course in which the applicant is enrolled.
(2) Full operator's license.

If the person has completed a drivers education course that meets the requirements of the department of elementary and secondary education; has held the license issued by the other state for at least twelve (12) months; and has not been convicted during the preceding six (6) months of a motor vehicle moving violation, a seat belt infraction, or an offense committed in another jurisdiction that would be a motor vehicle moving violation or seat belt infraction if committed in this state.
(3) Limited provisional license.
If the person has completed a drivers education course that meets the requirements of the department of elementary and secondary education but either did not hold the license issued by the other state for at least twelve (12) months; or was convicted during the preceding six (6) months of a motor vehicle moving violation, a seat belt infraction or an offense committed in another jurisdiction that would be a motor vehicle moving violation or seat belt infraction if committed in this state.
History of Section.
P.L. 1998, ch. 371, § 2; P.L. 1998, ch. 386, § 2; P.L. 2010, ch. 239, § 28.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-6.3. - Duration and fee.

§ 31-10-6.3. Duration and fee.
A limited instruction permit expires on the eighteenth (18th) birthday of the permit holder. A limited provisional license expires on the eighteenth (18th) birthday of the permit holder. A full operator's license shall be issued and expires on the date pursuant to § 31-10-30. The fee for a limited instruction permit or a limited provisional license is ten dollars ($10.00). The fee for a full operator's license is the amount prescribed in § 31-10-31.
History of Section.
P.L. 1998, ch. 371, § 2; P.L. 1998, ch. 386, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-6.4. - Violations.

§ 31-10-6.4. Violations.
It is unlawful for the holder of a limited learner's permit, a temporary permit or a limited provisional license to drive a motor vehicle in violation of the restrictions that apply to that permit or license. Failure to comply with a restriction concerning time of driving or the presence of a supervising driver in the vehicle constitutes operating a motor vehicle without a license. Failure to comply with any other restriction, including seating and passenger limitations, is an infraction punishable by a monetary fine of eighty-five dollars ($85.00) for the first offense, ninety-five dollars ($95.00) for the second offense, and one hundred dollars ($100.00) for a third or any subsequent offenses.
History of Section.
P.L. 1998, ch. 371, § 2; P.L. 1998, ch. 386, § 2; P.L. 2008, ch. 100, art. 12, § 15.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-6.5. - Insurance status.

§ 31-10-6.5. Insurance status.
The holder of a limited instruction permit is not considered a licensed driver for purposes of determining the inexperience operator premium surcharge pursuant to automobile insurance policies.
History of Section.
P.L. 1998, ch. 371, § 2; P.L. 1998, ch. 386, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-6. - Graduated licensing for person under the age of eighteen (18).

§ 31-10-6. Graduated licensing for person under the age of eighteen (18).
(a) Purpose.
To ensure that license holders have sufficient training and experience and to promote safe, responsible driving, persons under the age of eighteen (18) shall be granted driving privileges on a limited basis as follows:
(1)
Level 1 — Limited instruction permit.
(2)
Level 2 — Limited provisional license.
(3)
Level 3 — Full operator's license.
(b) Requirements and privileges.
A permit or license issued pursuant to this section must have a color background or border that indicates the level of driving privileges granted by the permit or license.
(1) Limited instruction permit.

Any person who is at least sixteen (16) years of age but less than eighteen (18) years of age may apply to the division of motor vehicles for a limited instruction permit. The division of motor vehicles may, after the applicant has successfully completed a course of driver training prescribed in § 31-10-19 and passed a standardized written examination approved by the administrator of the division of motor vehicles or otherwise complied with the requirements of § 31-10-21, issue to the applicant a limited instruction permit that shall entitle the applicant to drive a motor vehicle only under the following conditions:
(i)
The permit holder must be in possession of the permit;
(ii)
A supervising driver must be seated beside the permit holder in the front seat of the vehicle when it is in motion;
(iii)
No person other than the supervising driver can be in the front seat;
(iv)
Every person occupying the vehicle being driven by the permit holder must have a safety belt properly fastened about his or her body, or be restrained by a child passenger restraint system as provided in § 31-22-22 when the vehicle is in motion;
(v)
The permittee shall wear a safety belt at all times unless the permittee provides the division of motor vehicles with a statement from a physician indicating that for medical reasons the permittee cannot wear a safety belt. A limited instruction permit shall be valid for a period of one year, and may be extended for a reasonable period of time if the holder of the permit provides the division of motor vehicles with evidence of a hardship. Any person who is at least sixteen (16) years of age and is enrolled in a commercial drivers' school or in a regularly recognized secondary school or college driver training program that is approved by the division of motor vehicles shall not be required to have a limited instruction permit while operating a dual-control training vehicle regularly used by that school in its driver training program and while a regular instructor in that school or program is occupying the seat beside that person.
(2) Limited provisional license.
A person may obtain a limited provisional license if the person meets all of the following requirements:
(i)(A)
Has held a limited instruction permit issued by the division of motor vehicles for at least six (6) months;
(B)
Has not been convicted of a motor vehicle moving violation or seat belt infraction during the preceding six (6) months;
(C)
Passes a road test administered by the division of motor vehicles and shall also meet the requirements of subsection (b)(2)(iii) of this section.
(ii)
A limited provisional license authorizes the license holder to drive a motor vehicle only under the following conditions:
(A)
The license holder must be in possession of the license.
(B)
The license holder may drive without supervision in any of the following circumstances:
(I)
From 5:00 a.m. to 1:00 a.m.;
(II)
When driving to or from work;
(III)
When driving to or from an activity of a volunteer fire department, volunteer rescue squad, or volunteer emergency medical service, if the driver is a member of one of these organizations;
(IV)
From 4:00 a.m. to 5:00 a.m. when driving between the license holder's home and a school-sponsored athletic activity for which no transportation is provided by the school.
(C)
The license holder may drive with supervision at any time. When the license holder is driving with supervision, the supervising driver must be seated beside the license holder in the front seat of the vehicle when it is in motion.
(D)
Every person occupying the vehicle being driven by the license holder must have a safety belt properly fastened about his or her body, or be restrained by a child safety passenger restraint system as provided in § 31-22-22 when the vehicle is in motion.
(iii)
In addition to meeting the requirements of subsection (b)(2)(i) of this section, a person under the age of eighteen (18) years seeking to obtain a provisional license shall present with his or her application a statement signed by the person's parent or guardian stating that the applicant has obtained a minimum of fifty (50) hours of experience with ten (10) of those at night as a driver while driving with a supervising driver. These fifty (50) hours may include driving lessons with a commercial driving school or any other

supervised driving.
(iv)
During the first twelve (12) months of a limited provisional license no more than one passenger younger than twenty-one (21) years of age is allowed in the vehicle. Immediate family/household members are excepted from this subsection.
(3) Full operator's license.(i)
A person who is at least seventeen (17) years old but less than eighteen (18) years old may apply for and obtain a full operator's license if the person meets all of the following requirements:
(A)
Has held a limited provisional license issued by the division of motor vehicles for at least twelve (12) months; and
(B)
Has not been convicted of a motor vehicle moving violation or seat belt infraction during the preceding six (6) months.
(ii)
A person who meets the requirements of this section may obtain a full operator's license by mail. The restrictions on Level 1 and Level 2 drivers concerning time of driving, supervision and passenger limitations do not apply to a full operator's license.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 6; P.L. 1951, ch. 2826, § 13; P.L. 1952, ch. 2937, § 8; P.L. 1954, ch. 3276, § 1; G.L. 1956, § 31-10-6; P.L. 1962, ch. 204, § 1; P.L. 1964, ch. 224, § 1; P.L. 1988, ch. 78, § 1; P.L. 1990, ch. 253, § 1; P.L. 1998, ch. 371, § 1; P.L. 1998, ch. 386, § 1; P.L. 2003, ch. 323, § 1; P.L. 2003, ch. 326, § 1; P.L. 2005, ch. 231, § 1; P.L. 2005, ch. 344, § 1; P.L. 2017, ch. 367, § 1; P.L. 2017, ch. 373, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-7. - Temporary driver's permit — Persons over the age of eighteen (18).

§ 31-10-7. Temporary driver's permit — Persons over the age of eighteen (18).
The division of motor vehicles may in its discretion issue a temporary driver's permit to an applicant for a full operator's license who has attained the age of eighteen (18). A temporary driver's permit shall permit the applicant to operate a motor vehicle while the division of motor vehicles is completing its investigation and determination of all facts relative to the applicant's right to receive a full operator's license. The temporary driver's permit must be in the applicant's immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's license has been issued or for good cause has been refused.
History of Section.
P.L. 1950, ch. 2595, art. 15, § 6; P.L. 1951, ch. 2826, § 13; P.L. 1954, ch. 3276, § 1; G.L. 1956, § 31-10-7; P.L. 1962, ch. 204, § 1; P.L. 1998, ch. 371, § 1; P.L. 1998, ch. 386, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-8. - Special armed forces operator's license.

§ 31-10-8. Special armed forces operator's license.
The administrator of the division of motor vehicles is authorized to issue a special form of motor vehicle operator's license, at no fee, to any person serving in the armed forces of the United States who at the time of his or her entrance into the armed forces was a legal resident of Rhode Island and the holder of a valid license. The special license shall be valid during the term of the person's period of service and for thirty (30) days thereafter unless sooner cancelled, suspended, or revoked for cause, and the person shall, while operating a motor vehicle upon the public highways, carry the special license upon his or her person and shall also carry upon his or her person conclusive evidence of the fact that he or she is a member of the armed forces of the United States.
History of Section.
P.L. 1955, ch. 3584, § 1; G.L. 1956, § 31-10-8; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-10 - Operators' and Chauffeurs' LicensesSection 31-10-9. - Operator's license issued after expiration of armed forces license.

§ 31-10-9. Operator's license issued after expiration of armed forces license.
Whenever an armed forces special license shall become invalid by reason of expiration, the person to whom it was issued shall, within a period of three (3) years from the date of the expiration, be entitled to receive a regular motor vehicle operator's license without submitting to an examination upon presentation of a proper application accompanied by the proper fee.
History of Section.
P.L. 1955, ch. 3584, § 1; G.L. 1956, § 31-10-9; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-1. - Authority of division of motor vehicles to cancel license.

§ 31-11-1. Authority of division of motor vehicles to cancel license.
(a)
The division of motor vehicles is authorized to cancel any operator's or chauffeur's license upon determining that the licensee was

not entitled to its issuance pursuant to this title or that the licensee failed to give the required or correct information in his or her application, or committed any fraud in making the application.
(b)
Upon the cancellation, the licensee must surrender the cancelled license to the division of motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 16, § 1; G.L. 1956, § 31-11-10; G.L. 1956, § 31-11-1; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-10. - Reinstatement after revocation or suspension.

§ 31-11-10. Reinstatement after revocation or suspension.
(a)
Any person whose license or privilege to drive a motor vehicle on the public highways has been revoked or suspended shall not be entitled to have a license or privilege renewed or restored unless the revocation or suspension was for a cause which has been removed. After the expiration of the term of the revocation or suspension he or she may apply to be restored to his or her right to drive, but the division of motor vehicles shall not grant the application unless and until it is satisfied after investigation of the driving ability of the person that it will be safe to license him or her to drive a motor vehicle on the public highways and it has received a reinstatement fee of one hundred and fifty dollars ($150.00). The reinstatement fee and assessment fee shall not be required by any person whose license was suspended on the basis of physical or mental fitness and who has later been declared competent to operate a motor vehicle.
(b)
Any person whose license has been suspended on the basis of physical or mental fitness shall have the right to request review at any time of the suspension determination in accordance with the hearing procedures of § 31-11-7(d) — (f).
(c)
If the license or privilege to drive a motor vehicle on the public highways has been revoked or suspended as a result of a violation of §§ 31-27-2, 31-27-2.1, 31-27-2.2 or 31-27-2.6 the reinstatement fee shall be three hundred and fifty ($350.00) dollars.
History of Section.
P.L. 1962, ch. 204, § 1; P.L. 1983, ch. 229, § 2; P.L. 1986, ch. 494, § 3; P.L. 1988, ch. 334, § 1: P.L. 1990, ch. 322, § 3; P.L. 1991, ch. 284, § 4; P.L. 1994, ch. 134, § 18; P.L. 1996, ch. 100, art. 16, § 1; P.L. 1998, ch. 89, § 4; P.L. 2009, ch. 5, art. 9, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-11. - Return of license certificate.

§ 31-11-11. Return of license certificate.
Upon the cancellation, suspension, or revocation of any license issued under chapter 10 of this title, the license shall be and become invalid for any purposes whatsoever and the license certificate shall be returned immediately to the division of motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 16, § 6; G.L. 1956, § 31-11-19; G.L. 1956, § 31-11-11; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-12. - Operation under foreign license during suspension or revocation in this state prohibited.

§ 31-11-12. Operation under foreign license during suspension or revocation in this state prohibited.
Any resident or nonresident whose operator’s or chauffeur’s license, or right or privilege to operate a motor vehicle in this state, has been suspended or revoked as provided in this chapter, shall not operate a motor vehicle in this state under a license, permit, or registration certificate issued by any other jurisdiction or otherwise during or after the suspension or revocation until he or she has been restored to the right to drive as provided in this chapter.
History of Section.
P.L. 1950, ch. 2595, art. 16, § 9; P.L. 1952, ch. 2937, § 9; G.L. 1956, § 31-11-24; G.L. 1956, § 31-11-12; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-13. - Failure to surrender license certificate.

§ 31-11-13. Failure to surrender license certificate.
If any person whose license has been cancelled, suspended, or revoked neglects or refuses to surrender the license certificate to the division of motor vehicles immediately upon demand by it or by any of its authorized agents, the person, in addition to being subject to the other penalties provided by this title, shall thereafter be disqualified from receiving any license to operate until the license certificate is returned to the division of motor vehicles or a reasonable explanation of the circumstances is given to the division of motor vehicles. In the absence of a reasonable explanation, the person shall be disqualified from receiving a license to operate motor vehicles under the provisions of chapter 10 of this title for a period of thirty (30) days in addition to the period of the suspension or revocation.
History of Section.

P.L. 1950, ch. 2595, art. 16, § 6; G.L. 1956, § 31-11-20; P.L. 1959 (s.s.), ch. 190, § 6; G.L. 1956, § 32-11-13; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-14. - Retention of suspended, cancelled, or revoked license — Seizure by peace officer.

§ 31-11-14. Retention of suspended, cancelled, or revoked license — Seizure by peace officer.
The division of motor vehicles upon suspending, canceling, or revoking a license shall require that the license be surrendered to and be retained by the division of motor vehicles. At the end of the period of suspension the license so surrendered may be returned to the licensee in accordance with the provisions of this chapter. If any person shall fail to return to the division of motor vehicles the license as required by the division of motor vehicles, the division of motor vehicles shall immediately direct any peace officer to secure possession of the license and to return it to the division of motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 16, § 8; P.L. 1954, ch. 3277, § 2; G.L. 1956, § 31-11-23; G.L. 1956, § 31-11-14; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-15. - Appeal from administrator's order.

§ 31-11-15. Appeal from administrator's order.
Any person aggrieved by any order of the administrator of the division of motor vehicles may appeal that order to the sixth division of the district court by filing, within ten (10) days from the date of the notice to that person of the issuance of the order, a petition in that court stating the grounds upon which the appeal is taken. Upon the filing of the petition and tendering a twenty-five dollar ($25.00) filing fee, the court shall cause thirty (30) days' notice of the pendency of the hearing to be given to the division of motor vehicles by serving the administrator of the division of motor vehicles, in the manner in which subpoenas in equity are served, with a certified copy of the petition. The petition shall follow the course of equity so far as it is applicable. Upon hearing this petition the court may review the evidence taken at a hearing, investigator's reports, or other information upon which the administrator's action was taken, and may in its discretion, affirm, or overrule or modify the order of the administrator of the division of motor vehicles. However, the taking of the appeal shall not operate as a stay of the order of the administrator of the division of motor vehicles from which the appeal is taken, and the order shall remain in full force and effect during the pendency of the appeal. A party aggrieved by a final order of the court may seek appellate review of the order pursuant to the procedures set forth in § 42-35-16.
History of Section.
P.L. 1950, ch. 2595, art. 16, § 10; G.L. 1956, § 31-11-15; G.L. 1956, § 31-11-15; P.L. 1962, ch. 204, § 1; P.L. 1976, ch. 140, § 14; P.L. 1992, ch. 453, § 11; P.L. 1999, ch. 218, art. 5, § 13.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-16. - Unlawful use of license.

§ 31-11-16. Unlawful use of license.
It is a civil violation for any person:
(1)
To display, or cause or permit to be displayed, or have in his or her possession any cancelled, revoked, suspended, fictitious, or fraudulently altered operator's or chauffeur's license;
(2)
To lend his or her operator's or chauffeur's license to any other person or knowingly permit the use of it by another;
(3)
To display or represent as one's own any operator's or chauffeur's license not issued to him or her;
(4)
To fail or refuse to surrender to the division of motor vehicles upon its lawful demand any operator's or chauffeur's license which has been suspended, revoked, or cancelled;
(5)
To use a false or fictitious name in any application for an operator's or chauffeur's license or to knowingly make a false statement or to knowingly conceal a material fact or otherwise commit a fraud in any such application;
(6)
To permit any unlawful use of an operator's or chauffeur's license issued to him or her; or
(7)
To do any act forbidden or fail to perform any act required by this title.
History of Section.
P.L. 1950, ch. 2595, art. 17, § 1; G.L. 1956, § 31-11-1; G.L. 1956, § 31-11-16; P.L. 1962, ch. 204, § 1; P.L. 1999, ch. 218, art. 6, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-17. - False swearing.

§ 31-11-17. False swearing.
Any person who makes any false affidavit, or knowingly swears or affirms falsely to any matter or thing required by the terms of this title to be sworn to or affirmed, is guilty of perjury, and upon conviction shall be punishable by fine or imprisonment as applicable to other perjuries.
History of Section.
P.L. 1950, ch. 2595, art. 17, § 2; G.L. 1956, § 31-11-2; G.L. 1956, § 31-11-17; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-18.1. - Driving after denial, revocation, or suspension for certain violations.

§ 31-11-18.1. Driving after denial, revocation, or suspension for certain violations.
(a)
Any person who drives a motor vehicle on any highway of this state who never applied for a license or who drives after his or her application for a license has been refused, or after his or her license has expired or who otherwise drives without a license or at a time when his or her license to operate is suspended, revoked, or cancelled, for: (1) operating under the influence of a narcotic drug or intoxicating liquor; (2) refusing to submit to a chemical test; reckless driving; (3) manslaughter from the operation of a motor vehicle or operating so as to endanger resulting in death; or (4) three (3) moving violations within a one-year period; shall be guilty of a misdemeanor for the first and second offenses and shall be deemed guilty of a felony for the third or subsequent offenses.
(b)
The division of motor vehicles upon receiving a record of the conviction of any person upon a charge of driving a motor vehicle while the license of the person was suspended, for reasons set forth in this section shall suspend the person's license or deny the person's application for any length of time that it shall deem proper but in no case less than an additional three (3) months. Upon receiving a record of conviction of a second violation of driving a motor vehicle while the license of that person was suspended for reasons set forth in this section, the division of motor vehicles shall suspend the person's license or deny the person's application for any length of time that it shall deem proper but in no case less than an additional six (6) months. Any subsequent conviction shall result in license revocation. Upon receiving a record of the conviction of any person upon a charge of driving after his or her application for a license had been refused, or after his or her license had been revoked or cancelled for reasons set forth in this section, the division of motor vehicles shall not issue a new license for an additional period of one year from and after the date the person would otherwise have been entitled to apply for a new license.
(c)(1)
Upon a first conviction under this section a mandatory fine of five hundred dollars ($500) shall be imposed, and if the person was driving after his or her application for a license had been refused, or at a time when his or her license to operate was suspended, revoked, or cancelled for operating under the influence of a controlled substance or intoxicating liquor, or his or her refusal to submit to a chemical test, reckless driving, manslaughter from the operation of a motor vehicle, or operation so as to endanger, death resulting, the person shall be imprisoned for a minimum of ten (10) days.
(2)
A mandatory fine of five hundred dollars ($500) for a second conviction under this section within a five (5) year period shall be imposed, and if the person was driving after his or her application for a license had been refused, or at a time when his or her license to operate was suspended, revoked, or cancelled for operating under the influence of a controlled substance or intoxicating liquor or his or her refusal to submit to a chemical test, reckless driving, manslaughter from the operation of a motor vehicle, or operation so as to endanger, death resulting, the person shall be imprisoned for a minimum of six (6) months to one year.
(3)
For any subsequent conviction within a five (5) year period, a fine of one thousand dollars ($1,000) shall be imposed and the person may be imprisoned for up to one year or be required to participate in a public service program designated and approved by the court. If the person was driving after his or her application for a license had been refused or at a time when his or her license to operate was suspended, revoked, or cancelled for: (i) operating under the influence of a controlled substance or intoxicating liquor; (ii) his or her refusal to submit to a chemical test; (iii) reckless driving; (iv) manslaughter from the operation of a motor vehicle; or (v) operating so as to endanger, death resulting; the person shall be imprisoned for a minimum of one year. Jurisdiction for violations of this section is given to the district court and the court shall have full authority to impose any sentence authorized for violations of this section.
(d)
No fines, suspensions, treatment, or jail provided for under this section can be suspended.
History of Section.
P.L. 1980, ch. 323, § 2; P.L. 1982, ch. 178, § 1; P.L. 1983, ch. 229, § 4; P.L. 2005, ch. 379, § 1; P.L. 2010, ch. 102, § 2; P.L. 2010, ch. 318, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-18. - Driving after denial, suspension, or revocation of license.

§ 31-11-18. Driving after denial, suspension, or revocation of license.
(a)

Any person who drives a motor vehicle on any highway of this state who never applied for a license, or who drives after his or her application for a license has been refused, or after his or her license has expired, or who otherwise drives without a license, or at a time when his or her license to operate is suspended, revoked, or cancelled, for reasons other than those provided for in § 31-11-18.1, shall be subject to penalties and sanctions set forth in this section.

(b)

Upon a first violation under this section, a civil penalty of not more than one hundred fifty dollars ($150) shall be imposed. For the second violation, a civil penalty of not more than two hundred fifty dollars ($250) shall be imposed. For a third violation, a civil penalty of not more than three hundred fifty dollars ($350) shall be imposed. All violations under this subsection shall be heard in the traffic tribunal.

(c)

Any person convicted of a fourth or a subsequent violation of subsection (a) shall be guilty of a misdemeanor and may, in the discretion of the sentencing judge, be imprisoned for a term not exceeding one year, fined not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000). Additionally, the sentencing judge may suspend the person's license for a period not to exceed one year. All violations under this subsection shall be heard in the district court.

(d)

Notwithstanding any other provision of this section, any person driving after his or her license has expired shall be issued a summons to appear in the traffic tribunal not fewer than ten (10) days after the issuance of the summons, and shall not be taken into custody based solely on this charge absent a warrant. Any person who shall cause his or her expired license to be reinstated by the division of motor vehicles within ten (10) days after issuance of the summons may present proof of reinstatement at the headquarters of the charging police department. Presentation of proof of reinstatement within ten (10) days after the issuance of the summons shall cause the summons to be voided and shall otherwise constitute a complete defense to the charge of driving after expiration of license and a bar to prosecution for that charge. Any convictions under subsection (c) shall be expunged pursuant to the provisions of chapter 1.3 of title 12. For the purposes of this subsection, each of the several state police barracks shall be considered as a separate police headquarters.

History of Section.

P.L. 1950, ch. 2595, art. 17, § 3; P.L. 1951, ch. 2826, § 16; G.L. 1956, § 31-11-3; G.L. 1956, § 31-11-18; P.L. 1962, ch. 204, § 1; P.L. 1979, ch. 278, § 1; P.L. 1980, ch. 323, § 1; P.L. 1982, ch. 279, § 1; P.L. 1983, ch. 229, § 3; P.L. 1988, ch. 646, § 1; P.L. 2000, ch. 157, § 1; P.L. 2000, ch. 446, § 1; P.L. 2016, ch. 128, § 1; P.L. 2016, ch. 134, § 1; P.L. 2022, ch. 336, § 1, effective January 1, 2023; P.L. 2022, ch. 337, § 1, effective January 1, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-19. - Permitting child under the age of 16 to drive.

§ 31-11-19. Permitting child under the age of 16 to drive.

No person shall cause or knowingly permit his or her child or ward under the age of sixteen (16) years to drive a motor vehicle upon any highway.

History of Section.

P.L. 1950, ch. 2595, art. 17, § 4; G.L. 1956, § 31-11-4; G.L. 1956, § 31-11-19; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-2. - Driving privileges of nonresidents.

§ 31-11-2. Driving privileges of nonresidents.

(a)

The privilege of driving a motor vehicle on the highways of this state given to a nonresident pursuant to this title shall be subject to suspension or revocation by the division of motor vehicles in the same manner and for the same cause as an operator's or chauffeur's license issued pursuant to this title may be suspended or revoked.

(b)

The division of motor vehicles is further authorized, upon receiving a record of the conviction in this state of a nonresident driver of a motor vehicle of any offense under the motor vehicle laws of this state, to forward a certified copy of the record to the motor vehicle administrator in the state where the convicted person is a resident.

History of Section.

P.L. 1950, ch. 2595, art. 16, § 2; G.L. 1956, § 31-11-11; G.L. 1956, § 31-11-2; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-20. - Permitting unauthorized person to drive prohibited.

§ 31-11-20. Permitting unauthorized person to drive prohibited.

No person shall authorize or knowingly permit a motor vehicle owned by him or her or under his or her control to be driven upon any highway by any person who is not authorized under this title or in violation of any of the provisions of this title.

History of Section.

P.L. 1950, ch. 2595, art. 17, § 5; G.L. 1956, § 31-11-5; G.L. 1956, § 31-11-20; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-21.1. - Penalty for employing of unlicensed/unauthorized operator.

§ 31-11-21.1. Penalty for employing of unlicensed/unauthorized operator.
(a)
The registered owner of any school bus used for the transportation of school children shall be responsible for insuring that any person operating the school bus is licensed as provided in chapter 10 of this title, and the failure of any driver to have the proper licenses and certificates shall result in a fine against the registered owner of not less than two hundred dollars ($200) nor more than five hundred dollars ($500) for each day the driver operates a school bus without the licenses and/or certificates. This fine shall be administered by the traffic tribunal. Nothing in this section shall preclude any civil or criminal penalty against the unlicensed operator of the school bus.
(b)
The registered owner of any school bus used for the transportation of school children shall obtain from the division of motor vehicles every year a certificate indicating that the operators of any school bus registered to the registered owner is in full compliance with all the requirements of this title.
(c)
The division of motor vehicles shall reply to any request made by any school bus owner in writing within ten (10) working days of the receipt of the request.
(d)
The division of motor vehicles shall prepare forms for the filing of requests and answers to them.
(e)
Licenses issued to school bus operators shall bear the date of the most recent division of motor vehicles check on its face.
(f)
The division of motor vehicles shall fix a fee for the providing of the information required by this section, which fee shall be paid by the registered owner making the request.
History of Section.
P.L. 1986, ch. 413, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-21. - Employment of unlicensed chauffeur prohibited.

§ 31-11-21. Employment of unlicensed chauffeur prohibited.
No person shall employ as a chauffeur of a motor vehicle any person not then licensed as provided in chapter 10 of this title.
History of Section.
P.L. 1950, ch. 2595, art. 17, § 6; G.L. 1956, § 31-11-6; G.L. 1956, § 31-11-21; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-22. - Rental to unauthorized person prohibited.

§ 31-11-22. Rental to unauthorized person prohibited.
No person shall rent a motor vehicle to any other person unless the latter person is then duly licensed under this title or, in the case of a nonresident, then duly licensed under the laws of the state or country of his or her residence, except a nonresident whose home state or country does not require that an operator be licensed.
History of Section.
P.L. 1950, ch. 2595, art. 17, § 7; G.L. 1956, § 31-11-7; G.L. 1956, § 31-11-22; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-23. - Inspection of license of person to whom vehicle rented required.

§ 31-11-23. Inspection of license of person to whom vehicle rented required.
No person shall rent a motor vehicle to another until he or she has inspected the operator’s or chauffeur’s license of the person to whom the vehicle is to be rented, and compared and verified the signature on it with the signature of the person written in his or her presence.
History of Section.
P.L. 1950, ch. 2595, art. 17, § 7; G.L. 1956, § 31-11-8; G.L. 1956, § 31-11-23; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-24. - Records of rentals.

§ 31-11-24. Records of rentals.
Every person renting a motor vehicle to another shall keep a record of the registration number of the motor vehicle so rented, the name and address of the person to whom the vehicle is rented, the number of the license of the latter person, and the date and place when and where the license was issued. The record shall be open to inspection by any police officer or employee of the division of

motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 17, § 7; G.L. 1956, § 31-11-9; G.L. 1956, § 31-11-24; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-25. - Suspension for failure to pay fine.

§ 31-11-25. Suspension for failure to pay fine.
(a)
The division of motor vehicles shall suspend the license of a person to operate a motor vehicle upon certification of the clerk of any county of the superior court or any supervising deputy clerk of the district court or a clerk of the traffic tribunal that the person has failed to pay fines or costs imposed for a violation of any provision of this title within the time period provided for payment by the court, or has failed to make satisfactory arrangements with the court for payment of the fines or costs; provided, however, the person shall first be entitled to request an ability to pay hearing by filing a request with the court that imposed the fines or costs.
(b)
The suspension shall remain in force until all fines or costs are paid to the respective court or satisfactory arrangements have been made with the court for payment of the fines or costs.
History of Section.
P.L. 1982, ch. 412, § 1; P.L. 1999, ch. 218, art. 6, § 5; P.L. 2019, ch. 217, § 1; P.L. 2019, ch. 236, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-3. - Resident's conviction in another state.

§ 31-11-3. Resident's conviction in another state.
The division of motor vehicles is authorized to suspend or revoke the license of any resident of this state or the privilege of a nonresident to drive a motor vehicle in this state upon receiving notice of the conviction of the person in another state of an offense in that state which, if committed in this state, would be grounds for the suspension or revocation of the license of an operator or chauffeur.
History of Section.
P.L. 1950, ch. 2595, art. 16, § 3; G.L. 1956, § 31-11-13; P.L. 1959, (s. s.), ch. 190, § 3; G.L. 1956, § 31-11-3; P.L. 1962, ch. 204 § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-4. - Seizure of license in possession of unauthorized person.

§ 31-11-4. Seizure of license in possession of unauthorized person.
The license certificate issued under chapter 10 of this title is nontransferable, and if found in the possession of any person other than the licensee may be seized immediately by any proper officer and shall be returned by the officer immediately to the division of motor vehicles. The seized license certificate shall immediately expire.
History of Section.
P.L. 1950, ch. 2595, art. 16, § 6; G.L. 1956, § 31-11-16; G.L. 1956, § 31-11-4; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-5. - Abstracts of court records — Recommendations of judge.

§ 31-11-5. Abstracts of court records — Recommendations of judge.
A full record shall be kept by every court in this state of every case in which a person is charged with violation of any provision of this title, or any act relative to motor vehicles, or to the operation of the vehicles. An abstract of the record shall be sent by the court to the division of motor vehicles within ten (10) days of the time when the case is disposed of. The abstract shall be made upon forms prepared by the division of motor vehicles and shall include all necessary information as to the parties to the cause, the nature of the offense, the date of the hearing, the plea, the decision, the judgment, and the result, and every abstract shall be certified by the clerk of the court. The division of motor vehicles shall keep the records and they shall be open to the public inspection during the business hours of the division of motor vehicles. The judge of any court in the state may, in his or her discretion, or upon the request of the division of motor vehicles or its agents, furnish to the division of motor vehicles the details of cases which have been heard before the court; and the judge may make an order to the division of motor vehicles as to the suspension of the license of the defendant in cases as he or she may deem necessary. The order shall be binding on the division of motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 16, § 4; G.L. 1956, § 31-11-14; G.L. 1956, § 31-11-5; P.L. 1962, ch. 204, § 1; P.L. 1986, ch. 494, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-6. - Offenses resulting in mandatory revocation of license.

§ 31-11-6. Offenses resulting in mandatory revocation of license.
The license of any chauffeur or operator shall be immediately revoked upon receipt by the division of motor vehicles of a record of

the operator’s or chauffeur’s final conviction for any of the following offenses and the term of revocation shall be for the periods enumerated:
(1)
Manslaughter resulting from the operation of a motor vehicle, or operating so as to endanger resulting in death, three (3) years;
(2)
Driving a motor vehicle while under the influence of a narcotic drug as defined in chapter 28 of title 21, which renders him or her incapable of safely driving a motor vehicle, one year;
(3)
Driving a motor vehicle while under the influence of intoxicating liquor, the period of time, if any, as may be ordered in the final sentence imposed by a court having jurisdiction to impose the sentence;
(4)
Any felony in the commission of which a motor vehicle is used, eighteen (18) months;
(5)
Failure to stop and render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another, two (2) years;
(6)
Perjury or the making of a false affidavit or statement under oath to the division of motor vehicles under any other law relating to the ownership or operation of motor vehicles, two (2) years;
(7)
Conviction, or forfeiture of bail not vacated, upon three (3) charges of reckless driving committed within a period of twelve (12) months, three (3) years;
(8)
Conviction of altered or fraudulent license used to purchase or attempt to purchase alcoholic beverages, three (3) months.
History of Section.
P.L. 1950, ch. 2595, art. 16, § 5; G.L. 1956, § 31-11-15; G.L. 1956, § 31-11-6; P.L. 1962, ch. 204, § 1; P.L. 1965, ch. 180, § 1; P.L. 1974, ch. 120, § 1; P.L. 1980, ch. 321, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-7. - Authority of division of motor vehicles to suspend license.

§ 31-11-7. Authority of division of motor vehicles to suspend license.
(a)(1)
The division of motor vehicles is authorized to suspend the license of an operator or chauffeur without preliminary hearing upon a showing by its records or other sufficient evidence that the licensee:
(i)
Has been adjudicated by a court of competent jurisdiction to have:
(A)
Committed an offense for which mandatory revocation or suspension of license is required upon conviction or adjudication;
(B)
Committed with such frequency of offenses against traffic regulations governing the movement of vehicles as to indicate a disrespect for traffic laws and a disregard for the safety of other persons on the highways;
(C)
Been a reckless or negligent driver of a motor vehicle;
(D)
Permitted an unlawful or fraudulent use of a license;
(E)
Committed an offense in another state which, if committed in this state, would be grounds for suspension or revocation;
(F)
Committed any offense enumerated in § 31-9-1;
(ii)
Is the subject of an order issued pursuant to § 14-1-67; or
(iii)
Poses an imminent safety risk to the general public as determined by the application of objectively ascertainable standards.
(2)
Except for paragraph (1)(ii) of this subsection, the suspension shall be for any length of time, not exceeding one year, that the division of motor vehicles shall determine is necessary in order to protect public safety based upon its findings of the circumstances under which the offense was committed, the likelihood of recurrence, and the deterrent effect that might reasonably be expected to result from the hardship a suspension or prospective suspension would entail. Any license suspended pursuant to paragraph (1)(ii) of this subsection shall be for the length of time set forth in the court order.
(b)

Upon suspending the license of any person as authorized by subsection (a) of this section, the division of motor vehicles shall immediately notify the licensee in writing of the factual and legal basis for the suspension, the procedure for requesting a hearing, and the rights afforded the individual pursuant to subsections (d) — (f) of this section. When physical or mental fitness is the basis for the suspension determination, the notice shall reference the specific functional standard promulgated pursuant to § 31-10-44(b), which was relied upon by the division of motor vehicles. Upon his or her request the division of motor vehicles shall afford the licensee an opportunity for a hearing as early as practical and no later than twenty (20) days after receipt of the request.
(c)
Except as authorized in subsection (a) of this section, whenever the division of motor vehicles proposes to suspend the license of any person, the division of motor vehicles shall afford a hearing to the licensee prior to suspending the person's license. When a licensee requests a hearing, no action to suspend his or her license shall be taken until a hearing decision has been rendered in accordance with subsections (d) — (f) of this section. The division of motor vehicles shall notify the licensee in writing of the factual and legal basis for the proposed suspension, the procedure for requesting a hearing, and the rights afforded the individual pursuant to subsections (d) — (f) of this section. When physical or mental fitness is the basis for the suspension recommendation, the notice shall reference the specific functional standard promulgated pursuant to § 31-10-44(b), which was relied upon by the division of motor vehicles.
(d)
The division of motor vehicles shall ensure that the hearing procedures afforded pursuant to subsection (b) and (c) of this section provide for: (1) an in person hearing before an impartial decision-maker; (2) the opportunity to compel the production of documents and witnesses, including members of the division of motor vehicles 's Medical Advisory Board; (3) the opportunity to confront and cross-examine witnesses; (4) access to all of the evidence upon which the division of motor vehicles relied in making its determination to suspend; and (5) the right to present any and all relevant evidence including the right to obtain and present the results of a recently administered road test. During any hearing, the division of motor vehicles shall bear the burden of proof as to the existence of the grounds for the suspension. The division of motor vehicles shall further ensure that during a hearing to determine the physical or mental fitness of a licensee, proof of the lack of physical or mental fitness shall be by clear and convincing evidence. The presumption of inability to operate a motor vehicle with safety established by the functional standards promulgated pursuant to § 31-10-44(b), shall be rebuttable by evidence that notwithstanding an individual's functional limitation, he or she is able to safely operate a motor vehicle.
(e)
For the purpose of the hearing procedures described in subsection (d) of this section, the administrator of the division of motor vehicles or his or her duly authorized agent may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers, and may require a reexamination of the licensee.
(f)
After the hearing conducted pursuant to subsection (d) of this section, the division of motor vehicles shall issue a written decision based solely on the evidence adduced at the hearing and containing the legal and factual basis for the determination. The division of motor vehicles may either rescind its order of suspension, determine suspension is not warranted; may continue, modify, or extend the suspension of the license; or may revoke the license.
History of Section.
P.L. 1950, ch. 2595, art. 16, § 6; G.L. 1956, §§ 31-11-17, 31-11-21; P.L. 1959 (s.s.), ch. 190, § 4; G.L. 1956, § 31-11-7; P.L. 1962, ch. 204, § 1; P.L. 1983, ch. 229, § 1; P.L. 1984, ch. 196, § 3; P.L. 1986, ch. 494, § 3; P.L. 1998, ch. 89, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-8. - Recommendation of court — Violation of § 31-27-4.

§ 31-11-8. Recommendation of court — Violation of § 31-27-4.
(a)
The division of motor vehicles shall suspend or revoke the license of a juvenile to operate a motor vehicle whenever the family court shall recommend the suspension or revocation, for any period of time as shall be recommended by the family court.
(b)
The license of any chauffeur or operator of a motor vehicle shall be suspended by the division of motor vehicles for a period fixed by any court of the state, not exceeding six (6) months, after final conviction for willfully evading or attempting to evade an order to stop by a uniformed police officer operating a marked police vehicle, as provided in § 31-27-4.
History of Section.
P.L. 1959 (s.s.), ch. 190, § 8; G.L. 1956, § 31-11-27; P.L. 1962, ch. 204, § 1; G.L. 1956, § 31-11-8; P.L. 1972, ch. 247, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-11 - Suspension or Revocation of Licenses — ViolationsSection 31-11-9. - Reexamination of licensees.

§ 31-11-9. Reexamination of licensees.
The division of motor vehicles, having good cause to believe that a licensed operator or chauffeur is incompetent or otherwise not qualified to be licensed, may upon written notice of at least five (5) days to the licensee require him or her to submit to an examination. Upon the conclusion of the examination the division of motor vehicles shall take action as may be appropriate and may

suspend or revoke the license of the person or permit him or her to retain the license, or may issue a license subject to restrictions as permitted under § 31-10-28. Refusal or neglect of the licensee to submit to the examination shall be grounds for suspension or revocation of his or her license.
History of Section.
P.L. 1950, ch. 2595, art. 16, § 7; G.L. 1956, § 31-11-22; G.L. 1956, § 31-11-9; P.L. 1962, ch. 204, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-12 - Applicability of Traffic RegulationsSection 31-12-1. - Places provisions applicable.

§ 31-12-1. Places provisions applicable.
The provisions of chapters 12 — 27 of this title relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways and on all state, city or town owned public property except:
(1)
Where a different place is specifically referred to in a given section.
(2)
The provisions of chapter 26 of this title and §§ 31-27-1 — 31-27-4 shall apply upon highways and elsewhere throughout the state.
History of Section.
P.L. 1950, ch. 2595, art. 21, § 1; G.L. 1956, § 31-12-1; P.L. 1971, ch. 286, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-12 - Applicability of Traffic RegulationsSection 31-12-10. - Animals and animal-drawn vehicles.

§ 31-12-10. Animals and animal-drawn vehicles.
Every person riding an animal or driving any animal-drawn vehicle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by chapters 12 — 27 of this title, except those provisions of those chapters which by their very nature can have no application.
History of Section.
P.L. 1950, ch. 2595, art. 21, § 6; G.L. 1956, § 31-12-10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-12 - Applicability of Traffic RegulationsSection 31-12-11. - Uniformity of application.

§ 31-12-11. Uniformity of application.
The provisions of chapters 12 — 27 of this title shall be applicable and uniform throughout this state and in all political subdivisions and municipalities in the state, and no local authority shall enact or enforce any ordinance, rule, or regulation in conflict with the provisions of chapters 12 — 27 of this title unless expressly authorized in them.
History of Section.
P.L. 1950, ch. 2595, art. 21, § 7; G.L. 1956, § 31-12-11; P.L. 1990, ch. 65, art. 57, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-12 - Applicability of Traffic RegulationsSection 31-12-12. - Powers of local authorities.

§ 31-12-12. Powers of local authorities.
(a)
The provisions of chapters 12 — 27 of this title shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:
(1)
Regulating the standing or parking of vehicles;
(2)
Regulating traffic by means of police officers or traffic control signals;
(3)
Regulating or prohibiting processions or assemblages on the highways;
(4)
Designating particular highways as one-way highways and requiring that all vehicles on them be moved in one specific direction;
(5)
Regulating the speed of vehicles in public parks;
(6)
Designating any highway as a through highway and requiring that all vehicles stop before entering or crossing the highway or designating any intersection as a stop intersection and requiring all vehicles to stop at one or more entrances to the stop intersection;
(7)
Restricting the use of highways as authorized in §§ 31-25-25 and 31-25-26;
(8)

Regulating the operation of bicycles and requiring the registration and licensing of bicycles, including the requirement of a registration fee;
(9)
Regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;
(10)
Altering the prima facie speed limits as authorized by these chapters;
(11)
Adopting any other traffic regulations that are specifically authorized by chapters 12 — 27 of this title.
(b)
The city council of the city of Woonsocket is authorized and empowered to enact ordinances providing that the chief of police, or the police officers as he or she may from time to time designate, may impound, by means of a "Denver boot" or other immobilization device, or cause to be impounded, through the agency of a person or persons in the employ of the city of Woonsocket or the police department, or by independent contractor, any vehicle parked or standing on any part of any way under the control of the city, if in the calendar year in which the vehicle is so impounded and in the preceding calendar year, the aggregate of five (5) or more notices of violation of any ordinances adopted for the regulation of parking of motor vehicles (whether adopted prior to or subsequent to the passage of this chapter), have been affixed to the vehicle. The ordinance shall provide for a post-impoundment hearing which shall be held between the time of impoundment and not more than seven (7) days afterwards, at which any defense may be asserted. The ordinance may impose liability for the reasonable cost of the impoundment on the owner of the vehicle, and may provide that if a vehicle is so impounded, the vehicle shall be held until all fines and charges lawfully imposed for the impoundment have been paid. The police department shall promptly mail written notice to the registered owner of the impounded vehicle, directed to the address furnished by the division of motor vehicles or comparable agency of the state in which the vehicle is registered, stating the date on which the vehicle was impounded, the location at which it was impounded, and a statement that it will be released on the payment of all fines and charges lawfully imposed for the impoundment. If, after thirty (30) days of mailing of the notice to the registered owner as provided for in this subsection, the owner has not paid all fines and charges imposed for the impounding, the vehicle so impounded shall be deemed to have been abandoned and may be disposed of in accordance with §§ 31-22-14, 31-22-15, 31-22-17, and 31-22-18, first applying the proceeds to pay all fines and charges imposed for the impoundment. Vehicles owned by the state or a political subdivision of it; by the United States or any instrumentality of it; or registered by a member of a foreign diplomatic corps or by a foreign consular officer who is a citizen of the United States and bearing a distinctive number plate or otherwise conspicuously marked as so owned or registered; and vehicles and persons described in §§ 31-28-4, 31-28-6, and 31-28-7; shall not, however, be subject to impoundment. Violations of this section are subject to fines enumerated in § 31-41.1-4.
(c)
The city council of the city of Warwick is authorized and empowered to enact ordinances providing that the chief of police, or the police officers as he or she may from time to time designate, may impound unregistered off-road recreational vehicles and snowmobiles that are unlawfully used on public roads and, after notice and hearing in the Warwick municipal court, may destroy such vehicles and snowmobiles so impounded. Further, the city council of the city of Warwick is authorized and empowered to enact ordinances prohibiting gasoline filling stations from selling gasoline and gasoline products to unregistered off-road recreational vehicles and snowmobiles.
History of Section.
P.L. 1950, ch. 2595, art. 21, § 8; G.L. 1956, § 31-12-12; P.L. 1983, ch. 249, § 1; P.L. 2002, ch. 292, § 107; P.L. 2022, ch. 275, § 1, effective July 2, 2022; P.L. 2022, ch. 331, § 1, effective July 6, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-12 - Applicability of Traffic RegulationsSection 31-12-13. - Local regulations to be posted.

§ 31-12-13. Local regulations to be posted.
No ordinance or regulation enacted under subdivision (a)(4), (a)(5), (a)(6), (a)(7), or (a)(10) of § 31-12-12 shall be effective until signs giving notice of the local traffic regulations are posted upon or at the entrances to the highway or part of it as may be most appropriate.
History of Section.
P.L. 1950, ch. 2595, art. 21, § 8; G.L. 1956, § 31-12-13.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-12 - Applicability of Traffic RegulationsSection 31-12-14. - State approval for traffic control devices on state highways.

§ 31-12-14. State approval for traffic control devices on state highways.
No local authority shall erect or maintain any stop sign or traffic control signal at any location so as to require the traffic on any state highway to stop before entering or crossing any intersecting highway unless approval in writing has first been obtained from the state traffic commission.
History of Section.
P.L. 1950, ch. 2595, art. 21, § 8; G.L. 1956, § 31-12-14; P.L. 2008, ch. 98, § 12; P.L. 2008, ch. 145, § 12.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-12 - Applicability of Traffic RegulationsSection 31-12-15. - Powers of landowners preserved.

§ 31-12-15. Powers of landowners preserved.
Nothing in chapters 1 — 27 of this title shall be construed to prevent the owner of real property used by the public for purposes of vehicular travel by permission of the owner and not as matter of right, from prohibiting such use, or from requiring other or different or additional conditions than those specified in chapters 12 — 27 of this title, or otherwise regulating such use as may seem best to the owner.
History of Section.
P.L. 1950, ch. 2595, art. 21, § 9; G.L. 1956, § 31-12-15.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-12 - Applicability of Traffic RegulationsSection 31-12-3. - Obedience to police officers.

§ 31-12-3. Obedience to police officers.
No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer invested by law with authority to direct, control, or regulate traffic, including any order or direction pertaining to fire lane parking violations whether on private or public property.
History of Section.
P.L. 1950, ch. 2595, art. 21, § 3; G.L. 1956, § 31-12-3; P.L. 1983, ch. 159, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-12 - Applicability of Traffic RegulationsSection 31-12-4. - Applicability to public vehicles.

§ 31-12-4. Applicability to public vehicles.
The provisions of chapters 12 — 27 of this title applicable to the drivers of vehicles upon the highways shall apply to the drivers of all vehicles owned or operated by the United States, this state, or any county, city, town, district, or any other political subdivision of the state except as provided in § 31-12-5, and subject to any specific exceptions as are set forth in these chapters with reference to authorized emergency vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 21, § 4; G.L. 1956, § 31-12-4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-12 - Applicability of Traffic RegulationsSection 31-12-5. - Exemption of highway workers.

§ 31-12-5. Exemption of highway workers.
Unless specifically made applicable, the provisions of chapters 12 — 27 of this title shall not apply to persons, teams, motor vehicles, and other equipment while actually engaged in work upon the surface of a highway but shall apply to the persons and vehicles when traveling to or from this work.
History of Section.
P.L. 1950, ch. 2595, art. 21, § 4; G.L. 1956, § 31-12-5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-12 - Applicability of Traffic RegulationsSection 31-12-6. - Emergency vehicles — Times when entitled to special privileges.

§ 31-12-6. Emergency vehicles — Times when entitled to special privileges.
(a)
The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an alleged violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in § 31-12-7, but subject to the conditions stated in this section and in §§ 31-12-8 and 31-12-9.
(b)
Upon establishment of the law enforcement agency accreditation council, the council shall adopt uniform rules and regulations to govern high speed pursuits in the state in accordance with the standards established by the National Law Enforcement Accreditation Agency. Until such rules are adopted, all police departments within the state shall submit to the department of the attorney general a copy of their high speed pursuit policies, which shall be available to the public.
History of Section.
P.L. 1950, ch. 2595, art. 21, § 5; G.L. 1956, § 31-12-6; P.L. 1990, ch. 173, § 1; P.L. 2000, ch. 109, § 64.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-12 - Applicability of Traffic RegulationsSection 31-12-7. - Privileges allowed emergency vehicles.

§ 31-12-7. Privileges allowed emergency vehicles.
The driver of an authorized emergency vehicle may:
(1)

Park or stand, irrespective of the provisions of any law;
(2)
Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
(3)
Exceed the prima facie speed limits so long as he or she does not endanger life or property;
(4)
Disregard regulations governing direction of movement or turning in specified directions.
History of Section.
P.L. 1950, ch. 2595, art. 21, § 5; P.L. 1952, ch. 2937, § 11; G.L. 1956, § 31-12-7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-12 - Applicability of Traffic RegulationsSection 31-12-8. - Warning signals given by emergency vehicles.

§ 31-12-8. Warning signals given by emergency vehicles.
The exemptions granted in this chapter to an authorized emergency vehicle shall apply only when the driver of the vehicle while in motion sounds an audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred feet (500′) to the front of the vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.
History of Section.
P.L. 1950, ch. 2595, art. 21, § 5; G.L. 1956, § 31-12-8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-12 - Applicability of Traffic RegulationsSection 31-12-9. - Due care by emergency vehicles.

§ 31-12-9. Due care by emergency vehicles.
The provisions of this chapter shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall the provisions protect the driver from the consequences of the driver’s reckless disregard for the safety of others.
History of Section.
P.L. 1950, ch. 2595, art. 21, § 5; G.L. 1956, § 31-12-9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-13 - Traffic Control DevicesSection 31-13-1. - State traffic commission — Manual of traffic control devices.

§ 31-13-1. State traffic commission — Manual of traffic control devices.
(a)
There is established a state traffic commission consisting of the superintendent of state police or his or her designee from within the department of state police, the director of the department of revenue or his or her designee from within the division of motor vehicles, the director of the department of transportation or his or her designee from within the department of transportation, the governor’s representative to the National Highway Traffic Safety Administration or his or her designee, and a member of the public appointed by the governor with the advice and consent of the senate, with respect to which appointment the governor shall solicit and give due consideration to the recommendation of the Rhode Island Police Chief’s Association. The commission shall elect from among the members a chair and such other officers as it deems necessary.
(b)
For the purpose of standardization and uniformity, the commission shall adopt and cause to be printed for publication a manual of regulations and specifications establishing a uniform system of traffic control signals, devices, signs, and marking consistent with the provisions of this chapter for use upon the public highways. The commission shall establish the traffic regulations under chapters 12 — 27 of this title. The commission shall meet not less frequently than monthly. The department of transportation shall provide all staff services and quarters required by the commission.
(c)
Within ninety (90) days after the end of each fiscal year, the commission shall approve and submit an annual report to the governor, the speaker of the house of representatives, the president of the senate, and the secretary of state, of its activities during that fiscal year. The report shall provide: an operating statement summarizing meetings or hearings held, including meetings minutes, subjects addressed, decisions rendered, applications considered and their disposition, rules or regulations promulgated, studies conducted, policies and plans developed, approved, or modified, and programs administered or initiated; a consolidated financial statement of all funds received and expended including the source of the funds, a listing of any staff supported by these funds, and a summary of any clerical, administrative or technical support received; a summary of performance during the previous fiscal year including accomplishments, shortcomings and remedies; a synopsis of hearings, complaints, suspensions, or other legal matters related to the authority of the counsel; a summary of any training courses held pursuant to the provisions of this chapter; a briefing on anticipated activities in the upcoming fiscal year, and findings and recommendations for improvements. The report shall be posted electronically on the websites of the general assembly and the secretary of state pursuant to the provisions of § 42-20-8.2. The

director of the department of transportation shall be responsible for the enforcement of the provisions of this subsection.
(d)
To conduct a training course for newly appointed and qualified members within six (6) months of their qualification or designation. The course shall be developed by the chair of the commission, be approved by the commission, and be conducted by the chair of the commission. The commission may approve the use of any commission and/or staff members and/or individuals to assist with training. The training course shall include instruction in the following areas: the provisions of chapter 46 of title 42, chapter 14 of title 36, and chapter 2 of title 38; and the commission's rules and regulations. The director of the department of transportation shall, within ninety (90) days of the effective date of this act [June 16, 2006], prepare and disseminate training materials relating to the provisions of chapter 46 of title 42, chapter 14 of title 36, and chapter 2 of title 38.
History of Section.
P.L. 1950, ch. 2595, art. 22, § 1; G.L. 1956, § 31-13-1; P.L. 1968, ch. 113, § 1; P.L. 1970, ch. 5, § 1; P.L. 1970, ch. 111, § 4; P.L. 1971, ch. 7, § 1; P.L. 1975, ch. 259, § 1; P.L. 2006, ch. 103, § 4; P.L. 2006, ch. 144, § 4; P.L. 2008, ch. 98, § 13; P.L. 2008, ch. 145, § 13; P.L. 2011, ch. 46, § 1; P.L. 2011, ch. 50, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-13 - Traffic Control DevicesSection 31-13-10.1. - Traffic control signal preemption devices.

§ 31-13-10.1. Traffic control signal preemption devices.
(a)
As used in this section, "traffic control signal preemption device" means any device, either mechanical or electrical, that emits a pulse of light or other signal that, when received by a detector attached to a traffic control signal, changes that traffic control signal to a green light or, if the traffic control signal is already green, extends the duration of the green light.
(b)
Except as provided in subsection (d), no retailer or manufacturer shall sell or install any traffic control signal preemption device on a motor vehicle, nor may any such device be transported in the passenger compartment of a motor vehicle, nor be operated by the driver or passenger of a motor vehicle.
(c)
Any person who shall violate the provisions of subsection (b) of this section shall be fined not less than five hundred dollars ($500), which fine shall be deposited into the state general fund.
(d)
Installation of a traffic control signal preemption device is permitted on the following vehicles, and operation of the device is permitted as follows:
(1)
Police department vehicles, when responding to a bona fide emergency, when used in combination with red or blue oscillating, rotating, or flashing lights;
(2)
Law enforcement vehicles of state or local authorities, when responding to a bona fide emergency, when used in combination with red oscillating, rotating, or flashing lights; and
(3)
Vehicles of local fire departments and state or federal firefighting vehicles, when responding to a bona fide emergency, when used in combination with red oscillating, rotating, or flashing lights.
(4)
Buses under the operation and/or control of the Rhode Island public transit authority, only when used to prolong a green light signal.
History of Section.
P.L. 2004, ch. 384, § 1; P.L. 2004, ch. 450, § 1; P.L. 2009, ch. 35, § 1; P.L. 2009, ch. 263, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-13 - Traffic Control DevicesSection 31-13-10. - Unauthorized signs and devices prohibited.

§ 31-13-10. Unauthorized signs and devices prohibited.
(a)
No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal, and no person shall place or maintain upon any highway any traffic sign or signal bearing on it any commercial advertising without the consent of the chief of police of the city or town in which the highway is located. This shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.
(b)
Every prohibited sign, signal, or marking is declared to be a public nuisance, and the authority having jurisdiction over the highway is empowered to remove it or cause it to be removed without notice.

History of Section.
P.L. 1950, ch. 2595, art. 22, § 8; P.L. 1953, ch. 3207, § 2; G.L. 1956, § 31-13-10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-13 - Traffic Control DevicesSection 31-13-11. - Injury to signs and devices.

§ 31-13-11. Injury to signs and devices.
No person shall without lawful authority attempt to or in fact alter, deface, injure, knock down, or remove any official traffic control device or any railroad sign or signal or any inscription, shield, or insignia on it or any other part of it. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 22, § 9; G.L. 1956, § 31-13-11; P.L. 2002, ch. 292, § 108.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-13 - Traffic Control DevicesSection 31-13-12. - Traffic control near road construction and maintenance operation.

§ 31-13-12. Traffic control near road construction and maintenance operation.
The standards set forth in section VI of the Manual on Uniform Traffic Control Devices for Streets and Highways, prepared by the National Joint Committee on Uniform Traffic Control Devices, pertaining to situations where traffic must be moved through or around road construction and maintenance operations, are incorporated by reference and are to be considered the minimum standards relative to those situations.
History of Section.
P.L. 1973, ch. 21, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-13 - Traffic Control DevicesSection 31-13-13. - Hospital sign indicating emergency treatment facility.

§ 31-13-13. Hospital sign indicating emergency treatment facility.
The director of transportation is directed to include on all signs indicating a hospital area, directions to a hospital, or the presence of a hospital, and whether the hospital has an emergency treatment facility.
History of Section.
P.L. 1974, ch. 238, § 1; P.L. 2008, ch. 98, § 13; P.L. 2008, ch. 145, § 13.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-13 - Traffic Control DevicesSection 31-13-14. - Time period to complete projects.

§ 31-13-14. Time period to complete projects.
All projects approved by the state traffic commission pursuant to this chapter shall be completed before the end of the following construction season with the exception of geometric improvements/roundabouts and new signals.
History of Section.
P.L. 2017, ch. 450, § 1; P.L. 2017, ch. 477, § 1; P.L. 2018, ch. 346, § 23.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-13 - Traffic Control DevicesSection 31-13-2. - Devices on state highways.

§ 31-13-2. Devices on state highways.
(a)
The state traffic commission shall place and maintain any traffic control devices, conforming to its manual and specifications, upon any state highways, that it shall deem necessary to indicate and to carry out the provisions of chapters 12 — 27 of this title or to regulate, warn, or guide traffic.
(b)
No local authority shall place or maintain any traffic control device upon any highway under the jurisdiction of the state traffic commission except by the latter’s permission.
History of Section.
P.L. 1950, ch. 2595, art. 22, § 2; G.L. 1956, § 31-13-2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-13 - Traffic Control DevicesSection 31-13-3. - Devices on local highways.

§ 31-13-3. Devices on local highways.
The traffic authority of any city or town may place and maintain traffic control signals, signs, markings, and other safety devices upon the highways under their jurisdiction as they may deem necessary to indicate and carry out the provisions of chapters 12 — 27 of this title, or local traffic ordinances or to regulate, warn or guide traffic, provided the signals, signs, markings, and devices conform to the regulations and specifications established by the state traffic commission in accordance with this chapter.

History of Section.
P.L. 1950, ch. 2595, art. 22, § 3; G.L. 1956, § 31-13-3; P.L. 1968, ch. 113, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-13 - Traffic Control DevicesSection 31-13-5. - Signs prerequisite to enforcement of provisions.

§ 31-13-5. Signs prerequisite to enforcement of provisions.
No provision of chapters 12 — 27 of this title for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, the section shall be effective even though no signs are erected or in place.
History of Section.
P.L. 1950, ch. 2595, art. 22, § 4; G.L. 1956, § 31-13-5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-13 - Traffic Control DevicesSection 31-13-6. - Meaning of traffic control signals.

§ 31-13-6. Meaning of traffic control signals.
Traffic control signals shall have the following meanings for vehicles and pedestrians:
(1)
Steady green signals shall have the following meanings:
(i)
Vehicular traffic facing a circular green signal is permitted to proceed straight through or turn right or left or make a U-turn movement, except as such movement is prohibited by lane-use signs, turn prohibition signs, lane markings, separate turn signal, or other traffic control devices.
(A)
Vehicular traffic, including vehicles turning right or left or making a U-turn movement, shall yield the right-of-way to:
(I)
Pedestrians lawfully within an associated crosswalk; and
(II)
Other vehicles lawfully within the intersection.
(B)
Vehicular traffic turning left or making a U-turn movement to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard during the time when such turning vehicle is moving across or within the intersection.
(ii)
Pedestrians facing a circular green signal, unless otherwise directed by a pedestrian signal or other traffic control device, are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. The pedestrian shall yield the right-of-way to vehicles lawfully within the intersection or so close as to create an immediate hazard at the time that the green signal is first displayed.
(iii)
A bicyclist facing a green bicycle signal may proceed straight through or turn right or left unless a sign at that place prohibits either turn. The bicyclist shall yield the right-of-way to other vehicles within the intersection at the time the green bicycle signal is shown.
(iv)
Vehicular traffic facing a green arrow signal, displayed alone or in combination with another signal, is permitted to cautiously enter the intersection only to make the movement indicated by the arrow, or such other movement as is permitted by other signals displayed at the same time.
(A)
Vehicular traffic, including vehicles turning right or left or making a U-turn movement, shall yield the right-of-way to:
(I)
Pedestrians lawfully within an associated crosswalk; and
(II)
Other vehicles lawfully within the intersection.
(v)
Pedestrians facing a green arrow signal, unless otherwise directed by a pedestrian signal or other traffic control device, shall not cross the roadway.
(2)
Steady yellow signals shall have the following meanings:
(i)
Vehicular traffic facing a steady circular yellow signal is warned that the related green movement is being terminated and that a steady red signal will be displayed immediately thereafter when vehicular traffic shall not enter the intersection. The rules set forth

concerning vehicular operation under the movement(s) being terminated shall continue to apply while the steady circular yellow signal indication is displayed.
(ii)
A bicyclist facing a steady yellow bicycle signal is thereby warned that the related right-of-way is being terminated and that a red bicycle signal will be shown immediately. A bicyclist facing a steady yellow bicycle signal shall stop at a clearly marked stop line, but if none, shall stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, then before entering the intersection. If a bicyclist cannot stop safely, the bicyclist may proceed cautiously through the intersection.
(iii)
Vehicular traffic facing a steady yellow arrow signal is warned that the related green arrow movement or the related flashing arrow movement is being terminated. The rules set forth concerning vehicular operation under the movement(s) being terminated shall continue to apply while the steady yellow arrow signal is displayed.
(iv)
Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian signal or other traffic control device, shall not start to cross the roadway.
(3)
Steady red signals shall have the following meanings:
(i)
Vehicular traffic facing a steady circular red signal, unless entering the intersection to make another movement permitted by another signal, shall stop at a clearly marked stop line; but if there is no stop line, traffic shall stop before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, then before entering the intersection; and shall remain stopped until a signal to proceed is displayed, or as provided below:
(A)
Except when a traffic control device is in a place prohibiting a turn on red or a steady red arrow signal is displayed, vehicular traffic facing a steady circular red signal is permitted to enter the intersection to turn right. The right to proceed with the turn shall be subject to the rules applicable after making a stop at a stop sign.
(ii)
Vehicular traffic facing a steady red arrow signal shall not enter the intersection to make the movement indicated by the arrow, unless entering the intersection to make another movement permitted by another signal, and shall stop at a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, then before entering the intersection; and shall remain stopped until a signal or other traffic control device permitting the movement indicated by the red arrow is displayed.
(iii)
Pedestrians facing a steady circular red or steady red arrow signal shall not enter the roadway, unless otherwise directed by a pedestrian signal or other traffic control device.
(iv)
A bicyclist facing a steady red bicycle signal shall stop at a clearly marked stop line, but if none, before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, then before entering the intersection. The bicyclist shall remain stopped until a green bicycle signal is shown.
(4)
Flashing yellow signals shall have the following meanings:
(i)
Vehicular traffic on an approach to an intersection facing a flashing circular yellow signal is permitted to cautiously enter the intersection to proceed straight through or turn right or left or make a U-turn except as such movement is prohibited by lane-use signs, turn prohibition signs, lane markings, turn signals, or other traffic control devices.
(A)
Such vehicular traffic, including vehicles turning right or left or making a U-turn, shall yield the right-of-way to:
(I)
Pedestrians lawfully within an associated crosswalk; and
(II)
Other vehicles lawfully within the intersection.
(B)
Vehicular traffic turning left or making a U-turn to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard during the time when the turning vehicle is moving across or within the intersection.
(ii)
When a flashing circular yellow signal(s) is displayed as a beacon to supplement another traffic control device, road users are notified that there is a need to pay extra attention to the message contained thereon or that the regulatory or warning requirements of the other traffic control device, which may not be applicable at all times, are currently in force.
(iii)

Vehicular traffic, on an approach to an intersection facing a flashing yellow arrow signal, displayed alone or in combination with another signal, is permitted to cautiously enter the intersection only to make the movement indicated by such arrow, or other such movement as is permitted by other signal displayed at the same time.
(A)
Vehicular traffic, including vehicles turning right or left or making a U-turn, shall yield the right-of-way to:
(I)
Pedestrians lawfully within an associated crosswalk; and
(II)
Other vehicles lawfully within the intersection.
(B)
Vehicular traffic turning left or making a U-turn to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard during the time when the turning vehicle is moving across or within the intersection.
(iv)
Pedestrians facing any flashing yellow signal at an intersection, unless otherwise directed by a pedestrian signal or other traffic control device, are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. Pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that the flashing yellow signal is first displayed.
(5)
Flashing red signals shall have the following meanings:
(i)
Vehicular traffic, on an approach to an intersection facing a flashing circular red signal shall stop at a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. The right to proceed shall be subject to the rules applicable after making a stop at a stop sign.
(ii)
When a flashing circular red signal(s) is displayed as a beacon to supplement another traffic control device, road users are notified that there is a need to pay extra attention to the message contained thereon or that the regulatory requirements of the other traffic control device, which may not be applicable at all times, are currently in force.
(iii)
Vehicular traffic, on an approach to an intersection, facing a flashing red arrow signal if intending to turn in the direction indicated by the arrow shall stop at a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. The right to proceed with the turn shall be limited to the direction indicated by the arrow and shall be subject to the rules applicable after making a stop at a stop sign.
(iv)
Pedestrians facing any flashing red signal at an intersection, unless otherwise directed by a pedestrian control signal or other traffic control device, are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. Pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that the flashing red signal is first displayed.
History of Section.
P.L. 1950, ch. 2595, art. 22, § 5; G.L. 1956, § 31-13-6; P.L. 1963, ch. 81, § 1; P.L. 1976, ch. 25, § 1; P.L. 2002, ch. 292, § 108; P.L. 2004, ch. 449, § 1; P.L. 2004, ch. 538, § 1; P.L. 2013, ch. 67, § 1; P.L. 2013, ch. 73, § 1; P.L. 2019, ch. 193, § 1; P.L. 2019, ch. 261, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-13 - Traffic Control DevicesSection 31-13-7. - Signals at places other than intersections.

§ 31-13-7. Signals at places other than intersections.
In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of § 31-13-6 shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of the sign or marking, the stop shall be made at the signal.
History of Section.
P.L. 1950, ch. 2595, art. 22, § 5; G.L. 1956, § 31-13-7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-13 - Traffic Control DevicesSection 31-13-8. - Pedestrian control signals.

§ 31-13-8. Pedestrian control signals.
Whenever special pedestrian control signals exhibiting the words “walk” or “wait” or “don’t walk” are in place the signals shall indicate as follows:
(1) Walk.

Pedestrians facing the signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.
(2) Wait or don't walk.
No pedestrian shall start to cross the roadway in the direction of the signal, but any pedestrian who has partially completed his or her crossing on the walk signal, shall proceed to a sidewalk or safety island while the "wait" or "don't walk" signal is showing.
History of Section.
P.L. 1950, ch. 2595, art. 22, § 6; G.L. 1956, § 31-13-8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-13 - Traffic Control DevicesSection 31-13-9. - Flashing signals.

§ 31-13-9. Flashing signals.
Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:
(1) Flashing red (stop signal).
When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or, if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.
(2) Flashing yellow (caution signal).
When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past the signal only with caution.
(3) Flashing green (pedestrian signal).
When a green lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or crosswalk past the signal only with caution.
(4)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 22, § 7; P.L. 1952, ch. 2937, § 12; G.L. 1956, § 31-13-9; P.L. 2002, ch. 292, § 108.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-14 - Speed RestrictionsSection 31-14-1. - Reasonable and prudent speeds.

§ 31-14-1. Reasonable and prudent speeds.
No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 25, § 1; G.L. 1956, § 31-14-1; P.L. 2002, ch. 292, § 109.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-14 - Speed RestrictionsSection 31-14-10. - Nighttime limits for motor-driven cycles.

§ 31-14-10. Nighttime limits for motor-driven cycles.
No person shall operate any motor-driven cycle at any time mentioned in § 31-24-1 at a speed greater than thirty-five miles per hour (35 mph) unless the motor-driven cycle is equipped with a head lamp or lamps which are adequate to reveal a person or vehicle at a distance of three hundred feet (300′) ahead.
History of Section.
P.L. 1950, ch. 2595, art. 25, § 5; G.L. 1956, § 31-14-10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-14 - Speed RestrictionsSection 31-14-11. - Vehicles with solid rubber or cushion tires.

§ 31-14-11. Vehicles with solid rubber or cushion tires.
No person shall drive any vehicle equipped with solid rubber or cushion tires at a speed greater than a maximum of ten miles per hour (10 mph).
History of Section.
P.L. 1950, ch. 2595, art. 25, § 6; G.L. 1956, § 31-14-11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-14 - Speed RestrictionsSection 31-14-12.1. - Special speed limits in highway construction and maintenance operations.

§ 31-14-12.1. Special speed limits in highway construction and maintenance operations.

(a)
Whenever the department of transportation or local governing unit with jurisdiction over the highways determines that the preexisting established speed limit through a highway construction or maintenance operation is greater than is reasonable or safe with respect to the conditions expected to exist in that operation, it may, on highways under its respective jurisdiction, determine and declare reasonable and safe absolute maximum temporary speed limits applicable through all or part of the operation. A temporary speed limit so determined and declared shall become effective and shall suspend the applicability of any other speed limit prescribed in this chapter when appropriate signs of the design prescribed by the department giving notice of the limits are erected at or along the operation. When these signs are erected, the total of fines, penalties, and costs assessed upon conviction shall be twice the amount otherwise set by the general laws.
(b)
When street, highway or bridge construction, or a maintenance operation is present, the department of transportation or local governing unit with jurisdiction over the street or highway shall erect signs declaring that the fine for a conviction of a traffic violation, as defined by § 31-41.1-4, through the "temporary traffic control zone" shall be doubled. When these signs are erected, the total of the fines, penalties, and costs assessed upon conviction shall be twice the amount otherwise set by the general laws. The prescribed legend for the signs shall be established by the department of transportation.
(c)
For the purposes of this section, "temporary traffic control zone" means that portion of a bridge, street, or highway that is identified by official traffic-control devices. The zone includes the entire section of roadway between the first advance warning sign through the last traffic control device, where traffic returns to its normal path and conditions. This zone shall exist throughout the duration of the construction or maintenance operation or as long as the signs remain.
History of Section.
P.L. 1996, ch. 206, § 1; P.L. 2008, ch. 98, § 14; P.L. 2008, ch. 145, § 14.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-14 - Speed RestrictionsSection 31-14-12. - Speed limits on bridges and structures.

§ 31-14-12. Speed limits on bridges and structures.
(a)
No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to the bridge or structure, when the structure is signposted as provided in this section.
(b)
The state traffic commission upon request from any local authority shall, or upon its own initiative may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway. If it shall find that the structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this chapter, the commission shall determine and declare the maximum speed of vehicles which the structure can withstand, and shall cause or permit suitable signs stating the maximum speed to be erected and maintained at a distance of one hundred feet (100′) before each end of the structure.
(c)
Upon the trial of any person charged with a violation of this section, proof of the determination of the maximum speed by the commission and the existence of the signs shall constitute conclusive evidence of the maximum speed which can be maintained with safety to the bridge or structure.
(d)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 25, § 6; G.L. 1956, § 31-14-12; P.L. 2002, ch. 292, § 109.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-14 - Speed RestrictionsSection 31-14-13. - Burden of proof in civil actions.

§ 31-14-13. Burden of proof in civil actions.
The provisions of this chapter declaring prima facie speed limitations shall not be construed to relieve the plaintiff in any civil action from the burden of proving negligence on the part of the defendant as the proximate cause of an accident.
History of Section.
P.L. 1950, ch. 2595, art. 25, § 7; G.L. 1956, § 31-14-13.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-14 - Speed RestrictionsSection 31-14-2. - Prima facie limits.

§ 31-14-2. Prima facie limits.
(a)
Where no special hazard exists that requires lower speed for compliance with § 31-14-1, the speed of any vehicle not in excess of the limits specified in this section or established as authorized in this title shall be lawful, but any speed in excess of the limits

specified in this section or established as authorized in this title shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful:
(1)
Twenty-five miles per hour (25 mph) in any business or residence district;
(2)
Fifty miles per hour (50 mph) in other locations during the daytime;
(3)
Forty-five miles per hour (45 mph) in such other locations during the nighttime;
(4)
Twenty miles per hour (20 mph) in the area within three hundred feet (300′) of any school house grounds' entrances and exits during the daytime during the days when schools shall be open.
(5)
The provisions of subdivision (4) of this subsection shall not apply except when appropriate warning signs are posted in proximity with the boundaries of the area within three hundred feet (300′) of the school house grounds, entrances, and exits.
(b)
Daytime means from a half hour before sunrise to a half hour after sunset. Nighttime means at any other hour.
(c)
The prima facie speed limits set forth in this section may be altered as authorized in §§ 31-14-4 — 31-14-8.
History of Section.
P.L. 1950, ch. 2595, art. 25, § 1; G.L. 1956, § 31-14-2; P.L. 1958, ch. 206, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-14 - Speed RestrictionsSection 31-14-3. - Conditions requiring reduced speed.

§ 31-14-3. Conditions requiring reduced speed.
(a)
The driver of every vehicle shall, consistent with the requirements of § 31-14-1, drive at an appropriate reduced speed when approaching and crossing an intersection or railroad grade crossing; when approaching and going around a curve; when approaching a hill crest; when traveling upon any narrow or winding roadway; when a special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions; and in the presence of emergency vehicles displaying flashing lights as provided in § 31-24-31, tow trucks, transporter trucks, highway maintenance equipment displaying flashing lights (while performing maintenance operations), roadside assistance vehicles displaying flashing amber lights while assisting a disabled motor vehicle, and any nonemergency vehicle that is stationary and located on the shoulder or breakdown lane of a roadway or highway. Violations of this section are subject to fines enumerated in § 31-41.1-4.
(b)
When an authorized vehicle, as described in subsection (a), is parked or standing within twelve feet (12′) of a roadway and, if required pursuant to subsection (a), is giving a warning signal by appropriate light, the driver of every other approaching vehicle shall, as soon as it is safe, and when not otherwise directed by an individual lawfully directing traffic, do one of the following:
(1)
Move the vehicle into a lane that is not the lane nearest the parked or standing authorized highway maintenance equipment displaying flashing lights (while performing maintenance operations), tow truck, transporter trucks, roadside assistance vehicles, emergency vehicle, or nonemergency vehicle and continue traveling in that lane until safely clear of the authorized highway maintenance equipment displaying flashing lights (while performing maintenance operations), tow truck, transporter trucks, roadside assistance vehicles, emergency vehicle, or nonemergency vehicle. This paragraph applies only if the roadway has at least two (2) lanes for traffic proceeding in the direction of the approaching vehicle and if the approaching vehicle may change lanes safely and without interfering with any vehicular traffic; or
(2)
Slow the vehicle, maintaining a safe speed for traffic conditions, and operate the vehicle at a reduced speed until completely past the authorized highway maintenance equipment displaying flashing lights (while performing maintenance operations), tow truck, transporter trucks, roadside assistance vehicle, emergency vehicle, or nonemergency vehicle. This paragraph applies only if the roadway has only one lane for traffic proceeding in the direction of the approaching vehicle or if the approaching vehicle may not change lanes safely and without interfering with any vehicular traffic.
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 25, § 1; G.L. 1956, § 31-14-3; P.L. 2002, ch. 292, § 109; P.L. 2005, ch. 63, § 2; P.L. 2005, ch. 65, § 2; P.L. 2008, ch. 131, § 1; P.L. 2008, ch. 194, § 1; P.L. 2014, ch. 49, § 1; P.L. 2014, ch. 56, § 1; P.L. 2023, ch. 49, § 1, effective June 12, 2023; P.L. 2023, ch. 50, § 1, effective June 12, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-14 - Speed RestrictionsSection 31-14-4.1. - Reduction of the prima facie limits in historic districts and on scenic highways.

§ 31-14-4.1. Reduction of the prima facie limits in historic districts and on scenic highways.
Whenever the state traffic commission shall determine that any prima facie limit set forth in § 31-14-2 is greater than is reasonable in any historic district listed on the National Register of Historic Places or on any road duly recognized as a scenic highway by the scenic highway board in accordance with the provisions of chapter 14 of title 24, the commission shall determine and declare a reasonable and safe prima facie limit, in the manner set forth in § 31-14-4, in order to provide for the preservation of the historical character of the district or the scenic quality of the highway, provided that:
(1)
The reduced prima facie limit shall be for a length of road not to exceed one mile or the distance between the boundaries of the district, whichever distance is the lesser, and
(2)
The reduced prima facie limit shall not result in traffic congestion.
History of Section.
P.L. 1991, ch. 187, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-14 - Speed RestrictionsSection 31-14-4. - Alteration of prima facie limits by traffic commission.

§ 31-14-4. Alteration of prima facie limits by traffic commission.
Whenever the state traffic commission shall determine upon the basis of an engineering and traffic investigation that any prima facie speed set forth in § 31-14-2 is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a highway, the commission may determine and declare a reasonable and safe prima facie speed limit for that place which shall be effective at all times or during hours of daylight or darkness, or at any other times that may be determined when appropriate signs giving notice of limits are erected at the intersection or other place or part of the highway.
History of Section.
P.L. 1950, ch. 2595, art. 25, § 2; G.L. 1956, § 31-14-4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-14 - Speed RestrictionsSection 31-14-5. - Reduction by local authorities of speed limits at local intersections and streets within business or residence districts.

§ 31-14-5. Reduction by local authorities of speed limits at local intersections and streets within business or residence districts.
Whenever local authorities within their respective jurisdictions determine upon the basis of an engineering and traffic investigation that the prima facie speed permitted under this chapter at any intersection or local street within a business or residence districts is greater than is reasonable or safe under the conditions found to exist at the intersection, or local street within business or residence districts, the local authority, subject to § 31-14-8, shall determine and declare a reasonable and safe prima facie speed limit at that place, which shall be effective at all times or during hours of daylight or darkness or at any other times that may be determined when appropriate signs giving notice of it are erected at the intersection or local street within a business or residence district or at its approaches.
History of Section.
P.L. 1950, ch. 2595, art. 25, § 3; G.L. 1956, § 31-14-5; P.L. 1986, ch. 299, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-14 - Speed RestrictionsSection 31-14-6. - Increase by local authorities of speed limits in business and residence districts.

§ 31-14-6. Increase by local authorities of speed limits in business and residence districts.
Local authorities in their respective jurisdictions may in their discretion, but subject to § 31-14-8, authorize by ordinance or by authority granted to any organized traffic engineering department, higher prima facie speeds than those stated in § 31-14-2 upon through highways or upon highways or portions of highways where there are no intersections or between widely spaced intersections, which higher prima facie speed shall be effective at all times or during hours of daylight or at any other times that may be determined when signs are erected giving notice of the authorized speed. Local authorities shall not have authority to modify or alter the basic rule set forth in § 31-14-1 or in any event to authorize by ordinance a speed in excess of fifty miles per hour (50 mph) during the daytime or forty-five miles per hour (45 mph) during nighttime.
History of Section.
P.L. 1950, ch. 2595, art. 25, § 3; G.L. 1956, § 31-14-6.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-14 - Speed RestrictionsSection 31-14-7. - Reduction by local authorities of speed limits in open areas.

§ 31-14-7. Reduction by local authorities of speed limits in open areas.
Whenever local authorities within their respective jurisdictions determine upon the basis of an engineering and traffic investigation that the prima facie speed permitted under this chapter upon any street or highway outside a business or residence district is greater than is reasonable or safe under the conditions found to exist upon the street or highway, the local authority may determine and declare a reasonable and safe prima facie limit on that street or highway, but in no event less than thirty-five miles per hour (35

mph) and subject to § 31-14-8, which reduced prima facie limit shall be effective at all times or during hours of darkness or at any other times that may be determined when appropriate signs giving notice of the authorized speed are erected upon the street or highway.
History of Section.
P.L. 1950, ch. 2595, art. 25, § 3; G.L. 1956, § 31-14-7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-14 - Speed RestrictionsSection 31-14-8. - Local alteration of limits on state highways.

§ 31-14-8. Local alteration of limits on state highways.
Alteration of prima facie limits on state highways or extensions of them in a municipality by local authorities shall not be effective until the alteration has been approved by the state traffic commission.
History of Section.
P.L. 1950, ch. 2595, art. 25, § 3; P.L. 1950 (s.s.), ch. 2639, § 4; G.L. 1956, § 31-14-8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-14 - Speed RestrictionsSection 31-14-9. - Minimum speed.

§ 31-14-9. Minimum speed.
(a)
No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.
(b)
Police officers are authorized to enforce this provision by directions to drivers, and in the event of apparent willful disobedience to this provision and refusal to comply with direction of an officer in accordance with this section, the continued slow operation by a driver shall be a civil violation and is subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 25, § 4; G.L. 1956, § 31-14-9; P.L. 1999, ch. 218, art. 6, § 7; P.L. 2002, ch. 292, § 109.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-1. - Right half of road.

§ 31-15-1. Right half of road.
Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:
(1)
When overtaking and passing another vehicle proceeding in the same direction under the rules governing the movement;
(2)
When the right half of a roadway is closed to traffic while under construction or repair;
(3)
Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable to it; or
(4)
Upon a roadway designated and signposted for one-way traffic.
(5)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 26, § 1; G.L. 1956, § 31-15-1; P.L. 2002, ch. 292, § 110.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-10. - Rotary traffic islands.

§ 31-15-10. Rotary traffic islands.
A vehicle passing around a rotary traffic island shall be driven only to the right of the island. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 26, § 8; G.L. 1956, § 31-15-10; P.L. 2002, ch. 292, § 110.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-11. - Laned roadways.

§ 31-15-11. Laned roadways.
Whenever any roadway has been divided into two (2) or more clearly marked lanes for traffic, the following rules in addition to all others consistent with them shall apply:
(1)

A vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from the lane until the driver has first ascertained that the movement can be made with safety.
(2)
Upon a roadway which is divided into three (3) lanes, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and the center lane is clear of traffic within a safe distance, or in preparation for a left turn or where the center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is sign-posted to give notice of the allocation.
(3)
Official signs may be erected directing slow-moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway, and drivers of vehicles shall obey the directions of the sign.
(4)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 26, § 9; G.L. 1956, § 31-15-11; P.L. 2002, ch. 292, § 110.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-12.1. - Entering intersections.

§ 31-15-12.1. Entering intersections.
(a)
The driver of a motor vehicle shall not enter an intersection whether or not any traffic signal is green unless there is sufficient space in the roadway he or she is about to enter beyond the intersection to receive his or her vehicle without blocking the intersection. Violations of this section are subject to fines enumerated in section 31-41.1-4, unless bodily injury, serious bodily injury or death occurs to any person other than the offending operator under this section.
(b)
When bodily injury of any person other than the offending operator of any motor vehicle is caused by violation of this section, the offending operator shall be fined two hundred dollars ($200). When serious bodily injury of any person other than the offending operator of any motor vehicle is caused by violation of this section, the offending operator shall be fined five hundred dollars ($500) and his/her driver's license shall be suspended for a period of three (3) months. When the death of any person other than the offending operator of any motor vehicle is caused by violation of this section, the offending operator shall be fined one thousand dollars ($1,000) and his/her driver's license shall be suspended for a period of one year.
(c)
As used in this section, "serious bodily injury" means physical injury that creates a substantial risk of death or causes serious physical disfigurement or protracted loss or impairment of the function of any bodily member or organ.
History of Section.
P.L. 1962, ch. 204, § 4; P.L. 2002, ch. 292, § 110; P.L. 2013, ch. 339, § 1; P.L. 2013, ch. 414, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-12.2. - Don't Block the Box.

§ 31-15-12.2. Don't Block the Box.
(a)
No operator of a motor vehicle shall proceed into an intersection that has been designated, posted, and marked by a municipality in accordance with subsection (b), except when making a turn, unless there is sufficient space on the opposite side of the intersection to accommodate such motor vehicle without obstructing the passage of other vehicles or pedestrians, notwithstanding the indication of a traffic control signal that would permit such operator to proceed into the intersection.
(b)
Any municipality may, by ordinance, designate one or more intersections within that municipality as "Don't Block the Box" intersections, to which the provisions of subsection (a) shall apply. The municipality shall:
(1)
Post "Don't Block the Box" signs, as designed by the state traffic commission so as to have conformity in all municipalities, at each such designated intersection indicating that blocking the intersection is prohibited and violators are subject to a fine; and
(2)
Mark, in white paint, the boundary of such intersection with a line not less than one-foot in width and the area within such boundary line with parallel diagonal lines not less than one-foot in width.
(c)
Prior to January 1, 2017, any motorist who violates this subsection shall be issued a verbal warning only; this verbal warning shall only apply to "Don't Block the Box" intersections as established by subsection (b).
(d)
Effective January 1, 2017, any motorist who commits a first violation of this section shall be fined one hundred dollars ($100); a second violation of this section shall be fined two hundred fifty dollars ($250); and for a third and subsequent violation of this

section, five hundred dollars ($500).
(e)
Any city or town that determines that it has a traffic and safety problem in its community due to violations of this section on state intersections located within its municipality may petition the state traffic commission, created by § 31-13-1, for permission to paint “Don’t Block the Box” lines in accordance with subsection (b).
History of Section.
P.L. 2016, ch. 539, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-12. - Interval between vehicles.

§ 31-15-12. Interval between vehicles.
The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicles and the traffic upon and the condition of the highway, and shall, whenever traveling through a business or residential district, and whenever traffic permits, leave sufficient space so that an overtaking vehicle may enter and occupy the space without danger. This provision shall not apply to a caravan under police escort or a funeral procession. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 26, § 10; G.L. 1956, § 31-15-12; P.L. 2002, ch. 292, § 110.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-13. - Divided highways.

§ 31-15-13. Divided highways.
Whenever any highway has been divided into two (2) roadways by leaving an unpaved intervening space or by a physical barrier, every vehicle shall be driven only upon the right-hand roadway and no vehicle shall be driven over, across, or within a dividing space, barrier, or section, except through an opening in the physical barrier or dividing section or space or at a crossover or intersection established by public authority. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 26, § 11; G.L. 1956, § 31-15-13; P.L. 2002, ch. 292, § 110; P.L. 2013, ch. 82, § 1; P.L. 2013, ch. 89, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-14. - Entry or leaving of limited-access roadways.

§ 31-15-14. Entry or leaving of limited-access roadways.
No person shall drive a vehicle onto or from any limited-access roadway except at those entrances and exits that are established by public authority. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 26, § 12; G.L. 1956, § 31-15-14; P.L. 2002, ch. 292, § 110.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-15. - Designation and posting of controlled-access roadways.

§ 31-15-15. Designation and posting of controlled-access roadways.
(a)
The state traffic commission may, by resolution or order entered in its minutes, and local authorities may by ordinance with respect to any controlled-access roadway under their respective jurisdictions, prohibit the use of a roadway by pedestrians, bicycles, or other non-motorized traffic or by any person operating a motordriven cycle.
(b)
The state traffic commission or the local authority adopting the prohibitory regulations shall erect and maintain official signs on the controlled access roadway on which the regulations are applicable and when so erected no person shall disobey the restrictions stated on the signs.
History of Section.
P.L. 1950, ch. 2595, art. 26, § 13; G.L. 1956, § 31-15-15.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-16. - Use of emergency break-down lane for travel.

§ 31-15-16. Use of emergency break-down lane for travel.
No person shall operate a motor vehicle for travel on the emergency break-down lane of any highway. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1978, ch. 383, § 1; P.L. 2002, ch. 292, § 110.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-17. - Crossing bicycle lane.

§ 31-15-17. Crossing bicycle lane.

(a)

A person may not operate a motor vehicle upon a bicycle lane except when making a turn, entering or leaving the roadway or a parking lane, or when required in the course of official duty. An implement of husbandry may momentarily cross into a bicycle lane to permit other vehicles to overtake and pass the implement of husbandry.

(b)

Violations of this section are subject of fines enumerated in § 31-41.1-4.

History of Section.

P.L. 2005, ch. 64, § 2; P.L. 2005, ch. 67, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-18. - Unsafe passing of a person operating a bicycle; penalty.

§ 31-15-18. Unsafe passing of a person operating a bicycle; penalty.

(a)

A driver of a motor vehicle commits the offense of unsafe passing of a person operating a bicycle if the driver violates any of the following requirements:

(1)

The driver of a motor vehicle may only pass a person operating a bicycle by driving to the left of the bicycle at a safe distance and returning to the lane of travel once the motor vehicle is safely clear of the overtaken bicycle. For the purposes of this subdivision, a "safe distance" means a distance that is sufficient to prevent contact with the person operating the bicycle if the person were to fall into the driver's lane of traffic. This subdivision does not apply to a driver operating a motor vehicle:

(i)

In a lane that is separate from and adjacent to a designated bicycle lane;

(ii)

At a speed not greater than fifteen miles per hour (15 mph); or

(iii)

When the driver is passing a person operating a bicycle on the person's right side and the person operating the bicycle is turning left.

(2)

The driver of a motor vehicle may drive to the left of the center of a roadway to pass a person operating a bicycle proceeding in the same direction only if the roadway to the left of the center is unobstructed for a sufficient distance to permit the driver to pass the person operating the bicycle safely and avoid interference with oncoming traffic. This subdivision does not authorize driving to the left of center of a roadway when prohibited under § 31-15-1 (failure to drive on right), § 31-15-3 (passing of vehicles proceeding in opposite directions) or § 31-15-13 (divided highway).

(b)

The driver of a motor vehicle that passes a person operating a bicycle shall return to an authorized lane of traffic as soon as practicable.

(c)

Violations of this section are subject to the fine enumerated in § 31-41.1-4.

(d)

This section may be cited as "Frank's Law."

History of Section.

P.L. 2010, ch. 92, § 1; P.L. 2010, ch. 132, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-19. - Two-way left turn lanes.

§ 31-15-19. Two-way left turn lanes.

A two-way left turn lane may be designated near the center of a roadway for use by vehicles making left turns in both directions from or into the roadway.

(1)

Two-way left turn lanes shall be designated by distinctive roadway markings consisting of parallel double yellow lines, interior line dashed and exterior line solid on each side of the lane. The department of transportation may determine and prescribe standards and specifications governing length, width, and positioning of the distinctive pavement markings. All pavement markings designating a two-way left turn lane shall conform to the department of transportation's standards and specifications.

(2)

A vehicle shall not be driven in a designated two-way left turn lane except when preparing for or making a left turn from or into a highway or when preparing for or making a U-turn when otherwise permitted by law, and shall not be driven in that lane for more

than two hundred feet (200′) while preparing for and making the turn or while preparing to merge into the adjacent lanes of travel. A left turn or U-turn shall not be made from any other lane where a two-way left turn lane has been designated.
(3)
This section shall not prohibit driving across a two-way left turn lane.
(4)
Raised pavement markers may be used to simulate painted lines described in this section when such markers are placed in accordance with standards established by the department of transportation.
(5)
Upon any vehicle entering the turn lane, no other vehicle proceeding in the opposite direction shall enter that turn lane if that entrance would prohibit the vehicle already in the lane from making the intended turn.
(6)
When vehicles enter the turn lane proceeding in opposite directions, the first vehicle to enter the lane shall have the right-of-way.
(7)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 2012, ch. 305, § 1; P.L. 2012, ch. 325, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-2. - Slow traffic to right.

§ 31-15-2. Slow traffic to right.
Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 26, § 1; G.L. 1956, § 31-15-2; P.L. 2002, ch. 292, § 110.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-20. - Unsafe passing of a vulnerable road user.

§ 31-15-20. Unsafe passing of a vulnerable road user.
(a)
For purposes of this section, “vulnerable road user” means:
(1)
A pedestrian who is acting in compliance with chapter 18 of this title;
(2)
A bicyclist who is acting in compliance with chapter 19 of this title;
(3)
A police officer or emergency worker on duty when outside of a vehicle;
(4)
A highway worker performing duties outside of a vehicle;
(5)
A person riding on or driving a wheelchair, motorized or not, who is acting in compliance with chapter 18 of this title;
(6)
A person using a skateboard, inline skates, or roller skates who is acting in compliance with chapter 19 of this title;
(7)
A person riding on or driving an animal;
(8)
A person riding on a scooter who is acting in compliance with chapter 19.1 of this title.
(b)
Notwithstanding any other provision of the general or public laws to the contrary, any person, while operating a motor vehicle on a street or highway, who fails to exercise due care to avoid colliding with a vulnerable road user, who is the proximate cause of injury, serious injury, or death to the vulnerable road user, shall be guilty of an offense pursuant to this section and shall be sentenced, in addition to any other applicable criminal or civil statute, as follows:
(1)
When bodily injury of a vulnerable road user is caused by a violation of this section, the offending operator shall be fined two hundred dollars ($200).
(2)
When serious bodily injury of a vulnerable road user is caused by a violation of this section, the offending operator shall be fined five hundred dollars ($500), and the driver’s license shall be suspended for a period of three (3) months.

(3)
When the death of a vulnerable road user is caused by a violation of this section, the offending operator shall be fined one thousand dollars ($1,000) and the driver's license shall be suspended for a period of one year.
(c)
As used in this section, "serious bodily injury" means physical injury that creates a substantial risk of death or causes serious physical disfigurement or protracted loss or impairment of the function of any bodily member or organ.
History of Section.
P.L. 2021, ch. 63, § 1, effective June 25, 2021; P.L. 2021, ch. 66, § 1, effective June 25, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-3. - Passing of vehicles proceeding in opposite directions.

§ 31-15-3. Passing of vehicles proceeding in opposite directions.
Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and upon roadways having a width for not more than one line of traffic in each direction, each driver shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 26, § 2; G.L. 1956, § 31-15-3; P.L. 2002, ch. 292, § 110.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-4. - Overtaking on left.

§ 31-15-4. Overtaking on left.
The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules stated in this chapter:
(1)
The driver of a vehicle overtaking another vehicle proceeding in the same direction shall give a timely, audible signal and shall pass to the left at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.
(2)
Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his or her vehicle until completely passed by the overtaking vehicle.
(3)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 26, § 3; G.L. 1956, § 31-15-4; P.L. 2002, ch. 292, § 110.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-5. - Overtaking on the right.

§ 31-15-5. Overtaking on the right.
(a)
The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:
(1)
When the vehicle overtaken is making or about to make a left turn;
(2)
Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two (2) or more lines of moving vehicles. Violations of this section are subject to fines enumerated in § 31-41.1-4.
(b)
The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting the movement in safety. In no event shall the movement be made by driving off the pavement or main-traveled portion of the roadway.
History of Section.
P.L. 1950, ch. 2595, art. 26, § 4; G.L. 1956, § 31-15-5; P.L. 1970, ch. 107, § 1; P.L. 2002, ch. 292, § 110.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-6. - Clearance for overtaking.

§ 31-15-6. Clearance for overtaking.
No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction, unless the left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit the overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the

opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred feet (100′) of any vehicle approaching from the opposite direction. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 26, § 5; G.L. 1956, § 31-15-6; P.L. 2002, ch. 292, § 110.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-7. - Places where overtaking prohibited.

§ 31-15-7. Places where overtaking prohibited.
(a)
No vehicle shall at any time be driven to the left side of the roadway under the following conditions:
(1)
When approaching the crest of a grade or upon a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;
(2)
When approaching within one hundred feet (100′) of or traversing any intersection or railroad grade crossing;
(3)
When the view is obstructed upon approaching within one hundred feet (100′) of any bridge, viaduct, or tunnel.
(b)
The limitations in subsection (a) of this section shall not apply upon a one-way roadway.
(c)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 26, § 6; G.L. 1956, § 31-15-7; P.L. 2002, ch. 292, § 110.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-8. - Posting of no passing zones.

§ 31-15-8. Posting of no passing zones.
The state traffic commission is authorized to determine those portions of any highway where overtaking and passing or driving to the left of the roadway would be especially hazardous and may by appropriate signs or markings on the roadway indicate the beginning and end of the zones. When the signs or markings are in place and clearly visible to an ordinarily observant person every driver of a vehicle shall obey the directions given by them. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 26, § 7; G.L. 1956, § 31-15-8; P.L. 2002, ch. 292, § 110.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-15 - Passing, Use of Lanes, and Rules of the RoadSection 31-15-9. - One way highways.

§ 31-15-9. One way highways.
(a)
The state traffic commission may designate any highway or any separate roadway under its jurisdiction for one-way traffic and shall erect appropriate signs giving notice of one-way traffic.
(b)
Upon a roadway designated and signposted for one-way traffic a vehicle shall be driven only in the direction designated.
(c)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 26, § 8; G.L. 1956, § 31-15-9; P.L. 2002, ch. 292, § 110.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-16.1 - IdlingSection 31-16.1-1. - Purpose.

§ 31-16.1-1. Purpose.
The purposes of this chapter are to protect health and the environment by reducing air emissions and to conserve fuel by restricting the unnecessary operation of diesel engines.
History of Section.
P.L. 2006, ch. 557, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-16.1 - IdlingSection 31-16.1-2. - Powers of the department of environmental management.

§ 31-16.1-2. Powers of the department of environmental management.

The department of environmental management shall have the power and authority as set forth in §§ 23-23-29.1 — 23-23-29.5 to establish rules for engine idling.
History of Section.
P.L. 2006, ch. 557, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-16.1 - IdlingSection 31-16.1-3. - Restrictions on idling for diesel engines.

§ 31-16.1-3. Restrictions on idling for diesel engines.
No person shall on or after July 1, 2007, cause, allow or permit the unnecessary operation of the diesel engine vehicle while said vehicle is stopped for a period of time in excess of five (5) consecutive minutes in any sixty (60) minute period unless exempted pursuant to regulations adopted by the department of environmental management. Failure to operate the diesel engine vehicle in conformity with the rules of the department of environmental management adopted pursuant to § 23-23-20.2 shall constitute a violation of this chapter.
History of Section.
P.L. 2006, ch. 557, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-16.1 - IdlingSection 31-16.1-4. - Penalties.

§ 31-16.1-4. Penalties.
Any person who violates the provisions of this chapter shall be punished by a fine of not more than one hundred dollars ($100) for the first offense, nor more than five hundred dollars ($500) for each succeeding offense.
History of Section.
P.L. 2006, ch. 557, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-16 - Starting, Stopping, and TurnsSection 31-16-1. - Care in starting from stop.

§ 31-16-1. Care in starting from stop.
No person shall start a vehicle which is stopped, standing, or parked unless and until the movement can be made with reasonable safety. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 27, § 3; G.L. 1956, § 31-16-1; P.L. 2002, ch. 292, § 111.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-16 - Starting, Stopping, and TurnsSection 31-16-10. - Manner of giving arm signals.

§ 31-16-10. Manner of giving arm signals.
All signals required in this chapter when given by hand and arm shall be given from the left side of the vehicle in the following manner and the signals shall indicate as follows:
(1) Left turn.
Hand and arm extended horizontally;
(2) Right turn.
Hand and arm extended upward;
(3) Stop or decrease speed.
Hand and arm extended downward.
History of Section.
P.L. 1950, ch. 2595, art. 27, § 6; G.L. 1956, § 31-16-10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-16 - Starting, Stopping, and TurnsSection 31-16-2. - Manner of turning at intersection.

§ 31-16-2. Manner of turning at intersection.
The driver of a vehicle intending to turn at an intersection shall do so as follows:
(1) Right turns.
(i)
Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.
(ii)
Pedestrians intending to cross a lane of traffic which is required to stop or yield by a red traffic light, stop or yield sign or other traffic control device shall be granted the right-of-way.
(2) Left turns on two-way roadways.
(i)

At any intersection where traffic is permitted to move in both directions on each roadway entering the intersections, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line of it and by passing to the right of the center line where it enters the intersection, and, after entering the intersection, the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.
(ii)
Pedestrians intending to cross a lane of traffic which is required to stop or yield by a red traffic light, stop or yield sign or other traffic control device shall be granted the right of way.
(3) Left turns on other than two way roadways.
(i)
At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at an intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of the vehicle, and, after entering the intersection, the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in the direction upon the roadway being entered.
(ii)
Pedestrians intending to cross a lane of traffic which is required to stop or yield by a red traffic light, stop or yield sign, or other traffic control device, shall be granted the right-of-way.
(4)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 27, § 1; G.L. 1956, § 31-16-2; P.L. 1999, ch. 383, § 1; P.L. 2002, ch. 292, § 111.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-16 - Starting, Stopping, and TurnsSection 31-16-3. - Marking of turn-paths at particular intersections.

§ 31-16-3. Marking of turn-paths at particular intersections.
(a)
Local authorities in their respective jurisdictions may place markers, buttons, or signs within or adjacent to intersections, and require and direct that a different course from that specified in § 31-16-2 be traveled by vehicles turning at an intersection, and when markers, buttons, or signs are so placed, no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by the markers, buttons, or signs.
(b)
In view of the fact that there are many intersections, including “T” intersections, where large numbers of vehicles turn left, local authorities and traffic officers should permit and direct vehicles to turn left in two (2) lines at those intersections.
(c)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 27, § 1; G.L. 1956, § 31-16-3; P.L. 2002, ch. 292, § 111.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-16 - Starting, Stopping, and TurnsSection 31-16-4. - Places where U-turns prohibited.

§ 31-16-4. Places where U-turns prohibited.
No vehicle shall be turned so as to proceed in the opposite direction upon any curve or upon the approach to, or near the crest of a grade, where the vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred feet (500′). Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 27, § 2; G.L. 1956, § 31-16-4; P.L. 2002, ch. 292, § 111.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-16 - Starting, Stopping, and TurnsSection 31-16-5. - Turn signal required.

§ 31-16-5. Turn signal required.
No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required in §§ 31-16-2 and 31-16-3, or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway, unless and until the movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the manner described in this chapter in the event any other traffic may be affected by the movement. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 27, § 4; G.L. 1956, § 31-16-5; P.L. 2002, ch. 292, § 111.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-16 - Starting, Stopping, and TurnsSection

31-16-6.1. - Penalties.

§ 31-16-6.1. Penalties.
Any person who violates the provisions of § 31-16-2 pertaining to the right-of-way of pedestrians, upon conviction, shall be sentenced to pay a fine of not more than seventy-five ($75.00).
History of Section.
P.L. 1999, ch. 383, § 2; P.L. 2006, ch. 216, § 64.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-16 - Starting, Stopping, and TurnsSection 31-16-6. - Time of signaling turn.

§ 31-16-6. Time of signaling turn.
A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred feet (100′) traveled by the vehicle before turning. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 27, § 4; G.L. 1956, § 31-16-6; P.L. 2002, ch. 292, § 111.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-16 - Starting, Stopping, and TurnsSection 31-16-7. - Signaling of stops.

§ 31-16-7. Signaling of stops.
No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner described in this chapter to the driver of any vehicle immediately to the rear when there is opportunity to give the signal. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 27, § 4; G.L. 1956, § 31-16-7; P.L. 2002, ch. 292, § 111.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-16 - Starting, Stopping, and TurnsSection 31-16-8. - Method of giving signals.

§ 31-16-8. Method of giving signals.
Any stop or turn signal when required in this chapter shall be given either by means of the hand and arm or by a signal lamp or lamps or mechanical signal device, except as otherwise provided in § 31-16-9. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 27, § 5; P.L. 1955, ch. 3500, § 1; G.L. 1956, § 31-16-8; P.L. 2002, ch. 292, § 111.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-16 - Starting, Stopping, and TurnsSection 31-16-9. - Vehicles on which mechanical signal devices required.

§ 31-16-9. Vehicles on which mechanical signal devices required.
Any motor vehicle in use on a highway shall be equipped with, and required signal shall be given by, a signal lamp or lamps or mechanical signal device when the distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of the motor vehicle exceeds twenty-four inches (24"), or when the distance from the center of the top of the steering post to the rear limit of the body or load of it exceeds fourteen feet (14′). The latter measurement shall apply to any single vehicle, and/or to any combination of vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 27, § 5; P.L. 1955, ch. 3500, § 1; G.L. 1956, § 31-16-9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-17 - Right-Of-WaySection 31-17-1. - Right-of-way in absence of signs or signals.

§ 31-17-1. Right-of-way in absence of signs or signals.
(a)
The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway.
(b)
When two vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.
(c)
The right-of-way rules declared in subsections (a) and (b) of this section are modified at through highways and otherwise as stated in this chapter.
(d)
Violations of this section are subject to the fines enumerated in § 31-41.1-4, unless bodily injury, serious bodily injury or death

occurs to any person other than the offending operator under this section.
(e)
When bodily injury of any person other than the offending operator of any motor vehicle is caused by violation of this section, the offending operator shall be fined two hundred dollars ($200). When serious bodily injury of any person other than the offending operator of any motor vehicle is caused by violation of this section, the offending operator shall be fined five hundred dollars ($500) and his/her driver's license shall be suspended for a period of three (3) months. When the death of any person other than the offending operator of any motor vehicle is caused by violation of this section, the offending operator shall be fined one thousand dollars ($1,000) and his/her driver's license shall be suspended for a period of one year.
(f)
As used in this section, "serious bodily injury" means physical injury that creates a substantial risk of death or causes serious physical disfigurement or protracted loss or impairment of the function of any bodily member or organ.
History of Section.
P.L. 1950, ch. 2595, art. 28, § 1; G.L. 1956, § 31-17-1; P.L. 2006, ch. 216, § 65; P.L. 2013, ch. 339, § 2; P.L. 2013, ch. 414, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-17 - Right-Of-WaySection 31-17-2. - Vehicle turning left or right.

§ 31-17-2. Vehicle turning left or right.
(a)
The driver of a vehicle within an intersection intended to turn to the left or right shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close to it as to constitute an immediate hazard, or shall yield to a pedestrian intending to cross within a crosswalk which the driver of the vehicle must travel to make the left or right turn. The driver, having so yielded and having given a signal when and as required by chapter 16 of this title, may make the left or right turn, and the drivers of all other vehicles approaching the intersection from the opposite direction shall yield the right of way to the vehicle making the left or right turn. Violations of this section are subject to the fines enumerated in § 31-41.1-4, unless bodily injury, serious bodily injury or death occurs to any person other than the offending operator under this section.
(b)
When bodily injury of any person other than the offending operator of any motor vehicle is caused by violation of this section, the offending operator shall be fined two hundred dollars ($200). When serious bodily injury of any person other than the offending operator of any motor vehicle is caused by violation of this section, the offending operator shall be fined five hundred dollars ($500) and his/her driver's license shall be suspended for a period of three (3) months. When the death of any person other than the offending operator of any motor vehicle is caused by violation of this section, the offending operator shall be fined one thousand dollars ($1,000) and his/her driver's license shall be suspended for a period of one year.
(c)
As used in this section, "serious bodily injury" means physical injury that creates a substantial risk of death or causes serious physical disfigurement or protracted loss or impairment of the function of any bodily member or organ.
History of Section.
P.L. 1950, ch. 2595, art. 28, § 2; G.L. 1956, § 31-17-2; P.L. 1999, ch. 383, § 3; P.L. 2006, ch. 216, § 65; P.L. 2013, ch. 339, § 2; P.L. 2013, ch. 414, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-17 - Right-Of-WaySection 31-17-3. - Intersection with through highway.

§ 31-17-3. Intersection with through highway.
The driver of a vehicle shall stop at the entrance to a through highway and shall yield the right-of-way to other vehicles which have entered the intersection from the through highway, or which are approaching so closely on the through highway as to constitute an immediate hazard, but the driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection on the through highway shall yield the right-of-way to the vehicle so proceeding into or across the through highway. Violations of this section are subject to the fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 28, § 3; P.L. 1952, ch. 2937, § 13; G.L. 1956, § 13-17-3; P.L. 2006, ch. 216, § 65.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-17 - Right-Of-WaySection 31-17-4. - Vehicle entering stop or yield intersection.

§ 31-17-4. Vehicle entering stop or yield intersection.
(a)
Preferential right-of-way at an intersection may be indicated by stop signs or yield signs.
(b)
Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching

traffic on the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right-of-way to any pedestrian intending to cross the lane of traffic in a crosswalk or any vehicle which has entered the intersection from another highway or which is approaching so closely on the highway as to constitute an immediate hazard during the time when the driver is moving across or within the intersection.
(c)
The driver of a vehicle approaching a yield sign shall, in obedience to the sign, slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping, the driver shall yield the right-of-way to any pedestrian intending to cross the lane of traffic in a crosswalk or any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time the driver is moving across or within the intersection.
(d)
Violations of this section are subject to the fines enumerated in section 31-41.1-4, unless bodily injury, serious bodily injury or death occurs to any person other than the offending operator under this section.
(e)
When bodily injury of any person other than the offending operator of any motor vehicle is caused by violation of this section, the offending operator shall be fined two hundred dollars ($200). When serious bodily injury of any person other than the offending operator of any motor vehicle is caused by violation of this section, the offending operator shall be fined five hundred dollars ($500) and his/her driver's license shall be suspended for a period of three (3) months. When the death of any person other than the offending operator of any motor vehicle is caused by violation of this section, the offending operator shall be fined one thousand dollars ($1,000) and his/her driver's license shall be suspended for a period of one year.
(f)
As used in this section, "serious bodily injury" means physical injury that creates a substantial risk of death or causes serious physical disfigurement or protracted loss or impairment of the function of any bodily member or organ.
History of Section.
P.L. 1950, ch. 2595, art. 28, § 3; G.L. 1956, § 31-17-4; P.L. 1970, ch. 106, § 1; P.L. 1999, ch. 383, § 3; P.L. 2006, ch. 216, § 65; P.L. 2013, ch. 339, § 2; P.L. 2013, ch. 414, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-17 - Right-Of-WaySection 31-17-5.1. - Penalties.

§ 31-17-5.1. Penalties.
Any person who violates any provision of §§ 31-17-1 — 31-17-5, pertaining to the right-of-way of pedestrians, upon conviction, shall be sentenced to pay a fine of not more than seventy-five ($75.00).
History of Section.
P.L. 1999, ch. 383, § 4; P.L. 2006, ch. 216, § 65.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-17 - Right-Of-WaySection 31-17-5. - Entering from private road or driveway.

§ 31-17-5. Entering from private road or driveway.
The driver of a vehicle about to enter or cross a highway from a private road or driveway shall yield the right-of-way to all vehicles approaching on the highway and to all pedestrians attempting to cross the private road driveway or highway. Violations of this section are subject to the fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 28, § 4; G.L. 1956, § 31-17-5; P.L. 1999, ch. 383, § 3; P.L. 2006, ch. 216, § 65.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-17 - Right-Of-WaySection 31-17-6. - Yielding to emergency vehicle.

§ 31-17-6. Yielding to emergency vehicle.
(a)
Upon the immediate approach of an authorized emergency vehicle equipped with at least one lighted lamp exhibiting any one or combination of red, blue, or white light visible under normal atmospheric conditions from a distance of five hundred feet (500′) to the front of the vehicle, and producing an audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
(b)
This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.
History of Section.

P.L. 1950, ch. 2595, art. 28, § 5; G.L. 1956, § 31-17-6; P.L. 1993, ch. 369, § 1; P.L. 1999, ch. 446, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-17 - Right-Of-WaySection 31-17-7. - Right-of-way of fire companies.

§ 31-17-7. Right-of-way of fire companies.

The officers and men and women of the fire department, of any fire engine or hose company, or of any protective department or company duly chartered and organized under the laws of this state for the protection of property from fire in any city or town, with their registered fire apparatus, shall have the right of way while going to a fire or upon any alarm of fire, while responding to an emergency call; when on duty at any fire, in, upon, or through any street, highway, lane, avenue, or alley in the city or town; and when exiting or entering a fire station, garage or other department facility. Every person in or upon or owning any vehicle, or upon the street, highway, lane, avenue, or alley, who shall willfully or maliciously refuse the right of way to, or shall in any way willfully or maliciously obstruct or retard any registered fire apparatus of the fire department, fire company, protective department, or company, or any of the officers or men and women, while going to a fire or upon any alarm of fire, while responding to an emergency call, or while on duty at any fire, in, upon, or through the street, highway, lane, avenue, or alley, or when exiting or entering a fire station, garage or other department facility shall be fined not exceeding two hundred dollars ($200). However, the rights pursuant to this section of the protective department or company shall be subject, at all times, to the rights pursuant to this section of the fire department, fire engine company, and hose company.

History of Section.

G.L. 1896, ch. 279, § 54; G.L. 1909, ch. 345, § 57; P.L. 1910, ch. 539, § 1; G.L. 1923, ch. 397, § 57; G.L. 1938, ch. 608, § 65; G.L. 1956, § 31-17-7; P.L. 2000, ch. 193, § 1; P.L. 2013, ch. 339, § 2; P.L. 2013, ch. 414, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-17 - Right-Of-WaySection 31-17-8. - Right-of-way at rotary.

§ 31-17-8. Right-of-way at rotary.

(a)

In the absence of any traffic control device or sign, the driver of a vehicle about to enter a rotary, regardless of the direction from which the vehicle is approaching, shall yield the right-of-way to all vehicles already in the rotary. The state traffic commission shall determine the location of yield signs at rotaries. Violations of this section are subject to fines enumerated in § 31-41.1-4, unless bodily injury, serious bodily injury or death occurs to any person other than the offending operator under this section.

(b)

When bodily injury of any person other than the offending operator of any motor vehicle is caused by violation of this section, the offending operator shall be fined two hundred dollars ($200). When serious bodily injury of any person other than the offending operator of any motor vehicle is caused by violation of this section, the offending operator shall be fined five hundred dollars ($500) and his/her driver’s license shall be suspended for a period of three (3) months. When the death of any person other than the offending operator of any motor vehicle is caused by violation of this section, the offending operator shall be fined one thousand dollars ($1,000) and his/her driver’s license shall be suspended for a period of one year.

(c)

As used in this section, “serious bodily injury” means physical injury that creates a substantial risk of death or causes serious physical disfigurement or protracted loss or impairment of the function of any bodily member or organ.

History of Section.

P.L. 1976, ch. 138, § 1; P.L. 1979, ch. 207, § 1; P.L. 2002, ch. 292, § 112; P.L. 2013, ch. 339, § 2; P.L. 2013, ch. 414, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-17 - Right-Of-WaySection 31-17-9. - Yielding to riders on bicycle lane.

§ 31-17-9. Yielding to riders on bicycle lane.

(a)

The driver of a vehicle about to cross or to turn left or right across a bicycle lane shall yield the right-of-way to any person operating a bicycle or motorized wheelchair upon the bicycle lane.

(b)

Any driver of a vehicle convicted of violating the provisions of this section shall be subject to the fines enumerated in § 31-41.1-4.

History of Section.

P.L. 2005, ch. 64, § 3; P.L. 2005, ch. 67, § 3; P.L. 2008, ch. 100, art. 12, § 7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-1. - Applicability of regulations to pedestrians.

§ 31-18-1. Applicability of regulations to pedestrians.

Pedestrians shall be subject to traffic control signals at intersections as provided in §§ 31-13-6 and 31-13-7, unless required by local ordinance to comply strictly with the signals, but at all other places pedestrians shall be accorded the privileges and shall be subject

to the restrictions stated in this chapter.
History of Section.
P.L. 1950, ch. 2595, art. 29, § 1; G.L. 1956, § 31-18-1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-10. - Walking in street prohibited.

§ 31-18-10. Walking in street prohibited.
Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway. Where sidewalks are provided it shall be lawful for a person to run or jog along and upon an adjacent roadway, and if the person shall begin to walk he or she shall walk upon an available sidewalk.
History of Section.
P.L. 1950, ch. 2595, art. 29, § 6; G.L. 1956, § 31-18-10; P.L. 1984, ch. 298, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-11.1. - Severability.

§ 31-18-11.1. Severability.
If any portion or provision of §§ 31-18-10 and 31-18-11 is found by a court of competent jurisdiction to be invalid, the remaining parts or provisions shall remain in full force and effect.
History of Section.
P.L. 1984, ch. 298, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-11. - Walking, jogging, or running on left.

§ 31-18-11. Walking, jogging, or running on left.
(a)
Where sidewalks are not provided any person walking, jogging, or running along and upon a highway shall, when practicable, walk, jog or run only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction. Under no circumstances shall anyone walk, run, or jog on any interstate highway within this state.
(b)
Any person jogging or running during the time from one-half hour after sunset to one-half hour before sunrise, shall, in addition, wear reflective material which is visible by low beam headlamps from a distance of at least five hundred feet (500′). In no event, shall the failure to wear reflective clothing be considered as contributing negligence, nor shall the failure to wear reflective clothing be admissible as evidence in the trial of any civil action.
(c)
Any person who violates the provisions of this section shall, upon conviction, be fined fifteen dollars ($15.00). If the person has been charged with failure to wear reflective material they shall be issued a citation. If any person issued a citation presents proof of purchase of reflectorized clothing or the minimum amount of reflectorized material to the issuing police department within ten (10) days, the department shall void the violation. Should an individual issued a citation fail to present the proof of purchase within the prescribed time, he or she shall be fined fifteen dollars ($15.00). The fine shall be paid by mail and paid to the traffic tribunal and shall not be recorded on the driving record of the violator.
(d)
Any person found to have violated the provisions of this section more than once shall, upon conviction, be fined twenty-five dollars ($25.00) for each subsequent conviction.
History of Section.
P.L. 1950, ch. 2595, art. 29, § 6; G.L. 1956, § 31-18-11; P.L. 1984, ch. 298, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-12. - Hitchhiking in road.

§ 31-18-12. Hitchhiking in road.
No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any vehicle. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 29, § 6; G.L. 1956, § 31-18-12; P.L. 2002, ch. 292, § 113.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-13. - Use of white cane restricted to blind persons.

§ 31-18-13. Use of white cane restricted to blind persons.
It is unlawful for any person, unless totally or partially blind, while on any public street or highway, to carry in a raised or extended

position a cane or walking stick which is white in color or white tipped with red.
History of Section.
P.L. 1949, ch. 2255, § 1; G.L. 1956, § 31-18-13.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-14. - Full stop for pedestrian with guide dog or white cane.

§ 31-18-14. Full stop for pedestrian with guide dog or white cane.
Whenever a pedestrian is crossing or attempting to cross a public street or highway guided by a seeing-eye guide dog or a hearing-ear signal dog clearly identified as such by a yellow harness, which has been trained and educated to guide and assist the pedestrian in traveling upon the public streets; or carrying in a raised or extended position a cane or walking stick which is white in color or white tipped with red, the driver of every vehicle approaching the intersection, or place where the pedestrian is attempting to cross, shall bring his or her vehicle to a full stop before arriving at the intersection or place of crossing, and before proceeding shall take any precautions that may be necessary to avoid injuring the pedestrian.
History of Section.
P.L. 1949, ch. 2255, § 2; G.L. 1956, § 31-18-14; P.L. 1979, ch. 159, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-15. - Pedestrians who are blind or deaf not guided by dog or carrying white cane.

§ 31-18-15. Pedestrians who are blind or deaf not guided by dog or carrying white cane.
Nothing contained in §§ 31-18-13 — 31-18-16 shall be construed to deprive any person who is blind, visually impaired, or deaf, but not carrying a cane or walking stick, or not being guided by a dog, of the rights and privileges conferred by law upon pedestrians crossing streets or highways. In no case shall the failure of the person who is blind, visually impaired or deaf to carry a cane or walking stick, or to be guided by a guide or signal dog upon the streets, highways, or sidewalks of this state, be held to constitute nor be evidence of contributory negligence.
History of Section.
P.L. 1949, ch. 2255, § 3; G.L. 1956, § 31-18-15; P.L. 1979, ch. 159, § 2; P.L. 1999, ch. 83, § 70; P.L. 1999, ch. 130, § 70.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-16.1. - Failure to stop on red signal for blind person at intersection.

§ 31-18-16.1. Failure to stop on red signal for blind person at intersection.
Any person who shall violate the provisions of § 31-13-6(3)(i) at an intersection where a pedestrian is crossing or attempting to cross a public street or highway guided by a seeing-eye dog or a hearing-ear signal dog, clearly identified by a yellow harness, which has been trained and educated to guide and assist the pedestrian in traveling upon the public streets, or carrying in a raised or extended position a cane or walking stick which is white in color or white tipped with red, shall be fined not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000).
History of Section.
P.L. 1985, ch. 78, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-16. - Penalty for violations as to people who are blind.

§ 31-18-16. Penalty for violations as to people who are blind.
Any person who violates any provision of §§ 31-18-13 — 31-18-15, upon conviction, shall be sentenced to pay a fine not more than two hundred fifty dollars ($250).
History of Section.
P.L. 1949, ch. 2255, § 4; G.L. 1956, § 31-18-16; P.L. 1981, ch. 62, § 1; P.L. 1981, ch. 284, § 1; P.L. 1999, ch. 383, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-17. - Pedestrians on freeways.

§ 31-18-17. Pedestrians on freeways.
Any pedestrian who shall cross any freeway as defined by § 24-10-1, except in an emergency or to render assistance in case of an accident or unforeseen cause, shall be deemed to be guilty of a civil violation.
History of Section.
P.L. 1967, ch. 19, § 1; P.L. 1999, ch. 218, art. 6, § 8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-18. - Right-of-way on sidewalks.

§ 31-18-18. Right-of-way on sidewalks.
The driver of a vehicle crossing a sidewalk shall yield the right-of-way to all traffic proceeding along and upon the sidewalk.

Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1976, ch. 58, § 6; P.L. 2002, ch. 292, § 113.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-19. - Negligence of children.

§ 31-18-19. Negligence of children.
A violation of any provision of this chapter by a child under the age of fourteen (14) shall not constitute negligence per se although a violation may be considered as evidence of negligence.
History of Section.
P.L. 1976, ch. 58, § 6.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-2. - Local ordinances.

§ 31-18-2. Local ordinances.
Local authorities are empowered by ordinance to require that pedestrians shall strictly comply with the directions of any official traffic control signal and may by ordinance prohibit pedestrians from crossing any roadway in a business district or any designated highways except in a crosswalk.
History of Section.
P.L. 1950, ch. 2595, art. 29, § 1; G.L. 1956, § 31-18-2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-20.1. - Operation of wheelchairs — Lamps and other equipment required.

§ 31-18-20.1. Operation of wheelchairs — Lamps and other equipment required.
(a)
Any wheelchair, motorized or manual, operating upon roadways, when in use at nighttime, shall be equipped with: a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500′) feet to the front.
(b)
Every wheelchair shall be equipped with a red reflector of a type approved by the division of motor vehicles which shall be visible from six hundred (600′) feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle.
(c) Side Reflectors.
Every wheelchair operating upon roadways, when in use at nighttime, shall be equipped with a minimum of twenty (20) square inches on each side of the wheelchair of white reflective material on the wheels or tires to indicate as nearly as possible the continuous circular shape and size of the wheels or tires of each wheelchair. All reflective material shall be visible during the hours of darkness from five hundred (500′) feet when viewed under lawful low beam headlights under normal atmospheric conditions on straight, level, unlighted roadway, and shall meet the requirements as prescribed by the division of motor vehicles.
(d)
No person shall sell a wheelchair, new or used, that is not equipped with side reflectors, rear reflectors and front white light as required by this section. Wheelchairs sold to institutions for the exclusive use inside facilities shall be exempt from this section, provided that no exempt wheelchair shall be used upon roadways.
History of Section.
P.L. 1996, ch. 337, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-20.2. - Wheelchair use in roadway prohibited.

§ 31-18-20.2. Wheelchair use in roadway prohibited.
Where sidewalks with curb-cuts and at least thirty-two (32) inches of unobstructed clear width are provided it shall be unlawful for any user of a manual or motorized wheelchair to wheel along and upon an adjacent roadway.
History of Section.
P.L. 1996, ch. 337, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-20. - Wheelchairs — Rights and duties.

§ 31-18-20. Wheelchairs — Rights and duties.
(a)
Every person operating a wheelchair upon a sidewalk or roadway shall be granted all the rights and shall be subject to all the duties applicable to a pedestrian.
(b)

Every person riding a motorized wheelchair on a bicycle lane, trail or path shall be granted all the rights and shall be subject to all the duties applicable to the driver of a bicycle operating on a bicycle lane trail or path except: (1) when those rights or duties, by their very nature, can have no application; or (2) as otherwise specifically provided under chapters 1 — 27 of this title.
History of Section.
P.L. 1985, ch. 116, § 2; P.L. 1996, ch. 337, § 2; P.L. 2005, ch. 64, § 4; P.L. 2005, ch. 67, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-21. - Pedestrians and bike facilities.

§ 31-18-21. Pedestrians and bike facilities.
Except in the cases of limited access roads, and/or roads of less than twenty-three feet (23′) in width, the director of the department of transportation is authorized and directed to provide for the accommodation of bicycle and pedestrian traffic in the planning, design, construction and reconstruction, and to consider this in the resurfacing and striping of any project undertaken by the department, unless the director, after appropriate review by the director or his or her designees, determines that the inclusion of bike facilities and pedestrian access would be contrary to acceptable standards of public safety, degrade environmental or scenic quality, or conflict with existing right-of-way. In his or her deliberations, the director shall take into consideration the cost of the facilities in relationship to available funding. Bike facilities may include bicycle lanes, routes, paths or trails; permeable paved shoulders; and/or signage.
History of Section.
P.L. 1997, ch. 102, § 1; P.L. 2000, ch. 109, § 65; P.L. 2005, ch. 64, § 4; P.L. 2005, ch. 67, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-22. - Public information and education on the rights of pedestrians.

§ 31-18-22. Public information and education on the rights of pedestrians.
A program of public information and education designed to educate the motoring public to the rights of pedestrians shall be developed by the department of transportation's office on highway safety. The department of transportation's office on highway safety, in cooperation with the department of health, shall study the effectiveness of the implementation of this section and shall submit to the general assembly a report containing its findings by July 1, 2000.
History of Section.
P.L. 1999, ch. 383, § 6.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-3. - Right-of-way in crosswalk.

§ 31-18-3. Right-of-way in crosswalk.
(a)
When traffic control signals are not in place or not in operation, the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield. This provision shall not apply under the conditions stated in § 31-18-6.
(b)
Violations of this section are subject to fines enumerated in § 31-41.1-4 and in addition to any other penalty provided by law, a judge or magistrate shall impose a mandatory fine of one hundred dollars ($100) for a second or any subsequent violation of this section.
History of Section.
P.L. 1950, ch. 2595, art. 29, § 2; G.L. 1956, § 31-18-3; P.L. 1999, ch. 218, art. 5, § 15; P.L. 2002, ch. 292, § 113.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-4. - Overtaking of vehicle stopped for pedestrian.

§ 31-18-4. Overtaking of vehicle stopped for pedestrian.
(a)
Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.
(b)
Whenever there are no markings to the contrary, there shall be a presumption that there is an unmarked crosswalk at any intersection.
History of Section.
P.L. 1950, ch. 2595, art. 29, § 2; G.L. 1956, § 31-18-4; P.L. 1999, ch. 383, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-5. - Crossing

other than at crosswalks.

§ 31-18-5. Crossing other than at crosswalks.
Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 29, § 3; G.L. 1956, § 31-18-5; P.L. 2002, ch. 292, § 113.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-6. - Crossing where tunnel or overhead is provided.

§ 31-18-6. Crossing where tunnel or overhead is provided.
Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.
History of Section.
P.L. 1950, ch. 2595, art. 29, § 3; G.L. 1956, § 31-18-6.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-7. - Crossing between intersections.

§ 31-18-7. Crossing between intersections.
Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.
History of Section.
P.L. 1950, ch. 2595, art. 29, § 3; G.L. 1956, § 31-18-7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-8. - Due care by drivers.

§ 31-18-8. Due care by drivers.
Notwithstanding other provisions of this chapter or the provisions of any local ordinance, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian or any person propelling a human-powered vehicle upon any roadway, shall give an audible signal when necessary, and shall exercise proper precaution upon observing any child or any obviously confused, intoxicated, or incapacitated person. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 29, § 4; G.L. 1956, § 31-18-8; P.L. 1976, ch. 58, § 5; P.L. 2002, ch. 292, § 113.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-18 - PedestriansSection 31-18-9. - Right half of crosswalks.

§ 31-18-9. Right half of crosswalks.
Pedestrians shall move, whenever practicable, upon the right half of crosswalks.
History of Section.
P.L. 1950, ch. 2595, art. 29, § 5; G.L. 1956, § 31-18-9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.1 - Motorized BicyclesSection 31-19.1-1. - License required to operate.

§ 31-19.1-1. License required to operate.
No person shall operate a motorized bicycle or motor scooter upon a highway in this state unless the person has a valid license as an operator under the provisions of chapter 10 of this title and shall be at least sixteen (16) years of age.
History of Section.
P.L. 1976, ch. 64, § 5; P.L. 2006, ch. 11, § 3; P.L. 2006, ch. 12, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.1 - Motorized BicyclesSection 31-19.1-2. - Driving on interstate highways prohibited.

§ 31-19.1-2. Driving on interstate highways prohibited.
No person shall operate a motorized bicycle upon an interstate highway within this state. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1976, ch. 64, § 5; P.L. 2002, ch. 292, § 114.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.2 - Motorized TricyclesSection

31-19.2-1. - License required to operate.

§ 31-19.2-1. License required to operate.
No person shall operate a motorized tricycle upon a highway in this state unless the person has a valid license as an operator under the provisions of chapter 10 of this title and shall be at least sixteen (16) years of age.
History of Section.
P.L. 1978, ch. 377, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.2 - Motorized TricyclesSection 31-19.2-2. - Driving on interstate highways prohibited.

§ 31-19.2-2. Driving on interstate highways prohibited.
No person shall operate a motorized tricycle upon an interstate highway within this state. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1978, ch. 377, § 4; P.L. 2002, ch. 292, § 115.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.3 - Regulation of Rental of Motorized Bicycles, Motor Scooters and Motorized Tricycles in New ShorehamSection 31-19.3-1. - Purpose.

§ 31-19.3-1. Purpose.
The general assembly recognizes the importance of establishing procedures and standards for the supervision and regulation of the rental of motorized bicycles, motor scooters and motorized tricycles in the town of New Shoreham. The establishment of these procedures and standards is declared to be a reasonable exercise of the police power of the general assembly and necessary to afford protection against the increasing number and severity of accidents involving motorized bicycles, motor scooters and motorized tricycles, the noise, and the traffic congestion that their presence creates within the town. The general assembly further declares that it is in the interest of the public health, safety, and welfare that the rental of motorized bicycles, motor scooters and motorized tricycles in the town of New Shoreham be supervised, regulated, and controlled in accordance with the provisions of this chapter.
History of Section.
P.L. 1984 (s.s.), ch. 457, § 1; P.L. 2006, ch. 11, § 5; P.L. 2006, ch. 12, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.3 - Regulation of Rental of Motorized Bicycles, Motor Scooters and Motorized Tricycles in New ShorehamSection 31-19.3-10. - Appeals to superior court.

§ 31-19.3-10. Appeals to superior court.
(a)
Any person, firm, or corporation aggrieved by a decision of the town council pursuant to § 31-19.3-6 or 31-19.3-7 may appeal to the superior court for Washington County by filing a complaint setting forth the reasons of appeal within twenty (20) days after the decision has been filed in the office of the town clerk. The town council shall file the original documents acted upon by it and constituting the record of the case appealed from, or certified copies of them, together with any other facts that may be pertinent, with the clerk of the court within ten (10) days after being served with a copy of the complaint. When the complaint is filed by someone other than the original applicant or appellant, the original applicant or appellant and the members of the town council shall be made parties to the proceedings. The appeal shall not stay proceedings upon the decision appealed from, but the court may, in its discretion, grant a stay on appropriate terms and make any other orders that it deems necessary for an equitable disposition of the appeal.
(b)
If, before the date set for the hearing in the superior court, application is made to the court for leave to present additional evidence before the town council and it is shown to the satisfaction of the court that the additional evidence is material and that there were good reasons for the failure to present it at the hearing before the town council, the court may order that the additional evidence be taken before the town council upon conditions determined by the court. The town council may modify its findings and decision by reason of the additional evidence and shall file that evidence and any modifications, new findings, or decisions with the superior court.
(c)
The review shall be conducted by the superior court without a jury. The court shall consider the record of the hearing before the town council and if it shall appear to the court that additional evidence is necessary for the proper disposition of the matter, it may allow any party to the appeal to present the evidence in open court, which evidence along with the record shall constitute the record upon which the determination of the court shall be made.
(d)
The court shall not substitute its judgment for that of the town council as to the weight of the evidence on questions of fact. The court may affirm the decision of the town council or remand the case for further proceedings, or may reverse or modify the decision if substantial rights of the appellant have been prejudiced because of findings, inferences, conclusions or decisions which are:
(1)

In violation of constitutional, statutory, or ordinance provisions;
(2)
In excess of the authority granted to the town council by statute or ordinance;
(3)
Made upon unlawful procedure;
(4)
Affected by other error of law;
(5)
Clearly erroneous in view of the reliable, probative, and substantial evidence of the whole record; or
(6)
Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.
History of Section.
P.L. 1984 (s.s.), ch. 457, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.3 - Regulation of Rental of Motorized Bicycles, Motor Scooters and Motorized Tricycles in New ShorehamSection 31-19.3-2. - Definitions.

§ 31-19.3-2. Definitions.
As used in this chapter:
(1)
“Motorized bicycles” has the meaning set forth in § 31-1-3.
(2)
“Motorized tricycles” has the meaning set forth in § 31-1-3.
(3)
“Motor scooters” has the meaning set forth in § 31-1-3.
History of Section.
P.L. 1984 (s.s.), ch. 457, § 1; P.L. 2004, ch. 6, § 15; P.L. 2006, ch. 11, § 5; P.L. 2006, ch. 12, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.3 - Regulation of Rental of Motorized Bicycles, Motor Scooters and Motorized Tricycles in New ShorehamSection 31-19.3-3. - License required.

§ 31-19.3-3. License required.
No person, firm, or corporation shall offer for rent or lease or allow to be rented or leased any motorized bicycle, motor scooter or motorized tricycle within the town of New Shoreham, unless and until the town council of the town of New Shoreham issues a license in accordance with the provisions of this chapter. However, any person, firm, or corporation holding a license to rent or lease motorized bicycles, motor scooters or motorized tricycles which has been issued by the department of revenue shall be permitted to continue to operate pursuant to the license; provided, that upon the expiration of the license, the person, firm, or corporation shall be required to comply with the provisions of this chapter in order to rent or lease motorized bicycles, motor scooters or motorized tricycles within the town of New Shoreham.
History of Section.
P.L. 1984 (s.s.), ch. 457, § 1; P.L. 2000, ch. 109, § 66; P.L. 2006, ch. 11, § 5; P.L. 2006, ch. 12, § 5; P.L. 2008, ch. 98, § 15; P.L. 2008, ch. 145, § 15.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.3 - Regulation of Rental of Motorized Bicycles, Motor Scooters and Motorized Tricycles in New ShorehamSection 31-19.3-4. - License application.

§ 31-19.3-4. License application.
(a)
Any person requesting a license under this chapter shall apply for it to the town council of the town of New Shoreham upon a form specifying any information that the town council shall require. The town council may require, with the application or otherwise, information relating to the applicant’s solvency, financial standing, insurance coverage, or any other matter which the town council may deem pertinent to safeguard the public interest, all of which shall be considered by the council in determining the fitness of the applicant to be licensed pursuant to this chapter.
(b)
The license shall be valid, unless sooner revoked or suspended, until the end of the calendar year of the year in which issued. This license shall be renewable on or after the first of each year.
(c)
Any license issued by the town council of the town of New Shoreham under provisions of this chapter may set forth:
(1)
The type of vehicle which the licensee is authorized to rent or lease.
(2)
The location of the premises from which the license holder is authorized to rent or lease the vehicles.

(3)
The total number of motorized bicycles and/or motorized tricycles which the license holder is authorized to rent or lease.
(4)
The name and address of the license holder.
History of Section.
P.L. 1984 (s.s.), ch. 457, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.3 - Regulation of Rental of Motorized Bicycles, Motor Scooters and Motorized Tricycles in New ShorehamSection 31-19.3-5. - Ordinances.

§ 31-19.3-5. Ordinances.
(a)
The town council of the town of New Shoreham may enact reasonable ordinances establishing procedures and standards for the licensing, supervision, regulation, and control of the rental of motorized bicycles, motor scooters and motorized tricycles.
(b)
An ordinance enacted pursuant to this section may:
(1)
Establish a fee to be charged for the issuance or renewal of any license for the rental of motorized bicycles, motor scooters and/or motorized tricycles the holder of the license is authorized to rent or lease and shall not exceed the sum of forty dollars ($40.00) per motorized bicycle, motor scooters or motorized tricycle.
(2)
Establish a maximum number of licenses which may be granted for the rental of motorized bicycles, motor scooters and/or motorized tricycles.
(3)
Establish hours during which motorized bicycles, motor scooters and/or motorized tricycles may be rented.
(4)
Establish a maximum number of motorized bicycles, motor scooters and/or motorized tricycles which a license holder may rent or lease under the license.
(5)
Provide that no motorized bicycle, motor scooters or motorized tricycle shall be rented or leased in the town of New Shoreham unless the operator thereof has a valid license issued under the provisions of § 31-10-1, or a similar license issued by a state other than Rhode Island.
(6)
Require all motorized bicycles, motor scooters and/or motorized tricycles to pass inspection annually and be issued a certificate by a duly authorized state inspection facility indicating that the vehicle has passed inspection to be conducted at inspection agencies which shall be created and governed by rules and regulations promulgated by the department of revenue.
History of Section.
P.L. 1984 (s.s.), ch. 457, § 1; P.L. 1992, ch. 158, § 1; P.L. 1992, ch. 159, § 1; P.L. 1995, ch. 399, §§ 1, 2; P.L. 1996, ch. 404, § 33; P.L. 2006, ch. 11, § 5; P.L. 2006, ch. 12, § 5; P.L. 2008, ch. 98, § 15; P.L. 2008, ch. 145, § 15.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.3 - Regulation of Rental of Motorized Bicycles, Motor Scooters and Motorized Tricycles in New ShorehamSection 31-19.3-6. - Denial, suspension, or revocation of license.

§ 31-19.3-6. Denial, suspension, or revocation of license.
The license provided for pursuant to this chapter may be denied, suspended, or revoked on any of the following grounds:
(1)
Proof of unfitness of the applicant;
(2)
Material misstatement of the applicant in the application for a license;
(3)
Violation of any provisions of this chapter or of the provisions of any ordinance established by the town council enacted pursuant to the provisions of this chapter.
History of Section.
P.L. 1984 (s.s.), ch. 457, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.3 - Regulation of Rental of Motorized Bicycles, Motor Scooters and Motorized Tricycles in New ShorehamSection 31-19.3-7. - Denial of license hearing.

§ 31-19.3-7. Denial of license hearing.
The town council of the town of New Shoreham may, without prior notice, deny any application for a license within thirty (30) days of the receipt of the application, by written notice to the applicants stating grounds for the denial. On request by the applicant who

has been denied a license, the town council of the town of New Shoreham shall set the time and place of a hearing upon the denial, and it shall hear the denial with reasonable promptness.
History of Section.
P.L. 1984 (s.s.), ch. 457, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.3 - Regulation of Rental of Motorized Bicycles, Motor Scooters and Motorized Tricycles in New ShorehamSection 31-19.3-8. - Hearing on suspension or revocation of license.

§ 31-19.3-8. Hearing on suspension or revocation of license.
No license shall be suspended or revoked except after a hearing. The town council shall give the licensee at least five (5) days written notice of the time and place of the hearing together with the statement of grounds for the proposed action.
History of Section.
P.L. 1984 (s.s.), ch. 457, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.3 - Regulation of Rental of Motorized Bicycles, Motor Scooters and Motorized Tricycles in New ShorehamSection 31-19.3-9. - Records of council.

§ 31-19.3-9. Records of council.
The town council shall keep minutes of its proceedings showing the vote of each member upon any question or, if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which shall be filed immediately in the office of the town clerk and shall be a public record.
History of Section.
P.L. 1984 (s.s.), ch. 457, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.4 - Prudence Island Low Speed VehiclesSection 31-19.4-1. - Prudence Island low speed vehicles.

§ 31-19.4-1. Prudence Island low speed vehicles.
(a)
For the purposes of this chapter, a low speed vehicle means a self-propelled, electrically or gas powered motor vehicle which: is designed to carry four (4) or fewer persons; is designed to be, and is, operated at speeds of twenty-five (25) miles per hour or less; and conforms to the maximum safety equipment requirements as adopted in the Federal Motor Vehicle Safety Standard No. 500, Low Speed vehicles (49 C.F.R. 571.500). Notwithstanding anything to the contrary, a low speed vehicle may be operated upon the roadways of Prudence Island if it meets the requirements of this section.
(b)
Each person operating a low speed vehicle on a roadway of Prudence Island shall possess a valid driver’s license issued pursuant to § 31-10-1.
(c)
Every operator of a low speed vehicle shall maintain financial responsibility on such low speed vehicle if the low speed vehicle is to be operated upon the roadways of Prudence Island.
(d)
Every person operating a low speed vehicle shall be granted all the rights and shall be subject to all duties applicable to the driver of any motor vehicle except as to the special regulations in this section and except as to those provisions which by their nature can have no application.
(e)
The operator of a low speed vehicle shall observe all traffic laws and local ordinances regarding the rules of the road. A low speed vehicle shall not be operated on a street or a highway with a posted speed limit greater than twenty-five (25) miles per hour. The provisions of this subsection shall not prohibit a low speed vehicle from crossing a street or highway with a posted speed limit greater than thirty-five (35) miles per hour.
(f)
No person shall operate a low speed vehicle: (1) in any careless way as to endanger the person or property of another; or (2) while under the influence of alcohol or any controlled substance. Low speed vehicles shall be manufactured and comply with the standards of the National Traffic Safety Administration Standards for low speed vehicles as set out in 49 C.F.R. 571.500, as amended.
(g)
A low speed vehicle shall only be operated during the hours of 6:00 am through 6:00 pm.
History of Section.
P.L. 2005, ch. 327, § 1; P.L. 2005, ch. 328, § 1; P.L. 2005, ch. 381, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.5 - City of Newport — Commercial Low-Speed VehiclesSection 31-19.5-1. - City of Newport — Commercial low-speed vehicles.

§ 31-19.5-1. City of Newport — Commercial low-speed vehicles.
(a)
For the purposes of this chapter, a commercial low-speed vehicle means a self-propelled, electrically or gas-powered motor vehicle that: is designed to carry eight (8) or fewer persons; is designed to be, and is, operated at speeds of twenty-five (25) miles per hour or less; and conforms to the maximum safety equipment requirements as adopted in the Federal Motor Vehicle Safety Standard No. 500, Low-Speed vehicles (49 C.F.R. § 571.500). Notwithstanding anything to the contrary, a low-speed vehicle may be operated upon the roadways of the city of Newport as a commercial jitney service only if it meets the requirements of this section.
(b)
Each person operating a commercial low-speed vehicle on a roadway of the city of Newport shall possess a valid chauffeur's license issued pursuant to § 31-10-1 and be at least twenty (20) years old.
(c)
Any person operating a commercial low-speed vehicle shall first obtain a certificate of necessity from the Rhode Island public utilities commission.
(d)
Every operator of a commercial low-speed vehicle shall maintain financial responsibility on the low-speed vehicle if the low-speed vehicle is to be operated upon the roadways of the city of Newport.
(e)
Every person operating a commercial low-speed vehicle shall be granted all the rights and shall be subject to all duties applicable to the driver of any motor vehicle except as to the special regulations in this section and except as to those provisions that, by their nature, can have no application.
(f)
The operator of a commercial low-speed vehicle shall observe all traffic laws and local ordinances regarding the rules of the road. A low-speed vehicle shall not be operated on a street or a highway with a posted speed limit greater than twenty-five (25) miles per hour. The provisions of this subsection shall not prohibit a low-speed vehicle from crossing a street or highway with a posted speed limit greater than thirty-five (35) miles per hour.
(g)
No person shall operate a commercial low-speed vehicle:
(1)
In any careless way as to endanger the person or property of another; or
(2)
While under the influence of alcohol or any controlled substance. Low-speed vehicles shall be manufactured and comply with the standards of the National Traffic Safety Administration Standards for low-speed vehicles as set out in 49 C.F.R. § 571.500, as amended.
(h)
A commercial low-speed vehicle shall only be operated during the hours of 6:00 a.m. through 12:00 a.m..
(i) Safety inspections.
Electrically powered commercial low-speed vehicles shall, where applicable, be subject to Rhode Island's vehicle inspection program pursuant to chapter 38 of title 31 and emissions testing pursuant to chapter 47.1 of title 31. Upon registration and renewal of a low-speed vehicle's registration, the owner shall certify, under penalty of perjury, that all lights, tires, seat belts, and other vehicle equipment are in good working condition.
(j) Title and registration.
The division of motor vehicles shall issue a title and jitney registration for a commercial low-speed vehicle upon submission of a certificate from the manufacturer that the low-speed vehicle meets the safety standards of the National Traffic Safety Administration Standards for low-speed vehicles as set out in 49 C.F.R. § 571.500, as amended.
History of Section.
P.L. 2018, ch. 219, § 1; P.L. 2018, ch. 282, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.6 - Low-Speed VehiclesSection 31-19.6-1. - Low-speed vehicles.

§ 31-19.6-1. Low-speed vehicles.
(a)
Except as otherwise provided in chapters 19.4 and 19.5 of this title, a low-speed motor vehicle or low-speed vehicle shall not be operated upon any public way unless such vehicle is registered in accordance with the provisions of this chapter, displays the registration number as provided in § 31-3-10, and displays a slow-moving vehicle emblem on the rear of the vehicle as required by § 31-23-47. Low-speed vehicles shall be subject to inspection as required by chapter 38 of this title. The registrar may issue registration plates displaying the "Slow Moving Vehicle" emblem for a low-speed vehicle upon the same terms and conditions applicable to registrants of other motor vehicles and may issue a special parking identification placard bearing the same designation upon the same terms and conditions applicable to persons seeking a placard for a motor vehicle. Every person lawfully operating a low-speed motor vehicle shall have the right to use the public highways in the state, including any state highway, through highway,

limited access highway or public highway or roadway with a posted speed limit of thirty-five miles per hour (35 m.p.h.) or less. No low-speed vehicle shall operate on any state highway, through highway, limited access highway or public highway or roadway with a speed limit greater than thirty-five miles per hour (35 m.p.h.)
(b)
Low-speed vehicles shall be subject to the traffic laws and regulations of the state and the provisions of this section.
(c)
Nothing in subsection (a) of this section shall be construed to prohibit a low-speed motor vehicle from crossing a public highway at an intersection where the public highway to be crossed has a posted speed limit between thirty-five miles per hour (35 m.p.h.) and forty-five miles per hour (45 m.p.h.), provided the public highway the low-speed vehicle is traveling on and the public highway the low-speed vehicle is crossing the intersection toward both have a speed limit no higher than thirty-five miles per hour (35 m.p.h.) and the intersection is controlled by traffic signals or stop signs.
(d)
A municipality may, by ordinance, prohibit the operation of low-speed vehicles on a laned roadway or local highway or a portion of a highway within its jurisdiction and under its control, regardless of posted speeds, where it finds that use of the highway or a particular portion of the highway by low-speed motor vehicles would represent an unreasonable risk of death or serious injury to occupants of low-speed vehicles as a result of general traffic conditions which shall include, but not be limited to, excessive speeds of other vehicles, traffic volumes, use of the highway by heavy trucks or other large vehicles or if the established speed limit on the highway increases above thirty-five miles per hour (35 m.p.h.) beyond the point where a low-speed vehicle could safely exit the highway. The municipality shall post signs where necessary to provide notice to the public of such prohibited access.
(e)
Low-speed vehicles operated on Prudence Island, in the town of Portsmouth, pursuant to the provisions of chapter 19.4 of this title, are exempt from the provisions of this chapter.
History of Section.
P.L. 2023, ch. 207, § 5, effective July 1, 2024; P.L. 2023, ch. 224, § 5, effective July 1, 2024; P.L. 2024, ch. 403, art. 2, § 20, effective June 26, 2024; P.L. 2024, ch. 428, § 1, effective June 28, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.7 - Electric BicyclesSection 31-19.7-1. - Classes.

§ 31-19.7-1. Classes.
There shall be three (3) classes of electric bicycles:
(1)
Class 1: Bicycle equipped with an electric motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the electric bicycle reaches twenty miles per hour (20 m.p.h.).
(2)
Class 2: Bicycle equipped with a throttle-actuated electric motor that ceases to provide assistance when the electric bicycle reaches twenty miles per hour (20 m.p.h.).
(3)
Class 3: Bicycle equipped with an electric motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the electric bicycle reaches twenty-eight miles per hour (28 m.p.h.).
History of Section.
P.L. 2024, ch. 172, § 1, effective July 1, 2024; P.L. 2024, ch. 173, § 1, effective July 1, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.7 - Electric BicyclesSection 31-19.7-2. - Use of electric bicycles at state properties.

§ 31-19.7-2. Use of electric bicycles at state properties.
The department of environmental management may, by regulation, determine allowable uses of electric bicycles at properties under the department's jurisdiction; provided, however, that Class 1 electric bicycles shall be allowable on state bicycle trails or paths as defined by § 31-1-23.
History of Section.
P.L. 2024, ch. 172, § 1, effective July 1, 2024; P.L. 2024, ch. 173, § 1, effective July 1, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19.7 - Electric BicyclesSection 31-19.7-3. - Helmets required on electric bicycle operators and passengers under age twenty-one (21).

§ 31-19.7-3. Helmets required on electric bicycle operators and passengers under age twenty-one (21).
Any person under age twenty-one (21) who is operating or is a passenger on an electric bicycle on a public highway, bicycle trail or path, shared use path, park and/or recreational area, school property, or on any other public right-of-way shall wear a helmet. The helmet shall fit the person's head and shall be secured to the person's head by straps while the person is operating or is a passenger on an electric bicycle. The helmet shall meet the standards for helmets established by the United States Consumer Product Safety Commission (CPSC) or subsequent standards. In no event shall failure to wear a helmet be considered as contributory or

comparative negligence, nor shall the failure to wear a helmet be admissible as evidence in the trial of any civil action.
History of Section.
P.L. 2024, ch. 172, § 1, effective July 1, 2024; P.L. 2024, ch. 173, § 1, effective July 1, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-1. - Violations.

§ 31-19-1. Violations.
It is a violation for any person to do any act forbidden or fail to perform any act required in this chapter. The violations shall be adjudicated administratively under the provisions of chapter 41.1 of this title.
History of Section.
P.L. 1976, ch. 58, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-10. - Lamps and other equipment on bicycles.

§ 31-19-10. Lamps and other equipment on bicycles.
(a) Front lamp.
Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet (500′) to the front.
(b) Rear reflector.
Every bicycle shall be equipped with a red reflector of a type approved by the division of motor vehicles which shall be visible for six hundred feet (600′) to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet (500′) to the rear may be used in addition to the red reflector.
(c) Pedal reflectors.
No person shall sell a new bicycle or a pedal for use on a bicycle that is not equipped with a reflector of a type approved by the department, on each pedal of the bicycle which is visible from the front and rear of the bicycle during darkness from a distance of two hundred feet (200′) nor shall any person operate a bicycle without reflective pedals.
(d) Sirens or whistles.
A bicycle shall not be equipped with, nor shall any person use a bicycle equipped with, a siren or whistle.
(e) Brakes.
No person shall sell a bicycle, new or used, that is not equipped, and every bicycle, excluding bicycles that are especially designed and made for off-road use, shall be equipped with a brake or brakes which will enable the operator to stop the bicycle within twenty-five feet (25′) at a speed of ten (10) mph on dry, level, clean pavement.
(f) Side reflectors.
Every bicycle when in use at nighttime shall be equipped with a minimum of twenty (20) square inches on each side of the bicycle of white reflective material on the wheels or tires to indicate as nearly as possible the continuous circular shape and size of the wheels or tires of each bicycle. All reflective materials used in compliance with this statute shall be visible during the hours of darkness from five hundred feet (500′) when viewed under lawful low beam headlamps under normal atmospheric conditions on a straight, level, unlighted roadway, and shall meet the requirements as prescribed by the division of motor vehicles.
History of Section.
P.L. 1976, ch. 58, § 2; P.L. 1984, ch. 423, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-11. - Bicycles and motorized wheelchairs on sidewalks and crosswalks.

§ 31-19-11. Bicycles and motorized wheelchairs on sidewalks and crosswalks.
A person may ride any vehicle operated by human power or may operate a motorized wheelchair or an electric personal assistive mobility device (“EPAMD”) as defined in § 31-1-3 upon and along a sidewalk, a bicycle lane, a bicycle route or across a roadway upon and along a crosswalk, unless prohibited by official traffic-control devices (signs).
History of Section.
P.L. 1976, ch. 58, § 2; P.L. 1985, ch. 116, § 3; P.L. 2002, ch. 56, § 4; P.L. 2002, ch. 136, § 3; P.L. 2002, ch. 397, § 3; P.L. 2005, ch. 64, § 5; P.L. 2005, ch. 67, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-12. - Bicycles on sidewalks and crosswalks — Rights and duties.

§ 31-19-12. Bicycles on sidewalks and crosswalks — Rights and duties.
A person propelling a vehicle by human power or operating an electric personal assistive mobility device (“EPAMD”) upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall be granted all the rights and shall be subject to all the duties applicable to a pedestrian under the same circumstances; provided, however, that a person riding an electric personal assistive mobility device (“EPAMD”) on a sidewalk or a bicycle path or trail shall yield the right-of-way to pedestrians or give an audible

signal before overtaking any passing pedestrian. Pedestrians using an EPAMD shall exercise a high degree of care when passing a pedestrian using a wheelchair, walker or other mobility aid and only pass when the width of the sidewalk exceeds five (5) feet. For purposes of this section electric personal assistive mobility devices ("EPAMD") and electric motorized bicycles shall be prohibited from sidewalks and crosswalks in the town of New Shoreham.
History of Section.
P.L. 1976, ch. 58, § 2; P.L. 2002, ch. 56, § 4; P.L. 2002, ch. 136, § 3; P.L. 2002, ch. 397, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-13. - Bicycle parking.

§ 31-19-13. Bicycle parking.
(a)
A person may park a bicycle on a sidewalk unless prohibited or restricted by an official traffic control device (sign).
(b)
A bicycle parked on a sidewalk shall not unduly impede pedestrian or other traffic.
(c)
A bicycle may be parked in the roadway at any angle to the curb or edge of the roadway at any location where parking is allowed.
(d)
A bicycle may be parked on the roadway abreast of another bicycle or bicycles near the side of the roadway at any location where parking is allowed.
(e)
In all other respects, bicycles parked anywhere on a highway shall conform with the provisions of chapter 21 of this title regulating the parking of vehicles.
History of Section.
P.L. 1976, ch. 58, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-14. - Turn and stop signals.

§ 31-19-14. Turn and stop signals.
(a)
Except as provided in this section, a person riding a bicycle shall comply with § 31-16-5.
(b)
A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred feet (100′) traveled by the bicycle before turning, and shall be given while the bicycle is stopped waiting to turn. A signal by hand and arm need not be given continuously if the hand is needed in control or operation of the bicycle.
History of Section.
P.L. 1976, ch. 58, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-15. - Left turns.

§ 31-19-15. Left turns.
(a)
A person riding a bicycle intending to turn left shall, unless he or she complies with the provisions of § 31-16-2, approach the turn in a position as close as practicable to the right-hand curb or edge of the roadway. The turn shall be made at a position as close as practicable to the right-hand curb or edge of the roadway along which the bicyclist intends to proceed after turning.
(b)
If the turn is made at a location where traffic movement is controlled by a police officer or by a traffic-control signal, the bicyclist may not proceed after crossing the intersecting roadway until a signal to proceed is given to traffic moving in the appropriate direction on the roadway along which the bicyclist intends to proceed. At all other locations, after turning and before crossing the roadway he or she is leaving, the bicyclist must yield the right-of-way to all traffic approaching on that roadway.
(c)
The state highway commission and local authorities in their respective jurisdictions may cause official traffic-control devices to be placed and require and direct that a specific course be traveled by turning bicycles, and when the devices are so placed, no person shall turn a bicycle other than as directed and required by the devices.
History of Section.
P.L. 1976, ch. 58, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-16. - Bicycle identifying number.

§ 31-19-16. Bicycle identifying number.
No person engaged in the business of selling bicycles at retail shall sell any bicycle unless the bicycle has an identifying number permanently stamped or cast on its frame.
History of Section.
P.L. 1976, ch. 58, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-17. - Inspecting bicycles.

§ 31-19-17. Inspecting bicycles.
A uniformed police officer may at any time upon reasonable cause to believe that a bicycle is unsafe or not equipped as required by law, or that its equipment is not in proper adjustment or repair, require the person riding the bicycle to stop and submit the bicycle to an inspection and a test with reference to it as may be appropriate.
History of Section.
P.L. 1976, ch. 58, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-18. - Bicycle racing.

§ 31-19-18. Bicycle racing.
(a)
Bicycle racing on the highways is prohibited except as authorized in this section.
(b)
Bicycle racing on a highway shall not be unlawful when a racing event has been approved by state or local authorities on any highways under their respective jurisdictions. The approval of bicycle highway racing events shall be granted only under conditions which assure reasonable safety for all race participants, spectators, and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience other highway users.
(c)
By agreement with the approving authority, participants in an approved bicycle highway racing event may be exempted from compliance with any traffic laws otherwise applicable to it, provided that traffic control is adequate to assure the safety of all highway users.
History of Section.
P.L. 1976, ch. 58, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-19. - Use of coasters, roller skates, and similar devices restricted.

§ 31-19-19. Use of coasters, roller skates, and similar devices restricted.
No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk, and when so crossing, the person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street by a duly authorized police authority.
History of Section.
P.L. 1976, ch. 58, § 8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-2.1. - Helmets required on bicycle operators, bicycle passengers, skateboarders, rollerskaters, inline skaters, and scooter riders ages fifteen (15) and younger.

§ 31-19-2.1. Helmets required on bicycle operators, bicycle passengers, skateboarders, rollerskaters, inline skaters, and scooter riders ages fifteen (15) and younger.
Any person fifteen (15) years of age or younger who is operating or who is a passenger on a bicycle or who is using or operating a skateboard, rollerskates, scooter or inline skates on a public highway, bicycle trail or path, shared use path, park and/or recreational area, school property or on any other public right of way shall wear a helmet. The helmet shall fit the person’s head and shall be secured to the person’s head by straps while the person is operating the bicycle, skateboard, scooter, rollerskates or inline skates. The helmet shall meet the standards for helmets established by the United States Consumer Product Safety Commission (CPSC) or subsequent standards. In no event shall failure to wear a helmet be considered as contributory or comparative negligence, nor shall the failure to wear a helmet be admissible as evidence in the trial of any civil action.
History of Section.
P.L. 1995, ch. 192, § 1; P.L. 1998, ch. 28, § 1; P.L. 2001, ch. 202, § 2; P.L. 2007, ch. 157, § 1; P.L. 2007, ch. 249, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-2. - Responsibility of parent or guardian.

§ 31-19-2. Responsibility of parent or guardian.
The parent of any child and the guardian of any ward shall not authorize or knowingly permit any child or ward to violate any of the provisions of chapters 1 — 27 of this title.
History of Section.
P.L. 1976, ch. 58, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-20. - Sale of new bicycles.

§ 31-19-20. Sale of new bicycles.
In every sale of a new bicycle, the seller shall issue a bill of sale which shall contain on it the date of sale, the seller's and buyer's name and address, the manufacturer's name, model, and serial number of the bicycle. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1979, ch. 242, § 1; P.L. 1980, ch. 143, § 1; P.L. 2002, ch. 292, § 116.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-21. - Sale of used bicycles.

§ 31-19-21. Sale of used bicycles.
In every sale of a used bicycle, the seller shall issue a bill of sale which shall contain on it the date of sale, the seller's and buyer's names and addresses, the manufacturer's name, model, and serial numbers where this information is available on the bicycle. Where any of this information is missing, the seller must obtain a registration number from the local police. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1980, ch. 143, § 2; P.L. 2002, ch. 292, § 116.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-22. - Use of pedal carriages and rickshaws in the town of New Shoreham.

§ 31-19-22. Use of pedal carriages and rickshaws in the town of New Shoreham.
(a)
The town of New Shoreham may adopt ordinances to regulate, control, or prohibit the use of pedal carriages (also known as quadricycles) and rickshaws (also known as pedi cabs) in the town of New Shoreham.
(b)
The provisions of such ordinances shall be reasonably related to promotion and protection of the health, safety and welfare of operators, passengers, pedestrians, motorists and others residing, visiting or working within the town of New Shoreham.
History of Section.
P.L. 2002, ch. 360, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-3. - Applicability of traffic laws.

§ 31-19-3. Applicability of traffic laws.
Every person riding an electric personal assistive mobility device ("EPAMD"), riding an electric motorized bicycle, or propelling a vehicle by human power shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any other vehicle by chapters 12 — 27 of this title, except as to special regulations in this chapter and except as to those provisions of chapters 12 — 27 of this title which by their nature can have no application. This section shall not forbid a bicyclist, EPAMD or electric motorized bicycle from traveling upon the shoulders of the highway except for those highways which prohibit bicyclists; provided, that an EPAMD shall possess all the rights and obligations of a pedestrian, but shall not have the rights and responsibilities of the operator of a motor vehicle and that cities and towns may regulate the operation of an EPAMD. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1976, ch. 58, § 2; P.L. 1980, ch. 329, § 1; P.L. 2002, ch. 56, § 4; P.L. 2002, ch. 136, § 3; P.L. 2002, ch. 292, § 116; P.L. 2002, ch. 397, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-4. - Excessive number of persons on bicycle.

§ 31-19-4. Excessive number of persons on bicycle.
No bicycle shall be used to carry more persons at one time than the number for which it is designed or equipped, except when transporting a child six (6) years of age or younger in a rear-mounted bicycle carrier and/or trailer that meets mandatory and various industry standard specifications as developed by the American Society for Testing and Materials (ASTM).

History of Section.
P.L. 1976, ch. 58, § 2; P.L. 2007, ch. 157, § 1; P.L. 2007, ch. 249, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-5. - Clinging to vehicles.

§ 31-19-5. Clinging to vehicles.
(a)
No person riding upon any bicycle, coaster, roller skates, sled, or toy vehicle shall attach it or himself or herself to any vehicle upon a roadway.
(b)
This section shall not prohibit attaching a trailer or semi-trailer to a bicycle if that trailer or semi-trailer has been designed for this attachment.
History of Section.
P.L. 1976, ch. 58, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-6. - Bicycles to right of road.

§ 31-19-6. Bicycles to right of road.
Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction except where official traffic control devices (signs or pavement markings) specifically direct bicyclists to do otherwise.
History of Section.
P.L. 1976, ch. 58, § 2; P.L. 2005, ch. 64, § 5; P.L. 2005, ch. 67, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-7. - Number of bicycles abreast.

§ 31-19-7. Number of bicycles abreast.
Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on bicycle trails or paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding two (2) abreast shall not unduly impede traffic and, on a laned roadway, shall ride within a single lane.
History of Section.
P.L. 1976, ch. 58, § 2; P.L. 2005, ch. 64, § 5; P.L. 2005, ch. 67, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-19 - Operation of BicyclesSection 31-19-9. - Carrying articles.

§ 31-19-9. Carrying articles.
No person operating a bicycle shall carry any package, bundle, or article which prevents the use of both hands in the control and operation of the bicycle. A person operating a bicycle shall keep at least one hand on the handlebars at all times.
History of Section.
P.L. 1976, ch. 58, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2.1 - Motor Vehicle Theft Prevention ProgramSection 31-2.1-1. - Motor vehicle theft prevention program — Informed consent statement of owner — Issuance of vehicle decals — Authority to request production of valid driver's license and registration.

§ 31-2.1-1. Motor vehicle theft prevention program — Informed consent statement of owner — Issuance of vehicle decals — Authority to request production of valid driver's license and registration.
The administrator of the division of motor vehicles, department of administration, in consultation with the superintendent of state police, shall establish a motor vehicle theft prevention program which shall include the issuance of official decals to identify motor vehicles that are not normally operated between the hours of 1:00 A.M. and 5:00 A.M. Participation in the program shall be voluntary in nature and shall involve the following:
(a)
In the presence of a duly authorized police officer in any municipality participating in the program, the registered owner of a motor vehicle shall sign an informed consent statement indicating that the motor vehicle registered to the owner is not normally operated between the hours of 1:00 A.M. and 5:00 A.M. The form of an informed consent statement shall be promulgated by the administrator of the division of motor vehicles.
(b)(i)
Upon signing an informed consent statement, the registered owner shall be issued a decal approved by the administrator of the division of motor vehicles and the decal shall be affixed to the owner's vehicle in a conspicuous place as prescribed by the

administrator. The decal shall be issued and affixed by the police officer in the municipality participating in the program.
(ii)
The police officer issuing the decal shall make a record of the decal number issued to each registered owner. These records shall be maintained by the police department of any city or town participating in the program and shall be available to the administrator of the division of motor vehicles, to the superintendent of state police, and to local law enforcement agencies.
(c)
Informed consent statement forms shall be available at all division of motor vehicles offices, state police headquarters, and city and town police departments.
(d)
Whenever any police officer sees a motor vehicle displaying a decal issued pursuant to the provisions of this section operated on any public highway in the state between the hours of 1:00 A.M. and 5:00 A.M., the officer is authorized to request the driver to produce a valid driver's license and motor vehicle registration. Whenever the operator of the motor vehicle during such hours is unable to produce a driver's license and registration, there shall be a rebuttable presumption that the person operating the vehicle is not the registered owner and does not have the authorization of the owner to operate the vehicle.
History of Section.
P.L. 1990, ch. 318, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-1. - Establishment — Duties — Chief of division.

§ 31-2-1. Establishment — Duties — Chief of division.
Within the department of revenue there shall be a division of motor vehicles. The division will be responsible for activities assigned to it by law, including, but not limited to, motor vehicle registration, testing and licensing of motor vehicle operators, inspection of motor vehicles, and enforcement of laws relating to the issuance, suspension and revocation of motor vehicle registrations and drivers' licenses. The division shall administer the financial responsibility law. The chief of the division shall use the title and designation "registrar" or "administrator" on all licenses, registrations, orders of suspensions, financial responsibility notices or orders, or any other official documents issued or promulgated by the division. He or she shall exercise all powers and duties prescribed by chapters 1 — 27 of this title and shall supervise and direct the promotion of highway traffic safety.
History of Section.
P.L. 1939, ch. 660, § 22; P.L. 1950, ch. 2595, art. 2, § 1; G.L. 1956, § 31-2-1; P.L. 2000, ch. 109, § 77; P.L. 2006, ch. 246, art. 38, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-10. - Abstracts of operator's records.

§ 31-2-10. Abstracts of operator's records.
The administrator shall upon request furnish a certified abstract of the record of any operator on file fully designating the motor vehicles, if any, registered in the name of the operator, the record of all convictions of the operator of any of the provisions of this title, and the record of all the operator's involvements in accidents required to be reported under the provisions of § 31-33-1. If the operator has no such record, the administrator shall so certify. The administrator shall collect for each certificate the sum of sixteen dollars ($16.00); however, if the request for the certificate is made by any governmental agency, bureau, or department for use in its official capacity, the administrator shall collect no fee. The requirement of this section that the certificate shall be furnished shall not make the certificate admissible as evidence in any legal proceeding or in any trial, whether criminal or civil.
History of Section.
P.L. 1950, ch. 2595, art. 2, § 6; G.L. 1956, § 31-2-10; P.L. 1960, ch. 75, § 3; P.L. 1960, ch. 188, § 1; P.L. 1983, ch. 15, § 1; P.L. 1989, ch. 50, § 1; P.L. 1990, ch. 10, art. 2, § 1; P.L. 1992, ch. 453, § 8; P.L. 1993, ch. 138, art. 85, § 7; P.L. 1994, ch. 70, art. 35, § 6; P.L. 1995, ch. 370, art. 10, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-11. - Records open for inspection — Admissibility of certified copies of records as evidence.

§ 31-2-11. Records open for inspection — Admissibility of certified copies of records as evidence.
(a)
All records of the division of motor vehicles, other than those declared by law to be confidential for the use of the division of motor vehicles, shall be open to public inspection during office hours. Any copies or photostatic copies of any records, books, papers, documents, and rulings of the division of motor vehicles when certified to be correct by an employee of the division of motor vehicles who is designated for this purpose by the administrator of the division of motor vehicles shall be acceptable as evidence in the courts of this state with the same force and effect as the originals, in all cases where such original records, books, papers, documents, and rulings would be admitted in evidence.
(b)
Whenever any subpoena duces tecum is issued to the administrator of the division of motor vehicles for the production in court of the records, books, papers, documents, or rulings of the division of motor vehicles it shall not be necessary for the administrator of

the division of motor vehicles to whom the subpoena is issued to appear personally, and a copy or photostat duly certified under the seal of the department by the administrator of the division of motor vehicles of the records, books, papers, documents, or rulings of the division of motor vehicles submitted as described in this section shall be full compliance with the subpoena. Under the application to the court and for good cause shown, the court may compel the attendance of the administrator of the division of motor vehicles or the supervisor or an assistant who is charged with the care and custody of the official records or any investigator of the division of motor vehicles to answer the subpoena duces tecum.

(c)

For the purposes outlined in this section, the person designated by the administrator of the division of motor vehicles shall be the official “keeper of records” for the division.

History of Section.

P.L. 1950, ch. 2595, art. 2, § 7; G.L. 1956, § 31-2-11; P.L. 1968, ch. 155, § 1; P.L. 1969, ch. 133, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-12. - Destruction of obsolete records.

§ 31-2-12. Destruction of obsolete records.

The administrator of the division of motor vehicles may destroy any records of the division of motor vehicles that have been maintained on file for three (3) years which are obsolete and of no further service in carrying out the powers and duties of the division of motor vehicles.

History of Section.

P.L. 1950, ch. 2595, art. 2, § 7; G.L. 1956, § 31-2-12.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-14. - Investigation of applications — Rejection.

§ 31-2-14. Investigation of applications — Rejection.

The division of motor vehicles shall examine and determine the genuineness, regularity, and legality of every application for registration of a vehicle, and for an operator’s or chauffeur’s license and of any other application lawfully made to the division of motor vehicles, and may in all cases make investigation as may be deemed necessary or require additional information, and shall reject any application if not satisfied of the genuineness, regularity, or legality of the application or the truth of any statement contained in it, or for any other reason, when authorized by law.

History of Section.

P.L. 1950, ch. 2595, art. 2, § 8; G.L. 1956, § 31-2-14.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-15. - Seizure of documents and plates.

§ 31-2-15. Seizure of documents and plates.

The division of motor vehicles is authorized to take possession of any registration card, permit, license, or registration plate issued by it upon expiration, revocation, cancellation, or suspension, or which is fictitious, or which has been unlawfully or erroneously issued.

History of Section.

P.L. 1950, ch. 2595, art. 2, § 9; G.L. 1956, § 31-2-15.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-16. - Publication of laws.

§ 31-2-16. Publication of laws.

The division of motor vehicles may publish a synopsis or summary of the laws of this state regulating the operation of vehicles and may deliver a copy of the summary without charge with each original vehicle registration and with each original operator’s or chauffeur’s license.

History of Section.

P.L. 1950, ch. 2595, art. 2, § 10; G.L. 1956, § 31-2-16.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-17. - Summons of witnesses — Taking of testimony.

§ 31-2-17. Summons of witnesses — Taking of testimony.

(a)

In the performance of their duties under this title, the administrator of the division of motor vehicles, or any duly authorized assistant, or hearing officer or officers appointed by the administrator of the division of motor vehicles, may summon witnesses in behalf of the state and may administer oaths and take testimony.

(b)

The administrator of the division of motor vehicles, assistant, or hearing officer may also cause depositions to be taken and may order the production of books, papers, agreements, and documents. Failure, without justifiable cause, to appear and testify when summoned in accordance with this section shall be deemed a misdemeanor.
(c)
The fees for the attendance and travel of witnesses shall be the same as for witnesses before the district court. The sixth division of the district court shall have jurisdiction in equity upon application of the division of motor vehicles to enforce all lawful orders of the division of motor vehicles under this section. A party aggrieved by an order of the court may appeal the order to the supreme court in accordance with the procedures contained in the rules of appellate procedure of the supreme court.
History of Section.
P.L. 1950, ch. 2595, art. 2, § 11; G.L. 1956, § 31-2-17; P.L. 1976, ch. 140, § 12.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-18. - Service of notice.

§ 31-2-18. Service of notice.
Whenever, by virtue of § 31-2-17, notice to any person, firm, or corporation is required, or in any other instance when notice may be required, the notice shall consist of personal delivery to the person, firm, or corporation involved, or by mailing of a registered or certified letter.
History of Section.
P.L. 1950, ch. 2595, art. 2, § 12; impl. am. P.L. 1956, ch. 3717, § 1; G.L. 1956, § 31-2-18.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-19. - Appeal from administrator of the division of motor vehicles.

§ 31-2-19. Appeal from administrator of the division of motor vehicles.
Any person aggrieved by any order of the administrator of the division of motor vehicles may appeal the order to the sixth division district court by filing, within ten (10) days from the date of the notice to such person of the issuance of the order appealed from, a petition in said court stating the grounds upon which the appeal is taken. Upon the filing of such petition and tendering a twenty-five dollar ($25.00) filing fee, the court shall give thirty (30) days' notice of the pendency of the petition to the administrator of the division of motor vehicles by serving the administrator of the division of motor vehicles, in the manner in which subpoenas in equity are served, with a certified copy of the petition and the petition shall follow the course of equity so far as it is applicable. Upon hearing the petition, the court may review the evidence taken at a hearing or investigator's reports, or other information upon which the administrator's action was taken, and may in its discretion, affirm, overrule, or modify the order of the administrator of the division of motor vehicles. The taking of such appeal shall not operate as a stay of the order of the administrator of the division of motor vehicles from which appeal is taken, and such order shall remain in full force and effect during the pendency of the appeal. A party aggrieved by a final order of the court may seek appellate review pursuant to the procedures set forth in § 42-35-15.
History of Section.
P.L. 1950, ch. 2595, art. 2, § 13; G.L. 1956, § 31-2-19; P.L. 1976, ch. 140, § 12; P.L. 1992, ch. 453, § 8; P.L. 1999, ch. 218, art. 5, § 10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-2. - Subordinates and investigators.

§ 31-2-2. Subordinates and investigators.
The administrator of the division of motor vehicles shall appoint any subordinates that he or she may require for the proper performance of his or her duties. He or she shall appoint investigators who shall be empowered to investigate the application for any motor vehicle license or registration in order to ascertain the truth of the statements made in it, to seize or recover the license or registration certificate and number plates of any person whose license or registration shall have been suspended or revoked, and to perform any other duties not inconsistent with the law as the administrator may direct.
History of Section.
P.L. 1939, ch. 660, § 23; P.L. 1939, ch. 678, § 1; P.L. 1950, ch. 2595, art. 2, § 2; G.L. 1956, § 31-2-2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-20. - Registration and license information — Fee.

§ 31-2-20. Registration and license information — Fee.
The division of motor vehicles, department of revenue shall, upon request, furnish registration and license information to the public. The division shall collect ten dollars ($10.00) for each request. However, if the request is made by any governmental agency, bureau or department, the division shall collect no fee. All nongovernmental inquiries must be accompanied by a written statement of purpose.
History of Section.
P.L. 1990, ch. 10, art. 1, § 2; P.L. 2008, ch. 98, § 3; P.L. 2008, ch. 145, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-21. - Record of hearings.

§ 31-2-21. Record of hearings.

In all administrative hearings conducted by personnel of the division of motor vehicles involving the issuance, revocation, or suspension of licenses to operate vehicles or the registration of vehicles, a taped recording of that hearing may be made part of the record. In case of appeal to a court, copies of those tapes in lieu of a transcript shall be made available without charge to the operator, owner, or his or her representative.

History of Section.

P.L. 1984, ch. 18, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-22. - Authority to enter into reciprocity agreements.

§ 31-2-22. Authority to enter into reciprocity agreements.

(a)

Notwithstanding any other provisions of law, the administrator of the division of motor vehicles is authorized to enter into reciprocal agreements on behalf of the state with the duly authorized representatives of any state of the United States, the District of Columbia, or a state or a province of a foreign country, providing for the registration of vehicles on an apportionment or allocation basis. In exercising this authority, the administrator of the division of motor vehicles is expressly authorized to enter into and to become a member of the International Registration Plan, or any other designation that may, from time to time, be given to such a plan. The administrator of the division of motor vehicles is further authorized to promulgate and to enforce any rules and regulations that may be necessary to carry out the provisions of the International Registration Plan or any other agreement entered into under authority set forth in this section.

(b)

The International Registration Plan, and any other agreement authorized to be entered into by the administrator of the division of motor vehicles, shall take precedence over any state law or regulation that may be in conflict with the aforementioned agreements.

History of Section.

P.L. 1993, ch. 294, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-23. - Denial of license or registrations for nonpayment of delinquent child support.

§ 31-2-23. Denial of license or registrations for nonpayment of delinquent child support.

(a)

The department of human services, child support enforcement shall periodically within each year furnish the division of motor vehicles, department of revenue with a list or compilation of names of individuals, together with such other identifying information and in such form as the administrator of the division of motor vehicles shall require, who as of the date of the list or compilation, have an unpaid child support order arrearage in excess of five hundred dollars ($500) as shown on the Rhode Island family court/department of human services, child support enforcement computer system ("CSE system"). For purposes of this section, the terms used in this section shall be given the meaning and definitions specified in § 15-16-2. The department of human services shall, at times and in the manner prescribed by the administrator of the division of motor vehicles, furnish to the division of motor vehicles information relating to the subsequent payment of those child support order arrearages by or on behalf of the individuals, and the division shall remove the name of the individual(s) from the list.

(b)

No individual whose name appears on the list or compilation referred to in subsection (a) of this section, and whose name has not been subsequently removed from the list, shall be permitted to (1) register or renew a registration of any motor vehicle and/or (2) obtain an original license or renewal of a license to operate a motor vehicle, until all child support order arrearages have been paid in full or a satisfactory arrangement for payment has been made with the family court, and payment has been certified to the division of motor vehicles by the department of human services, child support enforcement.

(c)

The identifying information furnished by the department of human services, child support enforcement to the division of motor vehicles shall not include individuals' social security numbers.

(d)

A refusal by the division of motor vehicles to register or renew a registration of any motor vehicle and/or issue an original license or renew a license to operate a motor vehicle is a final determination for purposes of chapter 35 of title 42.

[See § 12-1-15 of the General Laws.]

History of Section.

P.L. 1995, ch. 370, art. 29, § 11; P.L. 1995, ch. 374, § 11; P.L. 1997, ch. 170, § 19; P.L. 2008, ch. 98, § 3; P.L. 2008, ch. 145, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-24. - Service fees on returned checks.

§ 31-2-24. Service fees on returned checks.
The division of motor vehicles is authorized to impose a fee on returned checks, which shall not exceed fifty dollars ($50.00) per returned check.
History of Section.
P.L. 2011, ch. 151, art. 19, § 19.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-25. - Surrender of suspended license.

§ 31-2-25. Surrender of suspended license.
Notwithstanding any law to the contrary, a licensee whose license has been suspended shall not be required to surrender the license to the division of motor vehicles for the period of suspension. In the event a licensee is found to be operating a motor vehicle while under suspension, the license shall be seized by the proper officer and returned to the division of motor vehicles for the remainder of the suspension period.
History of Section.
P.L. 2013, ch. 282, § 1; P.L. 2013, ch. 375, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-26. - Surrender of suspended registration.

§ 31-2-26. Surrender of suspended registration.
Notwithstanding any law to the contrary, a motorist whose registration has been suspended shall not be required to surrender the registration plates to the division of motor vehicles for the period of suspension. In the event a motorist is found to be operating a motor vehicle while the registration is suspended, the registration plates shall be seized by the proper officer and returned to the division of motor vehicles for the remainder of the suspension period.
History of Section.
P.L. 2013, ch. 282, § 1; P.L. 2013, ch. 375, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-27. - Technology surcharge fee.

§ 31-2-27. Technology surcharge fee.
(a)
The division of motor vehicles shall collect a technology surcharge fee of two dollars and fifty cents ($2.50) per transaction for every division of motor vehicles' fee transaction, except as otherwise provided by law and provided no surcharge fee is assessed on motor vehicle inspection transactions conducted pursuant to § 31-38-4. One dollar and fifty cents ($1.50) of each two dollars and fifty cents ($2.50) collected pursuant to this section shall be deposited into the information technology investment fund established pursuant to § 42-11-2.5 and shall be used for project-related payments and/or ongoing maintenance of and enhancements to the division of motor vehicles' computer system and to reimburse the information technology investment fund for advances made to cover project-related payments. The remaining one dollar ($1.00) shall be deposited into a restricted-receipt account managed by the division of motor vehicles and restricted to the project-related payments and/or ongoing maintenance of and enhancements to the division of motor vehicles' computer system.
(b)
[Deleted by P.L. 2019, ch. 88, art. 7, § 1].
(c)
Beginning July 1, 2022, the full two dollars and fifty cents ($2.50) shall be deposited into the division of motor vehicles restricted account and restricted to the project-related payments and/or ongoing maintenance of and enhancements to the division of motor vehicles' computer system.
History of Section.
P.L. 2017, ch. 302, art. 4, § 1; P.L. 2019, ch. 88, art. 7, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-28. - Expiration dates.

§ 31-2-28. Expiration dates.
Notwithstanding any provisions of the general or public laws to the contrary, the administrator of the division of motor vehicles may extend the expiration date of any permit, license, registration, certificate, placard, or other privilege issued by the division of motor vehicles for a period of up to ninety (90) days when the administrator's ability to properly perform their duties is prevented, hindered, impaired, or otherwise delayed by:
(1)
Any upgrade, replacement, or modification of existing technology systems that requires significant time for implementation;
(2)

A disaster, as defined in § 30-15-3, that has occurred, or the occurrence of which, or the threat thereof, is imminent; or
(3)
The occurrence of any other similar event that warrants such extension.
History of Section.
P.L. 2017, ch. 97, § 1; P.L. 2017, ch. 98, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-3. - Enforcement duties of administrator.

§ 31-2-3. Enforcement duties of administrator.
(a)
The administrator of the division of motor vehicles is vested with the power and is charged with the duty of observing, administering, and enforcing the provisions of chapters 1 — 50 of this title and of all laws regulating the operation of vehicles, or the use of the highways, the enforcement or administration of which is now or hereafter vested in the division of motor vehicles.
(b)
The administrator shall appoint any subordinates he or she may require for the proper performance of his or her duties. The administrator, and any subordinates designated by the administrator, shall have and exercise throughout this state the same authority to make arrests for violations of statutes relating to motor vehicles and to enforce those statutes as police or town constables have in their respective jurisdictions, including the power of arrest without warrant for any violation of title 31. The administrator, and any subordinates designated by the administrator, may serve all process lawfully issued by the administrator. Whenever a complaint is made of any violation of the provisions of the aforementioned chapters by the administrator of the division of motor vehicles, or those subordinates designated by him or her to enforce these provisions, he or she shall not be required to furnish surety for cost or be liable for cost upon any complaint. The administrator, and any subordinates he or she may designate, may bear and use firearms and may be equipped with uniforms as prescribed by the administrator of motor vehicles in accordance with the policing and enforcing provisions as prescribed by this section.
(c)
The administrator may provide for training for those persons designated with authority to make arrests and shall issue to each such person credentials showing his or her identity and these credentials shall be carried upon their person while in the discharge of his or her duties.
(d)
At no time may any subordinate authorized to make arrests stop a motorist for any violation of the motor vehicle law while the motorist is operating a vehicle upon any highway of this state, unless that subordinate is operating or riding in a division of motor vehicles vehicle that is plainly marked “Division of motor vehicles” or unless the motorist is fleeing from pursuit by a division of motor vehicles officer.
(e)
The administrator may adopt any further regulations that he or she may deem necessary to implement this section.
History of Section.
P.L. 1950, ch. 2595, art. 2, § 3; G.L. 1956, § 31-2-3; P.L. 1975, ch. 121, § 2; P.L. 2015, ch. 260, § 32; P.L. 2015, ch. 275, § 32.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-4. - Rules and regulations — Exception to authority.

§ 31-2-4. Rules and regulations — Exception to authority.
The administrator of the division of motor vehicles, department of revenue is authorized to adopt and enforce those rules and regulations that may be necessary to carry out the provisions of chapters 1 — 27 of this title, and any other laws the enforcement and administration of which are vested in the division of motor vehicles, including rules and regulations concerning specialized testing and standards for operators of commercial vehicles; provided, however, that nothing contained in this section shall be construed to authorize the administrator to charge any monetary fee for a license or permit to utilize a flashing light by any volunteer fire department or volunteer ambulance squad.
History of Section.
P.L. 1950, ch. 2595, art. 2, § 3; G.L. 1956, § 31-2-4; P.L. 1979, ch. 321, § 1; P.L. 1987, ch. 398, § 1; P.L. 2008, ch. 98, § 3; P.L. 2008, ch. 145, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-5. - Official seal.

§ 31-2-5. Official seal.
The administrator may adopt an official seal for the use of the division of motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 2, § 3; G.L. 1956, § 31-2-5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection

31-2-6. - Offices.

§ 31-2-6. Offices.
The administrator shall maintain offices in those places in the state that he or she may deem necessary to properly carry out the powers and duties vested in the division of motor vehicles. The administrator shall provide direct, in-person services in the towns of Warren and Westerly and keep the services in Warren available for business at least three (3) days per week and keep the services in Westerly available at least one day per week.
History of Section.
P.L. 1950, ch. 2595, art. 2, § 4; G.L. 1956, § 31-2-6; P.L. 1976, ch. 157, § 1; P.L. 1985, ch. 181, art. 37, § 1; P.L. 1985, ch. 322, § 1; P.L. 1994, ch. 215, § 1; P.L. 2009, ch. 391, § 1; P.L. 2022, ch. 231, art. 3, § 11, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-7. - Forms.

§ 31-2-7. Forms.
The administrator shall prescribe and provide suitable forms of applications, registration cards, operators' and chauffeurs' licenses, and all other forms requisite or deemed necessary to carry out the provisions of chapters 1 — 50 of this title and any other laws, the enforcement and administration of which are vested in the division of motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 2, § 5; G.L. 1956, § 31-2-7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-8. - Oaths and acknowledgments.

§ 31-2-8. Oaths and acknowledgments.
Officers and employees of the division of motor vehicles designated by the administrator are, for the purpose of administering the motor vehicle laws, authorized to administer oaths and acknowledge signatures, and shall do so without fee.
History of Section.
P.L. 1950, ch. 2595, art. 2, § 6; G.L. 1956, § 31-2-8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-2 - Division of Motor VehiclesSection 31-2-9. - Certified copies of licenses, applications and certificates.

§ 31-2-9. Certified copies of licenses, applications and certificates.
The administrator and any officers of the division of motor vehicles that he or she may designate are authorized to prepare under the seal of the division of motor vehicles and deliver upon request a certified copy of the application for operator's license or registration, or operator's license or registration, charging a fee of ten dollars ($10.00) for each document so authenticated, and every such certified copy shall be admissible in any proceeding in any court in like manner as the original.
History of Section.
P.L. 1950, ch. 2595, art. 2, § 6; G.L. 1956, § 31-2-9; P.L. 1960, ch. 75, § 3; P.L. 1980, ch. 114, § 1; P.L. 1990, ch. 10, art. 4, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-1. - When railroad crossing stops required of all vehicles.

§ 31-20-1. When railroad crossing stops required of all vehicles.
Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section the driver of the vehicle shall stop within fifty feet (50′) but not less than fifteen feet (15′) from the nearest rail of the railroad, and shall not proceed until he or she can do so safely. These foregoing requirements shall apply when:
(1)
A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
(2)
A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train;
(3)
A railroad train approaching within approximately one thousand five hundred feet (1,500′) of the highway crossing emits a signal audible from that distance, and the railroad train, by reason of its speed or nearness to the crossing, is an immediate hazard;
(4)
An approaching railroad train is plainly visible and is in hazardous proximity to the crossing.
(5)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 31, § 1; G.L. 1956, § 31-20-1; P.L. 2002, ch. 292, § 117.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-10.1, 31-20-10.2. - [Reserved.]

§ 31-20-10.1, 31-20-10.2. [Reserved.]

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-10.3. - School bus stops — Routes.

§ 31-20-10.3. School bus stops — Routes.
(a)
No school bus shall stop to discharge or pick up passengers at any intersection where a traffic control device as defined in § 31-1-28 controls the movement of the bus.
(b)
No school bus shall stop to discharge or pick up passengers at any location which would require a child to cross any road where the posted speed limit is greater than thirty-five miles per hour (35 mph). School bus stops shall be developed in such a manner which assures that the bus stop will be on the child's home side of the road so that the child does not have to cross the road to board the bus or to reach home.
(c)
No school superintendent, school committee, contractor, or school bus owner shall put into effect any school bus route which cannot be completed in the time allotted without exceeding posted speed limits.
(d)
All school bus routes shall be reviewed by the local police chief of each city and town for safety hazards within ninety (90) days before the start of the school year.
(e)
Any party may appeal the decision of a local police chief approving or disapproving any bus route or stop to the commissioner of elementary and secondary education who shall hold a hearing as provided in § 16-39-1.
History of Section.
P.L. 1986, ch. 401, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-10.4. - Exemption from discharge requirements of § 31-20-10.3.

§ 31-20-10.4. Exemption from discharge requirements of § 31-20-10.3.
(a)
Rural communities are exempted from the provisions of § 31-20-10.3(b) when:
(1)
A school bus is turning one hundred and eighty degrees (180 degrees) on a road;
(2)
A school bus is backing up on a road; or
(3)
A school bus is stopping on a road of low traffic flow.
(b)
For purposes of this section, "rural community" means any community in which there is a regionalized school district and the towns of Burrillville, Scituate, Little Compton, and New Shoreham.
(c)
For purposes of this section, "low traffic flow" means any road designated as a road with low traffic flow by the state traffic commission.
History of Section.
P.L. 1987, ch. 350, § 1; P.L. 1987, ch. 427, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-10. - Vehicles emerging from alleys, driveways, and buildings.

§ 31-20-10. Vehicles emerging from alleys, driveways, and buildings.
The driver of a vehicle within a business or residence district emerging from an alley, driveway, or building shall stop the vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or private driveway, and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision. Upon entering the roadway the driver shall yield the right of way to all vehicles approaching on the roadway.
History of Section.
P.L. 1950, ch. 2595, art. 31, § 6; G.L. 1956, § 31-20-10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection

31-20-11.1. - Signaling of stops for school buses.

§ 31-20-11.1. Signaling of stops for school buses.
No school bus driver while transporting school children shall stop the school bus without first having actuated the flashing lights at least one hundred feet (100′) prior to the scheduled school bus stop.
History of Section.
P.L. 1984, ch. 250, § 1; G.L. 1956, § 31-30-11.1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-11. - Marking of school buses — Penalty for violation.

§ 31-20-11. Marking of school buses — Penalty for violation.
(a)
Every bus used for the transportation of school children shall be painted yellow and bear upon the front and rear of it a plainly visible sign containing the words “school bus” in black letters not less than eight inches (8") in height. Every bus shall also bear on the right and left side the name of the school district for which the bus is transporting children in letters not less than four inches (4") in height and shall be painted black. Any bus being used for the transportation of persons, the majority of whom are under the age of eighteen (18) may display such a sign.
(b)
Except as provided in this section, when a school bus is operated upon a street or highway for purposes other than the actual transportation of children, all marking indicating “school bus” shall be covered or concealed. Whenever any school bus is sold and/or is no longer used for the purpose of transporting children, its color shall be changed from national school bus chrome or any other shade of yellow to any other color, and the four (4) flashing warning lights shall be removed before the vehicle can be registered or reregistered for any purpose other than the transportation of school children.
(c)
The division of motor vehicles shall require proof of the change of color and other modifications prior to registering the vehicle.
(d)
Every school bus shall display a sign located below the rear window of the bus which reads “unlawful to pass when red lights are flashing”. The sign shall have black letters not less than four inches (4") nor more than six inches (6") high on a white reflective background.
(e)
Any person, firm, or corporation found in violation of this section shall be fined not less than one hundred dollars ($100).
History of Section.
P.L. 1950, ch. 2595, art. 31, § 7; G.L. 1956, § 31-20-11; P.L. 1968, ch. 40, § 1; P.L. 1969, ch. 236, § 1; P.L. 1973, ch. 133, § 1; P.L. 1986, ch. 401, § 1; P.L. 1987, ch. 457, § 1; P.L. 1999, ch. 454, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-12. - Stopping for school bus required — Penalty for violation.

§ 31-20-12. Stopping for school bus required — Penalty for violation.
(a)
The driver of a vehicle upon a street, highway, private way, private or public parking area upon meeting or overtaking from any direction any bus marked as “school bus” whenever the bus is being operated in accordance with § 31-20-11 and on which there is in operation flashing red lights, shall stop the vehicle before reaching the bus. The driver shall not proceed until the bus resumes motion or until the flashing lights are no longer actuated. No driver of any motor vehicle, except emergency vehicles on official business, shall travel in the same lane of traffic behind a school bus at a distance of less than fifty feet (50′). A person convicted of a violation of this section shall be punished by a fine not to exceed three hundred dollars ($300) and/or suspension of driving license for a period not to exceed thirty (30) days for the first offense, and a mandatory fine of not less than three hundred dollars ($300) nor more than five hundred dollars ($500) and/or revocation of driving license for a period of one year for each subsequent offense.
(b)
A peace officer may issue a summons based on the statement or testimony of a school bus driver or monitor or other private citizen provided that the statement or testimony provides the peace officer with sufficient probable cause that a violation under this section was committed. Any conviction under this section may be punished in accordance with subsection (a) of this section.
History of Section.
P.L. 1950, ch. 2595, art. 31, § 7; G.L. 1956, § 31-20-12; P.L. 1965, ch. 96, § 1; P.L. 1968, ch. 40, § 1; P.L. 1969, ch. 51, § 1; P.L. 1979, ch. 188, § 1; P.L. 1980, ch. 267, § 1; P.L. 1983, ch. 91, § 1; P.L. 1984, ch. 114, § 1; P.L. 1986, ch. 401, § 1; P.L. 1987, ch. 133, § 1; P.L. 2000, ch. 359, § 1; P.L. 2000, ch. 510, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-13. - School buses stopped on divided highway or in loading zone.

§ 31-20-13. School buses stopped on divided highway or in loading zone.

When operating a vehicle upon a highway, the driver need not stop upon meeting or passing a bus marked as “school bus” in accordance with § 31-20-11 in the following circumstances:
(1)
When a highway is a divided highway and the bus is stopped in the roadway on one side of the divided highway and the driver is operating on the other side of it.
(2)
When the bus is stopped in a loading zone adjacent to a limited access highway and pedestrians are not permitted to cross the highway.
History of Section.
P.L. 1950, ch. 2595, art. 31, § 7; G.L. 1956, § 31-20-13; P.L. 1968, ch. 40, § 1; P.L. 2013, ch. 82, § 2; P.L. 2013, ch. 89, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-15. - Posting of bridle path signs.

§ 31-20-15. Posting of bridle path signs.
The department of revenue shall in all parks and reservations, and the traffic safety commission shall on all state highways, erect and maintain adequate signs requiring operators of motor vehicles to come to a complete stop because of the existence of a bridle path where saddle horses may cross the roads in the parks and reservation and/or state highways.
History of Section.
P.L. 1945, ch. 1642, § 1; impl. am. P.L. 1950, ch. 2595, art. 22, § 2; G.L. 1956, § 31-20-15; P.L. 2008, ch. 98, § 16; P.L. 2008, ch. 145, § 16.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-16. - Stops at bridle path crossings.

§ 31-20-16. Stops at bridle path crossings.
(a)
Every operator of a motor vehicle shall bring his or her motor vehicle to a complete stop in parks and reservations and on state highways where the department of revenue or state traffic commission has posted signs of bridle paths where saddle horses may cross the roads in the parks and reservations and/or highways.
(b)
An operator violating the provisions of this section shall be guilty of a civil violation, and upon conviction, shall be fined not more than twenty-five dollars ($25.00) for the first offense nor more than fifty dollars ($50.00) for second or subsequent offenses.
History of Section.
P.L. 1945, ch. 1642, § 2; impl. am. P.L. 1950, ch. 2595, art. 22, § 2; G.L. 1956, § 31-20-16; P.L. 1988, ch. 296, § 1; P.L. 1999, ch. 218, art. 6, § 9; P.L. 2008, ch. 98, § 16; P.L. 2008, ch. 145, § 16.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-17.1. - Private complaint — Stopping for crossing guard/bus monitor required.

§ 31-20-17.1. Private complaint — Stopping for crossing guard/bus monitor required.
(a)
Upon receipt of a private complaint, in writing and signed by the complainant, the traffic tribunal shall by letter notify the violator to respond in writing within twenty (20) days to the allegations of the complaint. Failure to respond to the letter will result in the person being notified to appear before a judge of the traffic tribunal and show cause why his or her license should not be suspended. Failure to appear at the hearing will result in the suspension of the person’s license until such time as the person does appear.
(b)
On any second or subsequent violation within one year, the person shall be issued a summons to appear for a hearing, and failure to appear will result in the suspension of the person’s license until such time as the person does appear.
(c)
At any hearing resulting from any violation, the complainant shall also appear at the hearing. A person convicted of a violation of this section shall be punished in accordance with the penalties set forth in § 31-20-12.
History of Section.
P.L. 1986, ch. 401, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-17.2. - Private complaint — Stopping for crossing guard/bus monitor required — Central Falls.

§ 31-20-17.2. Private complaint — Stopping for crossing guard/bus monitor required — Central Falls.
(a)
The following procedure shall apply to first offenses in Central Falls reported by private complaint:
(1)

Upon receipt of a private complaint, in writing and signed by the complainant, the Central Falls municipal court shall by certified mail, return receipt requested, notify the violator to respond in writing within twenty (20) days to the allegations of the complaint.
(2)
Failure to respond to the letter will result in the person being notified to appear before a judge of the Central Falls municipal court to show cause why he or she should not be fined one hundred dollars ($100) for his or her failure to respond.
(3)
Failure to appear at the hearing at that time will result in the person being fined one hundred dollars ($100).
(b)
All moneys collected pursuant to this section shall be forwarded by the Central Falls municipal court to the city of Central Falls.
History of Section.
P.L. 1992, ch. 314, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-17. - Stopping for crossing guards and school bus monitors required.

§ 31-20-17. Stopping for crossing guards and school bus monitors required.
(a)
The driver of a vehicle upon a street or highway, upon meeting or approaching from any direction a crossing guard, shall stop the vehicle before reaching the crossing guard. The driver shall not proceed until signaled to proceed by the crossing guard or until the crossing guard has completed his or her duties of aiding the pedestrian safely to the sidewalk.
(b)
The driver of any vehicle upon a street or highway, upon meeting or approaching from any direction a school bus monitor, shall stop the vehicle in accordance with § 31-20-12 and shall not proceed until the requirements of § 31-20-12 are met.
(c)
A person convicted of a violation of this section may be punished by a fine not to exceed three hundred dollars ($300) and/or suspension of his or her driving license for a period not to exceed thirty (30) days for the first offense, and a fine not less than three hundred dollars ($300) nor more than five hundred dollars ($500) and/or suspension of his or her driving license for a period of one year for each subsequent offense.
History of Section.
P.L. 1977, ch. 26, § 1; P.L. 1986, ch. 401, § 1; P.L. 1992, ch. 314, § 1; P.L. 1998, ch. 399, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-2. - Driving through railroad gate or barrier.

§ 31-20-2. Driving through railroad gate or barrier.
(a)
No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad grade crossing while the gate or barrier is closed or is being opened or closed.
(b)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 31, § 1; G.L. 1956, § 31-20-2; P.L. 2002, ch. 292, § 117.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-3. - Stop signs at dangerous railroad crossings.

§ 31-20-3. Stop signs at dangerous railroad crossings.
The state traffic commission and local authorities with the approval of the state traffic commission are authorized to designate particularly dangerous highway grade crossings of railroads and to erect stop signs at those crossings. When the stop signs are erected, the driver of any vehicle shall stop within fifty feet (50′) but not less than fifteen feet (15′) from the nearest rail of the railroad and shall proceed only upon exercising due care.
History of Section.
P.L. 1950, ch. 2595, art. 31, § 2; G.L. 1956, § 31-20-3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-4. - Vehicles required to stop at all railroads — Exceptions.

§ 31-20-4. Vehicles required to stop at all railroads — Exceptions.
(a)
The driver of any motor vehicle carrying passengers for hire, or of any school bus carrying any school child, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop the vehicle within fifty feet (50′) but not less than fifteen feet (15′) from the nearest rail of such railroad, and

while so stopped, shall listen and look in both directions along the track for any approaching train, and for signals indicating the approach of a train, except as provided in this chapter, and shall not proceed until he or she can do so safely. After stopping as required in this section and upon proceeding when it is safe to do so, the driver of the vehicle shall cross only in a gear of the vehicle that there will be no necessity for changing gears while traversing the crossing, and the driver shall not shift gears while crossing the track or tracks.
(b)
No stop need be made at any crossing where a police officer or a traffic control signal directs traffic to proceed.
(c)
This section shall not apply at railroad grade crossings within a business or residence district.
History of Section.
P.L. 1950, ch. 2595, art. 31, § 3; G.L. 1956, § 31-20-4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-5. - Moving of heavy equipment over railroad crossings.

§ 31-20-5. Moving of heavy equipment over railroad crossings.
(a)
No person shall operate or move any crawler-type tractor, steam shovel, derrick, roller, or any equipment or structure having a normal operating speed of ten (10) or less miles per hour or a vertical body or load clearance of less than one-half inch per foot of the distance between any two adjacent axles, or in any event, of less than nine inches (9"), measured above the level surface of a roadway, upon or across any tracks at a railroad grade crossing, without first complying with this section.
(b)
Notice of the intended crossing shall be given to a station agent of the railroad, and a reasonable time shall be given to the railroad to provide proper protection at the crossing.
(c)
Before making the crossing, the person operating or moving the vehicle or equipment shall first stop the same not less than fifteen feet (15′) nor more than fifty feet (50′) from the nearest rail of the railroad and, while so stopped shall listen and look in both directions along the track for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be made safely.
(d)
No crossing shall be made when warning is given by automatic signal or crossing gates or a flagperson or otherwise of the immediate approach of a railroad train or car. If a flagperson is provided by the railroad, movement over the crossing shall be under the flagperson’s direction.
History of Section.
P.L. 1950, ch. 2595, art. 31, § 4; G.L. 1956, § 31-20-5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-6. - Designation of through highways — Erection of stop and yield signs.

§ 31-20-6. Designation of through highways — Erection of stop and yield signs.
The state traffic commission with reference to state highways, and local authorities with reference to other highways under their jurisdiction, may designate through highways and erect stop and yield signs at special entrances to them, or may designate any intersection as a stop and yield intersection and erect like signs at one or more entrances to the intersection.
History of Section.
P.L. 1950, ch. 2595, art. 31, § 5; G.L. 1956, § 31-20-6; P.L. 1966, ch. 70, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-7. - Specifications for stop signs.

§ 31-20-7. Specifications for stop signs.
A stop sign shall bear the word “stop” in letters not less than six inches (6") in height, and the sign shall at nighttime be rendered luminous by steady or flashing internal illumination, by a fixed floodlight projected on the face of the sign, or by efficient reflecting elements on the face of the sign.
History of Section.
P.L. 1950, ch. 2595, art. 31, § 5; G.L. 1956, § 31-20-7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-8. - Placement of stop signs.

§ 31-20-8. Placement of stop signs.
Every stop sign shall be erected as near as practicable to the nearest line of the crosswalk on the near side of the intersection. If there is no crosswalk then it shall be placed as close as practicable to the nearest line of the roadway.

History of Section.
P.L. 1950, ch. 2595, art. 31, § 5; G.L. 1956, § 31-20-8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-20 - Special Stops RequiredSection 31-20-9. - Obedience to stop signs.

§ 31-20-9. Obedience to stop signs.
Every driver of a vehicle approaching a stop sign shall stop before entering the crosswalk on the near side of the intersection. In the event there is no crosswalk, the driver shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting highway where the driver has a view of approaching traffic on the intersecting highway before entering the intersection, except when directed to proceed by a police officer or traffic control signal. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 31, § 5; G.L. 1956, § 31-20-9; P.L. 2002, ch. 292, § 117.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21.1 - Traffic Stops StatisticsSection 31-21.1-1. - Short title.

§ 31-21.1-1. Short title.
This Chapter may be cited as the “Traffic Stops Statistics Act.”
History of Section.
P.L. 2000, ch. 251, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21.1 - Traffic Stops StatisticsSection 31-21.1-2. - Declaration and policy.

§ 31-21.1-2. Declaration and policy.
The general assembly declares that the use of racial profiling for stopping or searching motorists on our public highways is against public policy and violates the civil rights of the motorist. For purposes of this chapter, “racial profiling” means the detention, interdiction or other disparate treatment of an individual on the basis, in whole or in part, of the racial or ethnic status of such individual, except when such status is used in combination with other identifying factors in seeking to apprehend a specific suspect whose racial or ethnic status is part of the description of the suspect. The purpose of this chapter is to conduct a study of the traffic stops by the police to determine whether racial profiling is occurring and to require that police prohibit the practice of racial profiling.
History of Section.
P.L. 2000, ch. 251, § 1; P.L. 2003, ch. 230, § 2; P.L. 2003, ch. 240, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21.1 - Traffic Stops StatisticsSection 31-21.1-3. - Advisory committee — Establishment — Duties.

§ 31-21.1-3. Advisory committee — Establishment — Duties.
(a)
There is established an advisory committee to be called the “traffic stop study advisory committee.” The committee shall consist of thirteen (13) members:
(1)
Three (3) of whom shall be from the house of representatives, not more than two (2) from the same political party, to be appointed by the speaker;
(2)
Three (3) of whom shall be from the senate, not more than two (2) from the same political party, to be appointed by the president of the senate;
(3)
Two (2) of whom shall be appointed by the governor;
(4)
One of whom shall be the attorney general’s designee, who shall be the president of the Rhode Island Police Chiefs Association;
(5)
One of whom shall be the executive director of the Urban League of Rhode Island or his or her designee;
(6)
One of whom shall be the executive director of the National Conference for Community and Justice (NCCJ) or his or her designee;
(7)
One of whom shall be the executive director of the Rhode Island commission for human rights or his or her designee; and
(8)
One of whom shall be a representative from a college or university in Rhode Island, who shall be a professor of statistics, to be

appointed by the governor.
(b)
The committee shall advise the attorney general throughout the course of the traffic stop study authorized by this chapter. The attorney general shall work in cooperation with the committee and shall keep the committee informed on all matters relating to the implementation and enforcement of this chapter, including but not limited to, information on all data collected and budgetary expenditures. The committee is advisory only with all power under the chapter resting with the attorney general.
History of Section.
P.L. 2000, ch. 251, § 1; P.L. 2001, ch. 180, § 67.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21.1 - Traffic Stops StatisticsSection 31-21.1-4. - Traffic stop study.

§ 31-21.1-4. Traffic stop study.
(a)
The attorney general is authorized to and shall conduct a study of routine traffic stops by the Rhode Island state police and each municipal police department. The study shall include the collection and analysis of the data received from the police department pursuant to this section, which shall include the following information for each traffic stop conducted by the police:
(1)
The date, time and general location of the traffic stop;
(2)
The race or ethnicity, gender, and approximate age of the driver stopped; provided that the identification of these characteristics shall be based on the observation and perception of the police officer making the stop and the information shall not be requested of the person stopped;
(3)
The reason for the stop;
(4)
Whether a search was instituted as a result of the stop;
(5)
The scope of any search conducted;
(6)
Whether the search was conducted pursuant to consent, probable cause, or reasonable suspicion to suspect a crime;
(7)
Whether any contraband, including money, was seized in the course of the search, and if so, the nature of the contraband;
(8)
Whether any warning or citation was issued as a result of the stop;
(9)
Whether an arrest was made as a result of either the stop or the search;
(10)
The approximate duration of the stop; and
(11)
Whether the vehicle is registered in Rhode Island or out of the state.
(b)
Not later than ninety (90) days after July 13, 2000, the attorney general, with the advice of the committee, shall develop a form, in both printed and electronic format, to be used by each police officer when making a traffic stop to record the data required under this chapter.
(c)
Beginning January 15, 2001, and monthly thereafter, each municipal police department and the Rhode Island state police shall transmit to the attorney general a report containing:
(1)
All of the forms collected to date of motorists who were stopped;
(2)
Any complaints filed by motorists who believed they were the subject of racial profiling, provided that no information revealing the identity of the complainant, witnesses or the law enforcement officer involved in the traffic stop shall be used, transmitted or disclosed in violation of the provisions of Chapter 28.6 of Title 42, the Law Enforcement Officers' Bill of Rights; and
(3)
Any other information the police department or Rhode Island state police deem appropriate.
(d)
The study authorized under this chapter shall include a multi-variate analysis of the collected data in accordance with general statistical standards. The attorney general shall collect data for a period of not less than twenty-four (24) months and report its findings and conclusions to the governor and the general assembly not later than thirty (30) months after the commencement of the

collection of data under this chapter. The report, findings and conclusions submitted pursuant to this subsection shall be deemed a public record.
(e)
In addition, the attorney general, with the advice of the committee, shall prepare on a quarterly basis a summary report of the monthly data provided by each police department and the state police for that quarterly period. The report shall be a public record. The summary report shall include a monthly breakdown by race for each police department of the number of traffic stops made and of searches conducted, and any other information deemed appropriate by the attorney general with the advice of the committee. The report shall be released not more than ninety (90) days after the end of each quarterly period. No information revealing the identity of any individual shall be contained in the report.
(f)
Upon July 13, 2000, the attorney general with the advice of the committee shall procure the services of an organization, company, person or other entity with sufficient expertise in the field of statistics to assist with the implementation of this chapter. The organization, company, person or other entity so retained shall assist the attorney general and the committee with the design of the methodology for gathering statistics pursuant to this chapter, monitor compliance with the act throughout the study, and conduct a statistical analysis at the conclusion of the study to determine the extent to which racial profiling exists within the state.
(g)
Appropriate funding shall be made available to implement the provisions of this chapter.
(h)
The department of attorney general shall be exempt from the provisions of chapter 2 of title 37 in connection with its procurement of equipment and services necessary to the implementation of this chapter.
History of Section.
P.L. 2000, ch. 251, § 1; P.L. 2003, ch. 230, § 2; P.L. 2003, ch. 240, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21.1 - Traffic Stops StatisticsSection 31-21.1-5. - Adoption of written policies.

§ 31-21.1-5. Adoption of written policies.
(a)
Not later than ninety (90) days after January 1, 2004, each police department and the state police shall adopt written policies which shall prohibit the use of racial profiling as the sole reason for stopping or searching motorists for routine traffic stops.
(b)
Copies of the policies adopted pursuant to this section shall be submitted to the attorney general and the committee, and shall be public records.
History of Section.
P.L. 2000, ch. 251, § 1; P.L. 2003, ch. 230, § 2; P.L. 2003, ch. 240, § 2; P.L. 2010, ch. 239, § 29.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21.1 - Traffic Stops StatisticsSection 31-21.1-6. - Data collection and use.

§ 31-21.1-6. Data collection and use.
(a)
Except as otherwise specified in this chapter, data acquired under this section shall be used only for: (1) research or statistical purposes; or (2) in any legal or administrative proceeding to establish an inference of discrimination on the basis of particular identifying characteristics, by court order. All data collected pursuant to this chapter shall be public; provided, that any complaints filed pursuant to § 31-21.1-4(c)(2) shall be subject to the provisions of chapter 28.6 of title 42.
(b)
Any police officer who in good faith records traffic stop information pursuant to the requirements of this chapter shall not be held civilly liable for the act of recording the information unless the officer’s conduct was reckless.
History of Section.
P.L. 2000, ch. 251, § 1; P.L. 2004, ch. 331, § 2; P.L. 2004, ch. 356, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21.1 - Traffic Stops StatisticsSection 31-21.1-7. - Penalties for refusal to act.

§ 31-21.1-7. Penalties for refusal to act.
An organization chartered for the purpose of combating discrimination, racism, or of safeguarding civil liberties, or of promoting full, free, or equal employment opportunities, may seek appropriate relief in a civil action against any police department for failing to collect or transmit the data as required in this chapter, and may be awarded its costs, including attorneys’ fees, for bringing such an action. As a condition precedent to the filing of a civil action by an organization under this section, the organization shall send a notice to the attorney general and the committee identifying the police department which is failing to collect or transmit the data and the organization shall then allow fifteen (15) days to elapse to allow the police department to come into compliance or to allow the attorney general to commence a civil action to enforce compliance with this chapter.

History of Section.
P.L. 2000, ch. 251, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21.2 - Comprehensive Community-Police Relationship Act of 2015Section 31-21.2-1. - Title.

§ 31-21.2-1. Title.
This chapter may be cited as “Racial Profiling Prevention Act of 2004.”
History of Section.
P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21.2 - Comprehensive Community-Police Relationship Act of 2015Section 31-21.2-2. - Findings.

§ 31-21.2-2. Findings.
(a)
Municipal and state law enforcement officers play a vital role in protecting the public from crime. The vast majority of police officers discharge their duties professionally and without bias.
(b)
The use by police officers of race, ethnicity, or national origin solely in deciding which persons should be subject to traffic stops, searches and seizures is improper.
(c)
In many communities nonwhite drivers in Rhode Island, subjected to discretionary searches, are twice as likely as whites to be searched.
(d)
In some instances, law enforcement practices may have the unintended effect of promoting racially disparate stops and searches.
(e)
Racial profiling harms individuals subjected to it because they experience fear, anxiety, humiliation, anger, resentment and cynicism when they are unjustifiably treated as criminal suspects.
(f)
Racial profiling damages law enforcement and the criminal justice system as a whole by undermining public confidence and trust in the police, the courts, and criminal law, and thereby undermining law enforcement efforts and ability to solve and reduce crime.
(g)
A comprehensive solution is needed to address racial profiling at the state and local levels.
History of Section.
P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21.2 - Comprehensive Community-Police Relationship Act of 2015Section 31-21.2-3. - Ban on racial profiling.

§ 31-21.2-3. Ban on racial profiling.
No state or municipal law enforcement officer or law enforcement agency shall engage in racial profiling. For purposes of this chapter, “racial profiling” means the detention, interdiction or other disparate treatment of an individual on the basis, in whole or in part, of the racial or ethnic status of such individual, except when such status is used in combination with other identifying factors seeking to apprehend a specific suspect whose racial or ethnic status is part of the description of the suspect, which description is timely and reliable.
History of Section.
P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21.2 - Comprehensive Community-Police Relationship Act of 2015Section 31-21.2-4. - Enforcement.

§ 31-21.2-4. Enforcement.
Any individual who alleges a violation of this chapter, other than § 31-21.2-6, may file a civil action for damages and any appropriate and equitable relief in Superior Court. The court may allow a prevailing plaintiff reasonable attorneys’ fees as part of the costs.
History of Section.
P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21.2 - Comprehensive Community-Police Relationship Act of 2015Section 31-21.2-5. - Law enforcement practices.

§ 31-21.2-5. Law enforcement practices.

(a)
Unless there exists reasonable suspicion or probable cause of criminal activity, no motor vehicle stopped for a traffic violation shall be detained beyond the time needed to address the violation. Nothing contained herein shall prohibit the detention of a motor vehicle for a reasonable period of time for the arrival of a canine unit or subsequent criminal investigation if there is reasonable suspicion or probable cause of criminal activity.
(b)
No operator or owner-passenger of a motor vehicle shall be requested to consent to a search by a law enforcement officer of his or her motor vehicle, that is stopped solely for a traffic violation, unless there exists reasonable suspicion or probable cause of criminal activity. No pedestrian shall be requested to consent to a search by a law enforcement officer of his or her person, unless there exists reasonable suspicion or probable cause of criminal activity. No juvenile shall be requested to consent to a search by a law enforcement officer unless there exists reasonable suspicion or probable cause of criminal activity. In those instances in which a warrant would be required, a law enforcement officer must advise the juvenile that he or she may refuse to consent to, or limit the scope of, any requested search. The determination of age of the individual shall be based on the perception of the officer making a good faith effort in advance of requesting consent. Nothing contained in this subsection shall be construed to prohibit a law enforcement officer from conducting a pat down search for weapons based upon a reasonable belief that the officer's personal safety may be jeopardized.
(c)
Each search conducted by a law enforcement officer that does not result in criminal charges shall be documented in a computer-aided dispatch (CAD) entry or other police-generated report. Each search conducted by a law enforcement officer that results in criminal charges shall be documented in a police-generated report. The CAD entry or formal police report shall include the date, time, and location of the stop/search, along with the "reasonable suspicion" or "probable cause" leading to the search. The CAD entry or formal police report shall also include the race, age, and gender of the individual(s) searched and the results of the search. The document, exclusive of information identifying the law enforcement officer, shall be a public record, subject to the access to public records act, § 38-2-2(4)(D), law enforcement exemptions. For purposes of this section, "computer-aided dispatch" (CAD) means an electronic system used by public safety agencies to facilitate incident response and communications in the field that electronically records information on call taking, dispatching, location verification, mapping, and other functions for public safety.
(d)
With the exception of operators who are subject to federal motor carrier regulations, no operator of a motor vehicle shall be requested to provide any documentation or identification other than a driver's license, motor vehicle registration, and/or proof of insurance when the motor vehicle has been stopped solely for a traffic violation, unless there exists reasonable suspicion or probable cause of criminal activity or the operator has failed to produce a valid driver's license.
(e)
If a violation of the traffic laws in this title is used to stop a motor vehicle for non-related investigatory reasons, the law enforcement officer shall document in writing or electronically the investigatory basis for the stop. The documentation of such stops shall commence no later than twelve (12) months after passage of this act and shall be assessed every six (6) months by the respective police department as to whether the suspicion was justified and the data be made publicly available, subject to the access to public records act, § 38-2-2(4)(D), law enforcement exemptions.
(f)
Any evidence obtained as a result of a search prohibited by subsection (a) or (b) shall be inadmissible in any judicial proceeding. Nothing contained herein shall be construed to preclude any search otherwise based upon any legally sufficient cause.
(g)
Law enforcement agencies using video and/or audio surveillance cameras in their vehicles shall adopt written policies and procedures regarding the use of such cameras, which shall be public records, and which shall include, but not be limited to, the following standards:
(1)
All motor vehicle stops conducted by police vehicles with such equipment shall be recorded barring exceptions outlined below. In an effort to objectively memorialize relevant observations, the recording shall begin no later than when an officer first signals the vehicle to stop; and, barring conditions that could compromise a sensitive investigation, jeopardize the safety of a vehicle occupant or cooperating victim/witness and/or unforeseen equipment malfunction, the recording shall continue until the motor vehicle stop is completed and the stopped vehicle departs, or until the officer's participation in the motor vehicle stop ends;
(2)
Law enforcement agencies that acquire video and/or audio surveillance cameras for use in their vehicles shall:
(i)
Notify the office of highway safety of the Rhode Island department of transportation that such equipment has been acquired and will be in use and the department of transportation shall post notice of such use on its website;
(ii)
Issue a press release advising the public that such equipment will be in use; and
(iii)

Post notice on its website that such equipment will be in use;
(3)
A chain of custody of the video/audio recordings, hereafter referred to as "recording(s)," shall be maintained;
(4)(i)
A driver of a motor vehicle who was recorded by a video/audio surveillance camera, and/or his or her legal counsel, shall have the right to view the in-car recording at the police station, provided that the viewing does not compromise an active investigation;
(ii)
A passenger of a motor vehicle who was recorded by a video/audio surveillance camera, and/or his or her legal counsel, shall have the right to view the in-car recording at the police station if that passenger became the subject of the police interaction recorded, provided that the viewing does not compromise an active investigation;
(5)
The policy shall address the period of retention for such recordings, and procedures to be used to ensure that the recording equipment is in proper working order, and shall bar the destruction of any recording of an incident that is the subject of a pending complaint, misconduct investigation, or civil or criminal proceeding. Such recordings shall be retained for a minimum of ten (10) days after the final resolution of such investigation or proceeding, including the time for any appeal;
(6)
The policy shall explicitly prohibit any violation of these requirements, including any attempts to disengage or tamper with the video/audio surveillance equipment, deliberately and prematurely erase or alter a recording, or to otherwise fail to record stops as specified herein barring the aforementioned limited exceptions; and
(7)
The video/audio surveillance recordings regulated by this section shall not be deemed public records under the access to public records act, § 38-2-1 et seq. A court may impose any appropriate remedy in any civil or criminal proceeding where a knowing and willful violation of these standards is found to have been committed.
(h)
Law enforcement officers shall advise any motorist who is stopped of the reason for the stop.
(i)
Law enforcement agencies with mobile display terminals in police vehicles shall adopt policies and procedures governing their use that shall include the criteria necessary to initiate a record check on a motor vehicle license or registrant. All law enforcement agencies must comply with state and federal guidelines related to the use and access of Rhode Island law enforcement telecommunication system (RILETS) and National Criminal Identification Center (NCIC).
(j)
The policies and procedures established by this section shall be added to, and prominently placed in, all relevant departmental policy and training manuals. Other appropriate training about the requirements of this chapter shall also be provided to all officers.
History of Section.
P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1; P.L. 2015, ch. 214, § 2; P.L. 2015, ch. 235, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21.2 - Comprehensive Community-Police Relationship Act of 2015Section 31-21.2-6. - Continued data collection.

§ 31-21.2-6. Continued data collection.
(a)
The office of highway safety of the Rhode Island department of transportation or a designee to be chosen by the department of transportation by January 1, 2017, is authorized to and shall conduct a study of routine traffic stops by the Rhode Island state police and each municipal police department in order to determine whether racial disparities in traffic stops exist, and to examine whether searches of vehicles and motorists are being conducted in a disparate manner.
(b)
The office of highway safety of the Rhode Island department of transportation or its designee shall, no later than January 1, 2016, develop a form or electronic equivalent to be used by each police officer when making a traffic stop to record the data required under this chapter, which form shall include for each motor vehicle stop, the race and ethnicity of the driver based on the officer's perception, and the information listed in § 31-21.1-4.
(c)
The office of highway safety of the Rhode Island department of transportation or its designee shall advise the Rhode Island state police and each municipal police department of the date that data collection shall commence. Data collection shall begin not later than January 1, 2016, but may begin prior to that time upon notification to police departments from the office of highway safety of the Rhode Island department of transportation or its designee.
(d)
A traffic stop data collection card or electronic equivalent shall be completed for each routine traffic stop by the Rhode Island state police and municipal police department during the term of this study.
(e)
Upon commencement of data collection, and monthly thereafter, each municipal police department and the Rhode Island state police

shall transmit to the office of highway safety of the Rhode Island department of transportation or its designee all forms or electronic data collected to date of motorists who were stopped, and any other information the police department or the Rhode Island state police deem appropriate. Data collection shall continue for forty-eight (48) months following commencement of data collection.
(f)
Appropriate funding may be made available to implement the provision of this chapter and completion of this study shall be contingent upon such funding.
(g)
The study shall include a multivariate analysis of the collected data in accordance with general statistical standards and shall be substantially similar to the study prepared pursuant to chapter 21.1 of this title. The study shall be prepared by an organization, company, person, or other entity with sufficient expertise in the field of statistics and the study of traffic stop data collection to assist with the implementation of this chapter, and chosen by the office of highway safety of the Rhode Island department of transportation or its designee. The study shall be released on an annual basis, with the first release not later than eighteen (18) months after commencement of data collection under this chapter. The report, findings, and conclusions submitted pursuant to this subsection shall be a public record.
(h)
The office of highway safety of the Rhode Island department of transportation, or its designee, shall be exempt from the provisions of chapter 2 of title 37 in connection with its procurement of equipment and services necessary to the implementation of this chapter.
(i)
On a quarterly basis, a summary report of the monthly data provided by each police department and the state police for that quarterly period shall be issued. The report shall be a public record. The summary report shall include, at a minimum, a monthly breakdown by race, age, gender, and outcome for operators for each police department of the number of traffic stops made and of searches conducted. For those police departments collecting data through the use of mobile display terminals in police vehicles, the report shall also include a breakdown by race and outcome for operators. The report shall be released not more than ninety (90) days after the end of each quarterly period. No information revealing the identity of any individual shall be contained in the report.
(j)
Every law enforcement agency collecting data pursuant to this chapter shall ensure that supervisory personnel review each officer’s stop and search documentation and data results on a monthly basis to ensure compliance with all policies, prohibitions, and documentation requirements.
(k)
The head of every law enforcement agency subject to this chapter, or his or her designee, shall review the data on a regular basis in an effort to determine whether any racial disparities in the agency’s traffic stops enforcement exists, and to appropriately respond to any such disparities. It is understood that disparities may or may not equate to racial profiling.
(l)
An organization chartered for the purpose of combating discrimination, racism, or of safeguarding civil liberties, or of promoting full, free, or equal employment opportunities, and/or a governmental or quasi-governmental entity may seek appropriate relief in a civil action against any police department for failing to collect or transmit the data required in this chapter, and may be awarded its costs, including attorney’s fees, for bringing such an action. As a condition precedent to the filing of a civil action by an organization under this section, the organization shall send a notice to the office of highway safety of the Rhode Island department of transportation or its designee identifying the police department which is failing to collect or transmit the data and the organization shall then allow fifteen (15) days to elapse.
(m)
The office of highway safety of the Rhode Island department of transportation or its designee shall consult with community, police and civil rights representatives in the development of the form required by subsection (b) and on at least a quarterly basis shall consult on other issues that arise relating to the implementation and enforcement of this chapter including the information generated by the issuance of the reports required by subsection (i).
History of Section.
P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1; P.L. 2015, ch. 214, § 2; P.L. 2015, ch. 235, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21.2 - Comprehensive Community-Police Relationship Act of 2015Section 31-21.2-7. - Data collection and use.

§ 31-21.2-7. Data collection and use.
(a)
Data acquired under this chapter shall not be used in any civil proceeding to establish or rebut an inference of discrimination except by court order or when otherwise admissible in accordance with rules of civil procedure. It is understood that disparities may or may not equate to racial profiling. All data collected pursuant to this chapter shall be public. For those motor vehicle stops where a citation was issued or an arrest was made, the forms prepared pursuant to § 31-21.2-6(b) of this chapter shall include a citation or arrest number for reference. The data collection form shall not include the name or badge number of the officer completing the form. The report from the department of transportation or its designee shall not be officer specific.

(b)
Any police officer who in good faith records traffic stop information pursuant to the requirements of this chapter shall not be held civilly liable for the act of recording the information unless the officer's conduct was reckless.
(c)
All police departments shall submit to the office of highway safety of the department of transportation, or its designee, on an annual basis beginning on July 15, 2016, and for four (4) years following the conclusion of data collection, a report indicating what action, if any, has been taken, to address any racial disparities in traffic stops and/or searches documented in the studies authorized by §§ 31-21.1-4 and 31-21.2-6, and to otherwise implement any recommendations of those studies, including, but not limited to, any changes to agency policies; revisions to traffic enforcement practices; detailed analysis and review of traffic stop data and the results of such review; or the initiation of any disciplinary action. Any reference to disciplinary action shall not identify the officer. The office of highway safety of the department of transportation or its designee shall issue guidelines for police departments to follow in preparing these reports. The reports shall be public records and shall contain a certification that the department has complied with § 31-21.2-6(j) and (k).
(d)
Every twelve (12) months, each state and municipal law enforcement agency shall submit to the office of highway safety of the Rhode Island department of transportation, or its designee, on a brief form prepared by that office, or its designee, information summarizing what, if any, actions were taken by the agency in response to any racial disparities documented in the previous reports issued pursuant to § 31-21.2-6(i). The summary shall include, but not be limited to: any changes to agency policies; revisions to traffic enforcement practices; detailed analysis and review of traffic stop data and the results of such review; or the initiation of any disciplinary action. Any references to disciplinary action shall not identify the officer. The forms shall be public records, and shall contain a certification that the department has complied with § 31-21.2-6(j) and (k).
History of Section.
P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1; P.L. 2015, ch. 214, § 2; P.L. 2015, ch. 235, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21.2 - Comprehensive Community-Police Relationship Act of 2015Section 31-21.2-8. - Complaint procedures.

§ 31-21.2-8. Complaint procedures.
(a)
Each state and municipal law enforcement agency shall establish a procedure to investigate complaints of police misconduct by members of the public against personnel of these agencies, and shall make a written description of the procedure available to the public. Copies of any departmental complaint forms shall be available in at least one governmental location other than the police department. The procedure and forms shall also be made available on any website of a law enforcement agency.
(b)
At a minimum, complaints shall be accepted in person by mail or by facsimile.
(c)
Information on the complaints received by each law enforcement agency shall be compiled on an annual basis by the state police and each municipal law enforcement agency and published in each agency's annual report and/or on its website. The information compiled by each department shall include the total number of complaints received from the public, a breakdown by category of the type of complaint, and a further breakdown by category of the disposition of the complaints.
(d)
The state police and all municipal law enforcement agencies shall make available as a public record subject to the access to public records act, § 38-2-2(4)(D), law enforcement exemptions:
(1)
Copies of any formal or informal arrangements between the state police or a municipal law enforcement agency and the bureau of immigration and customs enforcement/homeland security investigations concerning the questioning, detention, investigation, arrest, apprehension, stopping, referral or processing of individuals within the state of Rhode Island, including copies of any agreements entered into pursuant to 8 U.S.C. § 1357(g); and
(2)
Any policies or procedures governing the circumstances under which an inquiry to federal authorities is made to determine a person's immigration status.
History of Section.
P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1; P.L. 2015, ch. 214, § 2; P.L. 2015, ch. 235, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-1. - Stopping on traveled portion of open highway prohibited.

§ 31-21-1. Stopping on traveled portion of open highway prohibited.
Upon any highway outside of a business or residence district, no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or main traveled part of the highway when it is practical to stop, park, or leave the vehicle off that part of the highway. In every event, an unobstructed width of the highway opposite a standing vehicle shall be left for the

free passage of other vehicles, and a clear view of the stopped vehicle shall be available from a distance of two hundred feet (200′) in each direction upon the highway.
History of Section.
P.L. 1950, ch. 2595, art. 32, § 1; G.L. 1956, § 31-21-1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-10.1. - Removal of vehicles parked in excess of twenty-four hours.

§ 31-21-10.1. Removal of vehicles parked in excess of twenty-four hours.
No motor vehicle shall be parked upon any highway under the jurisdiction of the state traffic commission for a continuous period in excess of twenty-four (24) hours. Any law enforcement officer, state or municipal, may order the removal of the vehicle by towing. Any charges incurred for the towing shall be recoverable from the owner of the vehicle by the state or the municipality paying for the towing by civil action commenced in the district court for the district in which the illegal parking occurred. The civil action shall not be available, however, if the owner of the vehicle pays towing charges directly to the person who furnished the towing services.
History of Section.
P.L. 1966, ch. 138, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-10. - Restriction of parking on state highways.

§ 31-21-10. Restriction of parking on state highways.
The state traffic commission, with respect to highways under its jurisdiction, may place signs prohibiting or restricting the stopping, standing, or parking of vehicles on any highway where in its opinion, as evidenced by resolution or order entered in its minutes, such stopping, standing, or parking is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic on it. The signs shall be official signs and no person shall stop, stand, or park any vehicle in violation of the restrictions stated on the signs.
History of Section.
P.L. 1950, ch. 2595, art. 32, § 5; G.L. 1956, § 31-21-10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-11. - Removal of disabled vehicle obstructing traffic on state highway, state bridge, or state tunnel.

§ 31-21-11. Removal of disabled vehicle obstructing traffic on state highway, state bridge, or state tunnel.
Whenever a vehicle, whether attended or unattended, is disabled upon any state highway, state bridge, state causeway, or in a state tunnel where the vehicle constitutes an obstruction to traffic, the department of transportation is authorized to remove, or to provide for the removal of, the vehicle to the nearest garage, service station, or other place of safety at no expense to the owner or operator of the disabled vehicle for its removal.
History of Section.
P.L. 1965, ch. 165, § 2; P.L. 2008, ch. 98, § 17; P.L. 2008, ch. 145, § 17.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-12. - Acquisition, maintenance, and operation of tow trucks by department of transportation.

§ 31-21-12. Acquisition, maintenance, and operation of tow trucks by department of transportation.
The department of transportation is authorized to acquire, equip, maintain and operate not more than four (4) tow trucks, and to assign state employees to the trucks for the removal of disabled motor vehicles from state highways, state bridges, state causeways, or state tunnels in accordance with § 31-21-11.
History of Section.
P.L. 1965, ch. 165, § 2; P.L. 2008, ch. 98, § 17; P.L. 2008, ch. 145, § 17.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-14. - Opening vehicle doors.

§ 31-21-14. Opening vehicle doors.
No person shall open the door of a motor vehicle on the roadways, streets, or highways of this state, available to moving traffic, unless and until it is reasonably safe to do so, and can be done without interfering with the movement of other traffic, including pedestrians and bicycles on sidewalks, shoulders, or bicycle lanes. No person shall leave a door open on the side of a vehicle available to moving traffic, including pedestrians and bicycles on sidewalks, shoulders or bicycle lanes, for a period of time longer than necessary to load or unload passengers. Any person violating the provisions of this section shall be fined as provided in § 31-41.1-4.
History of Section.
P.L. 1980, ch. 201, § 1; P.L. 2002, ch. 58, § 2; P.L. 2002, ch. 292, § 118; P.L. 2005, ch. 64, § 6; P.L. 2005, ch. 67, § 6; P.L. 2008, ch. 100, art. 12, § 8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-15. - Temporary no parking.

§ 31-21-15. Temporary no parking.

In the event that the state or any municipality creates a temporary parking ban in a given area, any signs within that area allowing parking shall be covered in such a manner that the lettering on the signs shall not be visible, provided that, the provisions of this section pertaining to the covering of signs need not be complied with during any snow emergency or other emergency, or when the state or municipality is conducting any street sweeping or other maintenance activities. Any costs to be incurred shall be borne by the municipality in which the signs are located, and the provisions of this section shall not be considered as state mandated costs pursuant to chapter 13 of title 45.

History of Section.

P.L. 1984, ch. 419, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-16. - Liability of owner, operator, and lessee.

§ 31-21-16. Liability of owner, operator, and lessee.

(a)

The owner of a rented or leased motor vehicle shall be entitled to establish non-liability for parking violations by providing to the traffic tribunal or any municipality which has jurisdiction over parking tickets, a copy of a written rental or lease agreement which shall be prima facie evidence that the lessee was the operator of the vehicle.

(b)

The issuing authority shall provide to the owner of a rented or leased vehicle a notice, in writing, of each parking violation in which a motor vehicle owned by the rental or leasing company is involved, including the license number of the vehicle and the date and time of the parking violation. Upon receipt of this notice the owner of a rented or leased vehicle shall inform the issuing authority, within twenty (20) days, to the extent available, the operator’s name, home address, employer, employer’s address, and local address, if any.

(c)

The renter or lessee shall not be considered an agent of the owner if the owner is engaged in the business of renting or leasing vehicles.

History of Section.

P.L. 1984, ch. 419, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-17. - Motorcycle parking privileges.

§ 31-21-17. Motorcycle parking privileges.

(a)

Whenever the proprietor of any shopping center including a shopping mall shall provide for parking spaces designated for use by motorcycles only, then no person shall park any vehicle other than a properly registered motorcycle in the space. Any person who unlawfully parks a vehicle in parking spaces designated for motorcycles shall be fined twenty-five dollars ($25.00) for a first violation, seventy-five dollars ($75.00) for a second violation, and one hundred dollars ($100) for a third or subsequent violation. The vehicle may be subject to towing at the owner’s expense.

(b)

Enforcement of the parking provisions of this section shall be enforced by the local authorities.

History of Section.

P.L. 1988, ch. 497, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-18. - Electric vehicle charging station parking restrictions.

§ 31-21-18. Electric vehicle charging station parking restrictions.

(a)

For the purposes of this section, “electric vehicle charging station” means a public or private parking space that is served by charging equipment that has as its primary purpose the transfer of electric energy to a battery or other energy storage device in an electric vehicle.

(b)

No person shall stop, stand, or park a vehicle in any electric vehicle charging station provided on any public or private parking space if the vehicle is not connected to the charging equipment and where the electric vehicle charging station is indicated by signage identifying the station as an electric vehicle charging station and indicating that it is only for electric vehicle charging and subject to a parking violation.

(c)

Enforcement of the parking provisions of this section shall be enforced by the local or state authorities on public or private property when the location of the parking spaces is within the purview of the state building code, chapter 27.3 of title 23.
(d)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 2017, ch. 204, § 1; P.L. 2017, ch. 259, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-2. - Removal of vehicle parked on highway.

§ 31-21-2. Removal of vehicle parked on highway.
Whenever any police officer finds a vehicle standing upon a highway in violation of § 31-21-1, the officer is authorized to move the vehicle, or require the driver or other person in charge of the vehicle to move the vehicle, to a position off the paved or main traveled part of the highway.
History of Section.
P.L. 1950, ch. 2595, art. 32, § 2; G.L. 1956, § 31-21-2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-3. - Removal of vehicle obstructing traffic on bridge or in tunnel.

§ 31-21-3. Removal of vehicle obstructing traffic on bridge or in tunnel.
Whenever any police officer finds a vehicle, whether attended or unattended, disabled upon any bridge or causeway or in any tunnel where the vehicle constitutes an obstruction to traffic, the officer is authorized to provide for the removal of the vehicle to the nearest garage, service station, or other place of safety.
History of Section.
P.L. 1950, ch. 2595, art. 32, § 2; G.L. 1956, § 31-21-3; P.L. 1965, ch. 165, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-4. - Places where parking or stopping prohibited.

§ 31-21-4. Places where parking or stopping prohibited.
(a)
No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, in any of the following places:
(1)
On a sidewalk;
(2)
In front of a public or private driveway;
(3)
Within an intersection;
(4)
Within eight feet (8′) of a fire hydrant;
(5)
On a crosswalk;
(6)
Within twenty feet (20′) of a crosswalk at an intersection;
(7)
Within thirty feet (30′) upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway;
(8)
Between a safety zone and the adjacent curb, or within thirty feet (30′) of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings;
(9)
Within fifty feet (50′) of the nearest rail of a railroad crossing;
(10)
Within twenty feet (20′) of the driveway entrance to any fire station, and on the side of a street opposite the entrance to any fire station within seventy-five feet (75′) of the entrance (when properly sign-posted);
(11)
Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
(12)
On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
(13)
Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

(14)
At any place where official signs prohibit stopping;
(15)
At any curb cut or ramp for persons with disabilities;
(16)
On any bicycle lane, trail, or path; or
(17)
Upon any crosshatched access aisle adjacent to disability parking spaces.
(b)
The following vehicles are exempt from the prohibitions contained in subsection (a):
(1)
School buses or worker transport buses that are loading or unloading children or workers, provided that the school bus or worker transport bus operates its flashing bus-safety lights;
(2)
Subject to the provisions of § 31-21-6, vehicles that are momentarily stopped, standing, or parked to admit or discharge passengers;
(3)
Taxicabs that are momentarily stopped, standing or parked to admit or discharge passengers;
(4)
Vehicles that are momentarily stopped, standing, or parked for the purpose of, and while actually engaged in, loading or unloading property;
(5)
Vehicles that are owned or operated by the state or a city or town when the vehicle must stop, stand, or park to perform maintenance or repair work on an area where stopping, standing or parking is prohibited under the provisions of subsection (a);
(6)
Vehicles that are disabled in such a manner, and to such extent, that the vehicle operator cannot avoid stopping or temporarily leaving the disabled vehicle in an area where stopping, standing, or parking is prohibited under the provisions of subsection (a);
(7)
Vehicles that are momentarily stopped to allow oncoming traffic to pass before making a right or left-hand turn, or in preparation for or while negotiating an exit from the road.
(c)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 32, § 3; G.L. 1956, § 31-21-4; P.L. 1988, ch. 162, § 1; P.L. 1999, ch. 83, § 71; P.L. 1999, ch. 130, § 71; P.L. 2002, ch. 292, § 118; P.L. 2005, ch. 64, § 6; P.L. 2005, ch. 67, § 6; P.L. 2006, ch. 651, § 1; P.L. 2016, ch. 533, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-5. - Unauthorized movement of vehicle into prohibited area.

§ 31-21-5. Unauthorized movement of vehicle into prohibited area.
No person shall move a vehicle not lawfully under his or her control into any prohibited area or away from a curb to a distance that is unlawful.
History of Section.
P.L. 1950, ch. 2595, art. 32, § 3; G.L. 1956, § 31-21-5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-6. - Admission or discharge of passengers.

§ 31-21-6. Admission or discharge of passengers.
The driver of any vehicle admitting or discharging passengers to or from his or her vehicle shall do so as close as practicable to the right-hand curb or edge of the roadway.
History of Section.
P.L. 1950, ch. 2595, art. 32, § 4; G.L. 1956, § 31-21-6.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-7. - Parallel parking — Proximity to curb.

§ 31-21-7. Parallel parking — Proximity to curb.
Except as otherwise provided in §§ 31-21-8 and 31-21-9, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be stopped or parked with the right-hand wheels of the vehicle parallel to and within twelve inches (12") of the right-hand curb.
History of Section.
P.L. 1950, ch. 2595, art. 32, § 5; G.L. 1956, § 31-21-7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-8. - Left curb parking.

§ 31-21-8. Left curb parking.
Local authorities may by ordinance permit parking of vehicles with the left-hand wheels adjacent to and within twelve inches (12") of the left-hand curb of a one-way roadway.
History of Section.
P.L. 1950, ch. 2595, art. 32, § 5; G.L. 1956, § 31-21-8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-21 - Stopping, Standing, and Parking RestrictionsSection 31-21-9. - Angle parking.

§ 31-21-9. Angle parking.
Local authorities may by ordinance permit angle parking on any roadway, except that angle parking shall not be permitted on any federal aid or state highway unless the state traffic commission has determined by resolution or order entered in its minutes, that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.
History of Section.
P.L. 1950, ch. 2595, art. 32, § 5; G.L. 1956, § 31-21-9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22.1 - Pupil Transportation VehiclesSection 31-22.1-1. - Pupil transportation vehicle — Definition.

§ 31-22.1-1. Pupil transportation vehicle — Definition.
A pupil transportation vehicle is a motor vehicle designed and constructed to seat not more than eight (8) passengers including the operator, used by a school committee to provide the transportation services required by law or regulation to students being conveyed along a fixed school transportation route. In particular, such vehicles may be used to provide the transportation services required by § 16-21-1, § 16-21.1-1, et seq., and § 16-24-4 on routes in which only small numbers of students are being conveyed.
History of Section.
P.L. 2007, ch. 185, § 1; P.L. 2007, ch. 207, § 1; P.L. 2011, ch. 151, art. 10, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22.1 - Pupil Transportation VehiclesSection 31-22.1-2. - Pupil transportation vehicle — Vehicle standards.

§ 31-22.1-2. Pupil transportation vehicle — Vehicle standards.
Vans, sport utility vehicles, and heavy automobiles as defined by applicable federal regulations may be used as pupil transportation vehicles provided that these vehicles meet the highest federal crashworthiness standards for these categories of vehicles. Unless otherwise specifically provided for herein, the provisions of § 31-20-4, et seq. (Special Stops Required) shall be applicable to pupil transportation vehicles. The provisions of § 31-23-42 (First aid kit and heating equipment), § 31-23-42.2 (Power equipment on school buses), § 31-23-54 (Fire extinguishers), and § 31-23-55 (Speedometer and odometer) shall be applicable to pupil transportation vehicles. A pupil transportation vehicle shall not be required to be painted school bus yellow provided it carries a sign in school bus yellow visible from forward and from in back of the vehicle containing the lettering required by § 31-20-11.
History of Section.
P.L. 2007, ch. 185, § 1; P.L. 2007, ch. 207, § 1; P.L. 2011, ch. 151, art. 10, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22.1 - Pupil Transportation VehiclesSection 31-22.1-3. - Equipment and operation of pupil transportation vehicles.

§ 31-22.1-3. Equipment and operation of pupil transportation vehicles.
No person shall operate any student transportation vehicle, and the owner or custodian of a student transportation vehicle shall not permit the same to be operated to convey students unless the following requirements are complied with:
(1)
The operator of a pupil transportation vehicle shall not allow the number of school students riding in the pupil transportation vehicle at any one time to exceed the number of adequate seats therein nor shall the operator drive said bus until each student is seated.
(2)
No person shall operate a pupil transportation vehicle referred to in this section, nor knowingly allow any passenger to ride in such vehicle unless the operator and all passengers are wearing a safety belt which is properly adjusted and fastened.
(3)
All doors shall be kept closed while the pupil transportation vehicle is in motion. The vehicle shall have an audible open door warning alarm and an audible back up warning alarm.
(4)
No fueling shall take place while any pupil transportation vehicle is occupied by passengers.
(5)
Each pupil transportation vehicle shall be equipped with Type I Class A turn signal lamps, which shall have a four-way hazard

warning signal switch to cause simultaneous flashing of the turn signal lamps which may be activated when a pupil transportation vehicle is approaching a stop to load or discharge school students and when needed as a vehicular traffic hazard warning. Each pupil transportation vehicle shall also be equipped with front and rear alternating flashing school bus red signal lamps, which shall remain flashing when school pupils are entering or leaving the pupil transportation vehicle. All aforementioned lamps shall comply with applicable Federal Motor Vehicle Safety Standards and any applicable rules and regulations promulgated by the department of motor vehicles. The operator of a pupil transportation vehicle shall cause its headlamps to be illuminated while such bus is in operation.

(6)

Any person who operates such a pupil transportation vehicle shall not permit the boarding or discharging of school students therefrom unless the pupil transportation vehicle is stopped as close as is practicable to the right-hand side or edge of the ways and shall announce when discharging passengers there from that all persons who wish to cross to the other side of the way shall do so by passing in front of the pupil transportation vehicle immediately upon alighting therefrom. No person shall operate a pupil transportation vehicle away from the point of boarding until it is safe for all discharged passengers who wish to cross to the other side have done so. The monitor requirement of § 16-21-1 shall not apply to pupil transportation vehicles.

(7)

Each pupil transportation vehicle shall be required to be equipped with one pair of adequate chock blocks and three (3) flares in compliance with United States Motor Vehicle D.O.T. Safety Standard No. 125, which shall be placed upon the roadway in conformance with section 14 B of chapter 85 when such vehicle becomes disabled upon the traveled portion of any way, and seat belts for each permanent seating accommodation designed and installed in compliance with applicable United States Motor Vehicle Safety Standards.

(8)

All pupil transportation vehicles shall include an approved emergency airway and bodily fluid spill kits.

(9)

All pupil transportation vehicles used to transport school students under the provisions of this section shall display sticker as authorized by the department of motor vehicles for a reasonable fee established by the department of motor vehicles.

(10)

All persons operating a pupil transportation vehicle to convey students shall hold a Rhode Island chauffeurs license and shall have passed a written test as may be prescribed by the division of motor vehicles. In addition, all persons who operate a pupil transportation vehicle to convey students shall submit to a national and statewide criminal and driving record background check by the hiring agency.

History of Section.

P.L. 2007, ch. 185, § 1; P.L. 2007, ch. 207, § 1; P.L. 2011, ch. 151, art. 10, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22.1 - Pupil Transportation VehiclesSection 31-22.1-4. - Operation of pupil transportation vehicles.

§ 31-22.1-4. Operation of pupil transportation vehicles.

No pupil transportation vehicle shall be operated, under the provisions of this chapter, for purposes of transporting students prior to September 1, 2007.

History of Section.

P.L. 2007, ch. 185, § 1; P.L. 2007, ch. 207, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-1. - Unattended vehicles.

§ 31-22-1. Unattended vehicles.

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the vehicle, and effectively setting the brake and, when standing upon any grade, turning the front wheels to the curb or side of the highway. However, the provision for removing the key from the vehicle shall not require the removal of keys hidden from sight about the vehicle for convenience or emergency.

History of Section.

P.L. 1950, ch. 2595, art. 33, § 1; G.L. 1956, § 31-22-1; P.L. 1977, ch. 117, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-10.1. - Insurance for school buses.

§ 31-22-10.1. Insurance for school buses.

(a)

Every owner of a school bus or other mass transit vehicle registered with the division of motor vehicles of this state shall insure the vehicle against loss from liability imposed by law for damages arising out of the ownership, maintenance, or use of the vehicle in minimum amounts of one hundred thousand dollars ($100,000) per person and three hundred thousand dollars ($300,000) per accident. The administrator of the division of motor vehicles shall not permit the vehicle to be registered until satisfactory proof of

the existence of a policy of insurance providing the coverage required in conformity with the provisions of this section is furnished.
(b)
The term “mass transit vehicle” for the purposes of this section means and includes any motor vehicle with a capacity of ten (10) or more persons which is primarily for the transportation of minors.
(c)
The provisions of this section shall not apply to any motor vehicle owned by the Rhode Island public transit authority pursuant to chapter 18 of title 39.
History of Section.
P.L. 1978, ch. 222, § 1; P.L. 1997, ch. 218, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-10. - Regulation as to school buses.

§ 31-22-10. Regulation as to school buses.
The division of motor vehicles is authorized to adopt any rules and regulations that it may deem necessary for the safety and protection of school children concerning the type, construction, and equipment of motor vehicles primarily used for the transportation of children to and from schools, to and from child care facilities licensed by the department of children, youth and families, and to and from school sponsored activities including athletics and extra-curricular activities, and the operation of them. It may from time to time alter, rescind, or add to the rules and regulations.
History of Section.
P.L. 1950, ch. 2595, art. 33, § 10; G.L. 1956, § 31-22-10; P.L. 1987, ch. 361, § 1; P.L. 1988, ch. 362, § 1; P.L. 1999, ch. 424, § 1; P.L. 1999, ch. 514, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-11.1. - Enforcement of inspections of school buses.

§ 31-22-11.1. Enforcement of inspections of school buses.
(a)
Failure of a school bus to appear for a scheduled inspection shall result in that school bus registration being immediately suspended. Notification of the failure to appear and the suspension order shall be sent to the registered owner and to the superintendent and the school committee of the district for which the bus transports children.
(b)
Failure of a school bus to pass any inspection shall result in written notice to the registered owner to bring the bus into compliance within five (5) days or face suspension of the school bus registration. Notification of the failure of the bus to pass inspection shall also be sent to the superintendent and the school department for which the bus transports children.
(c)
The suspensions shall remain in effect until the time that the bus passes inspection. No school bus will be used to transport children after failing an inspection until the time it is brought into compliance and passes inspection. Notification that a bus has passed inspection shall be sent to the registered owner, the school superintendent, and the school committee for which the bus transports children.
(d)
The division of motor vehicles is authorized to enact such rules and regulations as it may deem necessary to enforce this section.
History of Section.
P.L. 1986, ch. 344, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-11.2. - Maintenance of school buses.

§ 31-22-11.2. Maintenance of school buses.
(a)
All school buses, as defined in § 31-1-3, shall be maintained in a safe operating condition through an approved systematic preventive maintenance program. Defects which could create a hazard for riders or other road users shall be corrected before the vehicle transports children.
(b)
The maintenance program shall be adequate to provide the proper care of all the equipment owned, leased, or contracted, and a written record shall be kept for all repairs conducted on each bus. The records shall be retained for the life of each vehicle and shall transfer with the vehicle when sold, and the record shall be available for inspection by the director of inspections during normal business hours. Included in these records shall be a record of any torque pressure as recommended by the manufacturer.
History of Section.
P.L. 1986, ch. 144, § 2; P.L. 2004, ch. 6, § 16; P.L. 2005, ch. 410, § 15.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-11.3.

- Random inspection of school buses.

§ 31-22-11.3. Random inspection of school buses.
(a)
The division of motor vehicles, and state and local law enforcement officers, are authorized to stop and conduct a visual inspection of any school bus as defined in 31-1-3, on public roads and highways and in public and private parking areas. The random inspections shall be conducted at a time when no school children are on the school bus. Nothing in this section shall preclude a law enforcement officer from stopping a school bus which is transporting children for any visible violation of applicable safety standards. Whenever a law enforcement officer stops a school bus, he or she shall verify that the vehicle identification number (VIN) listed on the registration card is the same as the VIN listed on the body of the bus.
(b)
Any federal or state employee authorized to stop and inspect trucks on the highways or roads of this state is authorized to conduct inspections of any school bus.
(c)
Any school bus found to be in violation of applicable laws and/or regulations may be immediately impounded, and notification shall be sent to the registered owner, the school superintendent and the school committee for which the bus transports children. The bus shall not be used to transport children until the violation is cured and the bus is inspected by a state employed or state certified inspector.
History of Section.
P.L. 1986, ch. 344, § 2; P.L. 2004, ch. 6, § 16.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-11.4. - School bus drivers pre-trip inspection.

§ 31-22-11.4. School bus drivers pre-trip inspection.
Every school bus driver shall perform a daily pre-trip inspection of his or her assigned vehicle, and shall report promptly and in writing any defect or deficiencies discovered that may affect the safety of the vehicle's operation or result in mechanical breakdown. Pre-trip inspection and condition reports for school vehicles subject to the motor carrier safety regulations of the Federal Motor Carrier Safety Administration ("FMCSA") as may be amended from time to time shall be performed in accordance with those regulations.
History of Section.
P.L. 1986, ch. 344, § 2; P.L. 2005, ch. 77, § 4; P.L. 2005, ch. 82, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-11.5. - Use of school bus with suspended registration — Penalty.

§ 31-22-11.5. Use of school bus with suspended registration — Penalty.
No registered owner, school superintendent, or driver shall use or allow to be used any school bus for transporting children after notification that the bus registration has been suspended for failure to appear for its scheduled inspection or for failure to pass the inspection. The registered owner of the bus shall be fined an amount not to exceed five hundred dollars ($500) for each day the bus is used to transport children in violation of this chapter.
History of Section.
P.L. 1986, ch. 344, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-11.6.1. - Childcare vehicles and school extracurricular vehicles — COVID-19. [Effective for 2021-2022 school year.]

§ 31-22-11.6.1. Childcare vehicles and school extracurricular vehicles — COVID-19. [Effective for 2021-2022 school year.]
(a)
Notwithstanding § 31-22-11.6, or any general law, rule, or regulation to the contrary, effective March 28, 2022, due to the public health crisis caused by COVID-19, the requirement of using designated types of vehicles for specified routes as contained in § 31-22-11.6(a)(2)(i) is hereby suspended for student transportation providers ("Providers") retained by or via the Rhode Island department of education ("RIDE") to provide student transportation services. For such routes, retained providers may utilize:
(1)
School buses, as defined in § 31-1-3;
(2)
Pupil transportation vehicles, as defined in § 31-22.1-1;
(3)
School extracurricular vehicles, as defined in § 31-22-11.6(a)(2)(ii);
(4)
Childcare vehicles, as defined in § 31-22-11.6(a)(2)(iii); and
(5)

Family childcare home vehicles, as defined in § 31-22- 11.6(a)(2)(iv).
(b)
Vehicles authorized pursuant to subsection (a) of this section to transport students shall also be in compliance with the applicable laws, rules, and regulations related to student transportation vehicles and shall:
(1)
Carry a sign on the school bus visible from the front and back of the vehicle containing the lettering required by § 31-20-11;
(2)
Be equipped with Type I Class A turn signal lamps, which shall have a four-way hazard warning signal switch to cause simultaneous flashing of the turn signal lamps which may be activated when the vehicle is approaching a stop to load or discharge school students and when needed as a vehicular traffic hazard warning. Each vehicle shall also be equipped with front and rear alternating flashing school bus red signal lamps, which shall remain flashing when school pupils are entering or leaving the vehicle; and
(3)
Be equipped with one pair of adequate chock blocks and three (3) flares in compliance with United States Motor Vehicle D.O.T. Safety Standard No. 125.
(c)
The prohibition against school extracurricular vehicles from having amber or red flashing lights as contained in 280-RICR-30-15-8.5(B)(1) is hereby suspended.
(d)
Retained providers may utilize student transportation vehicles currently registered in Massachusetts or Connecticut to provide student transportation services in Rhode Island; provided that:
(1)
Each student transportation vehicle has current, valid Massachusetts or Connecticut registration and inspection stickers;
(2)
Each student transportation vehicle is covered by an insurance policy meeting the requirements of § 31-22-10.1;
(3)
The Rhode Island department of education has verified compliance of subsections (d)(1) and (d)(2) of this section; and
(4)
The retained provider complies with the registration requirement for each student transportation vehicle pursuant to § 31-7-2 by the sunset date of this section.
(e)
The license requirements contained in §§ 31-10-5, 31-22.1-3(10), and 31-22-11.6(b)(10) are hereby suspended for drivers currently licensed in Massachusetts or Connecticut to operate student transportation vehicles and employed by retained providers pursuant to subsection (a) of this section and furthermore, the provider driver may operate student transportation vehicles appropriate for their licensure; provided that:
(1)
As applicable, the provider driver possesses a current, valid Massachusetts or Connecticut commercial driver's license with a "P" and "S" endorsement and a current, valid Massachusetts school bus certificate if licensed in Massachusetts.
(2)
As applicable, the provider driver possesses a current, valid Massachusetts or Connecticut driver's license that is the equivalent of a Rhode Island license with the appropriate endorsement(s) allowing the transportation of school children.
(3)
RIDE has verified compliance with subsections (e)(1) and (e)(2) of this section.
(4)
As applicable, the provider driver obtains a school bus certificate governed by 280-RICR-30-05-2 prior to the sunset of this section.
(5)
As applicable, the provider driver obtains a pupil transportation certificate governed by 280-RICR-30-05-5 prior to the sunset of this section.
(6)
The provider driver complies with license requirements under §§ 31-10-5, 31-22.1-3(10), and 31-22-11.6(b)(10) prior to the date of sunset of this section.
(f)
Unless extended by the general assembly, this section shall sunset upon the conclusion of the 2021-2022 school year.
History of Section.
P.L. 2022, ch. 7, § 4, effective March 28, 2022; P.L. 2022, ch. 8, § 4, effective March 28, 2022; P.L. 2022, ch. 234, art. 2, § 11, effective June 28, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-11.6. - Childcare vehicles and school extracurricular vehicles.

§ 31-22-11.6. Childcare vehicles and school extracurricular vehicles.

(a)(1)

Pursuant to § 31-22-10, the division of motor vehicles is authorized to promulgate rules and regulations concerning the type, construction, and equipment of motor vehicles used for the transportation of children to and from childcare facilities and to and from school sponsored activities including athletics and extracurricular activities.

(2)(i)

For the purposes of this section, "school bus," as referred to in § 31-1-3, is defined as a vehicle which is used to carry children to or from school on school bound routes at the outset of the children's school day and/or on home bound routes at the end of the children's school day. For these routes, a school bus or a pupil transportation vehicle as set forth in §§ 31-22.1-1 and 31-22.1-2 must be used regardless of the number of students being transported.

(ii)

For purposes of this section, "school extracurricular vehicles" is defined as vehicles designed to transport fewer than fifteen (15) students to and from school sponsored activities including athletics, internships, work experiences, and extracurricular activities where school buses are not used because of the small number of students being transported.

(iii)

For the purpose of this section, "childcare vehicle" is defined as a motor vehicle owned or leased by a licensed child daycare center as defined in subdivisions 42-72.1-2(6) and 42-72.1-2(11), that does not exceed fifteen (15) passengers and is being used to transport children from schools to childcare facilities and/or from childcare facilities to schools or other activities of the child daycare center. Two (2) door sedans shall not be considered childcare vehicles or school extracurricular vehicles.

(iv)

For the purposes of this section, a "Family childcare home vehicle" is defined as a motor vehicle owned or leased by a family daycare home provider as defined in subdivision 42-72.1-2(10) or an assistant to that licensed provider, that does not exceed fifteen (15) passengers and is used to transport children from schools to the family childcare home and/or from the childcare home to schools or to other activities of the childcare home.

(b)

The division of motor vehicles shall have the authority to suspend the registration of any vehicle used for childcare transportation or school extracurricular transportation that does not meet the following requirements:

(1) Seating.

Adequate seating space for all passengers shall be provided. The maximum seating capacity of a childcare vehicle and school extracurricular vehicle shall be fifteen (15) persons, including the driver. No standing shall be permitted while the vehicle is in operation.

(2) Safety belts.

Safety belts shall be required for all passengers riding in the childcare vehicle and school extracurricular vehicle.

(3) Vehicle registration.

All childcare vehicles and school extracurricular vehicles shall be registered as public vehicles.

(4) Vehicle inspection.

All childcare vehicles and school extracurricular vehicles shall be inspected for excessive emissions and/or safety items according to a staggered appointment schedule as determined by the director of revenue, or his or her designee, and from time to time thereafter as may be required, and the vehicle owner shall display upon the vehicle the certificate of inspection and approval issued to the vehicle until the certificate shall expire.

(5) Inspector's rejection notice.

The director of revenue, or his or her designee, may affix a notice of rejection to any vehicle that fails to pass the required inspection requirements. The rejection notice shall not be destroyed or removed from the vehicle until the vehicle has passed the inspection requirements, or its removal has been authorized by the director of revenue or his or her designee.

(6)(i) Vehicle identification.

Any and all childcare vehicles and school extracurricular vehicles must have the name of the childcare organization conspicuously placed on the side of the vehicle. The identification shall be required to possess two inch (2″) letters, and be permanently affixed on the side of the vehicle. Family childcare home vehicles shall be exempt from the vehicle identification requirements of this section.

(ii)

Should any childcare vehicle and school extracurricular vehicle be a leased vehicle, the vehicle shall forego the requirement of having the name of the childcare facility or school permanently affixed to the side of the vehicle, but instead may satisfy the identification requirement by placing a magnetized sign naming the childcare facility or school or any other temporarily affixed apparatus; provided, that the temporary identification sign not be interchanged, replaced, or modified to change the purpose or function of the childcare vehicle and school extracurricular vehicle.

(7)(i) Fire extinguisher.

The childcare vehicle and school extracurricular vehicle shall be equipped with at least one pressurized, potassium bicarbonate base dry chemical-type fire extinguisher, mounted in the manufacturer's extinguisher bracket, and located in the driver's compartment in full view of and readily accessible to the driver. A pressure gauge shall be mounted on the extinguisher so as to be easily read without removing the extinguisher from its mounted position.

(ii)
The fire extinguisher shall have a minimum capacity of not less than two and a half pounds (2½ lbs.) and be of a type approved by the Underwriters Laboratories, Inc., with a rating of not less than ten (10) B:C. The operating mechanism shall be sealed with a type of seal that will not interfere with use of the fire extinguisher.
(8) First-aid, airway, and bodily fluid spill kits.
Every childcare vehicle, family childcare home vehicle and school extracurricular vehicle shall be equipped with a first-aid kit mounted in an area accessible to the operator which consists of bandages, sterile pads, adhesive tape, and Band-Aids, for use in the administration of first-aid treatment. In addition, every childcare vehicle, family childcare home vehicle and school extracurricular vehicle shall be equipped with a bodily fluid spill kit and every childcare vehicle and school extracurricular vehicle shall be equipped with an approved emergency airway kit.
(9)
Each childcare center vehicle and school extracurricular vehicle shall also have an audible door alarm and an audible back up alarm.
(10)
All persons operating a pupil transportation vehicle to convey children shall hold a Rhode Island chauffeur's license and shall have passed a written test as may be prescribed by the department of motor vehicles. In addition, all such persons who operate a pupil transportation vehicle to convey children shall submit to a national and statewide criminal and driving record background check by the hiring agency.
(11)
School extracurricular vehicles purchased after January 1, 2000, shall further comply with regulations which the division of motor vehicles is authorized to promulgate which require these vehicles to meet appropriate safety standards. The additional safety requirements of this subsection shall, effective January 1, 2008, also apply to school extracurricular vehicles in service prior to January 1, 2000, which are still in service after January 1, 2008.
History of Section.
P.L. 1989, ch. 188, § 1; P.L. 1999, ch. 424, § 1; P.L. 1999, ch. 514, § 1; P.L. 2004, ch. 6, § 16; P.L. 2007, ch. 185, § 2; P.L. 2007, ch. 207, § 2; P.L. 2008, ch. 98, § 18; P.L. 2008, ch. 145, § 18; P.L. 2011, ch. 151, art. 10, § 4; P.L. 2013, ch. 280, § 1; P.L. 2013, ch. 345, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-11.7. - Unauthorized school bus entry.

§ 31-22-11.7. Unauthorized school bus entry.
(a)
Any person over eighteen (18) years of age who enters a school bus as defined in § 31-1-3 without prior authorization of the driver or a school official, and who refuses to disembark after being ordered to do so by the driver, shall be guilty of a misdemeanor.
(b)
A school district may place a notice at the entrance of the school bus that warns against the unauthorized entry or refusal to disembark prohibited by this section.
History of Section.
P.L. 2000, ch. 123, § 1; P.L. 2004, ch. 6, § 16; P.L. 2005, ch. 410, § 15.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-11.8. - Unauthorized use of personal wireless communication devices on a school bus.

§ 31-22-11.8. Unauthorized use of personal wireless communication devices on a school bus.
(a)
The use of a personal wireless communications device by a school bus driver shall be prohibited, while the bus is transporting children, except in the case of an emergency.
(b)
Any person who violates any of the provisions of subsection (a) of this section shall, upon conviction, be punished by a fine of one hundred dollars ($100).
(c)
For a subsequent conviction under this section, a person shall be punished by a fine of one hundred fifty dollars ($150).
(d)
For a third or subsequent conviction under this section a person shall be punished by a fine of two hundred dollars ($200).
(e)
If any civil action is brought as a result of a violation of this section, the violation shall be evidence of negligence.
History of Section.
P.L. 2002, ch. 146, § 1; P.L. 2002, ch. 251, § 1; P.L. 2014, ch. 256, § 1; P.L. 2014, ch. 313, § 1; P.L. 2015, ch. 75, § 1; P.L. 2015, ch. 87, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-11.9.

- Use of personal wireless communications devices by minors while operating motor vehicles is prohibited.

§ 31-22-11.9. Use of personal wireless communications devices by minors while operating motor vehicles is prohibited.
(a)
The use of a personal wireless communication device by a minor, while the minor is operating a motor vehicle shall be prohibited, except in the case of an emergency. For purposes of this section, the term “minor” shall include any person less than eighteen (18) years of age.
(b)
Any person who violates any of the provisions of subsection (a) of this section shall, upon conviction, be punished by a fine of one hundred dollars ($100).
(c)
For a second conviction under this section, a person shall be punished by a fine of one hundred fifty dollars ($150).
(d)
For a third or subsequent conviction, a person shall be punished by a fine of two hundred and fifty dollars ($250) and/or loss of license until the user reaches his/her eighteenth (18th) birthday.
History of Section.
P.L. 2006, ch. 186, § 1; P.L. 2006, ch. 322, § 1; P.L. 2014, ch. 155, § 1; P.L. 2014, ch. 167, § 1; P.L. 2014, ch. 256, § 1; P.L. 2014, ch. 313, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-11. - Inspection of school buses.

§ 31-22-11. Inspection of school buses.
(a)
The division of motor vehicles shall inspect or cause to be inspected all school buses used for the transportation of school children as defined in § 31-1-3 at least twice throughout the year. Both of the inspections are to be done at a state certified facility on a semiannual scheduled basis. These inspections will be known as tear down inspections that will include pulling wheels at least once each year if the school bus is equipped with drum brakes and any other work deemed necessary by the state employed or state certified inspectors. Reports of the inspections shall be made in writing and shall be filed with the inspection division of the department of revenue, and the reports shall be available at no cost for public inspection during usual business hours of the division. In the event that a school bus does not pass an inspection and a re-inspection is required, the division of motor vehicles shall impose a fee of one hundred dollars ($100) for each re-inspection.
(b)
Upon receipt of the report, the inspection division shall immediately forward a copy to the registered owner and to the superintendent and school committee of the school district for which the school bus transports children.
History of Section.
P.L. 1950, ch. 2595, art. 33, § 10; G.L. 1956, § 31-22-11; P.L. 1968, ch. 198, § 1; P.L. 1971, ch. 154, § 1; P.L. 1972, ch. 297, § 1; P.L. 1973, ch. 248, § 1; P.L. 1979, ch. 268, § 1; P.L. 1986, ch. 344, § 1; P.L. 1991, ch. 286, § 1; P.L. 2004, ch. 6, § 16; P.L. 2008, ch. 98, § 18; P.L. 2008, ch. 145, § 18; P.L. 2012, ch. 241, art. 21, § 14.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-12. - Supervision and inspection of vehicles transporting passengers for hire.

§ 31-22-12. Supervision and inspection of vehicles transporting passengers for hire.
(a)
The division of motor vehicles shall have jurisdiction over the lighting, equipment, safety, and sanitary condition of all taxicabs, buses, jitneys, and other vehicles used for the transportation of passengers for hire, and shall cause an inspection of them to be made before registering the vehicles and from time to time thereafter as it shall deem necessary for the convenience, protection, and safety of passengers and the public.
(b)
A fee of two dollars ($2.00) shall be paid to the division of motor vehicles for each inspection as required by this section.
History of Section.
P.L. 1950, ch. 2595, art. 33, § 11; P.L. 1954, ch. 3275, § 1; G.L. 1956, § 31-22-12.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-13. - Abandoned vehicles.

§ 31-22-13. Abandoned vehicles.
The last registered owner, or person having custody and control as authorized by the owner, of any motor vehicle who abandons it as defined by § 31-42-1 on any public or private property other than his or her own, without the permission of the owner or lessee of the property in cases of private property, shall be liable for all costs and expenses incurred by the owner, lessee, or the state or any municipality in the removal of the vehicle from public or private property. Failure to pay the expenses within thirty (30) days of

written notice shall be punished by a fine upon conviction, not in excess of two hundred dollars ($200). Upon conviction the administrator of the division of motor vehicles shall be notified and shall suspend the license and registration of the last registered owner of the abandoned vehicle until these expenses are paid.
History of Section.
P.L. 1965, ch. 23, § 1; P.L. 1999, ch. 445, § 1; P.L. 2004, ch. 401, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-14.1. - Towing — Accident scene.

§ 31-22-14.1. Towing — Accident scene.
Every licensed wrecker who shall render towing services at the scene of an accident shall also have the responsibility to remove all glass and debris at the accident scene from the roadway at the time of rendering the services. A police officer shall remain on the scene of the accident until the licensed wrecker has cleared the roadway from auto debris in accordance with this section.
History of Section.
P.L. 1999, ch. 234, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-14. - Towing — Costs paid by owner.

§ 31-22-14. Towing — Costs paid by owner.
(a)
The owner, or person having custody and control as authorized by the owner, of any motor vehicle which is towed away from any public roadway because it is in violation of a state law or city or town ordinance, or which is towed from the scene of an accident or breakdown, or which is towed as the result of the lawful detention of an unlicensed operator, including those operating after denial, suspension, or revocation of license, shall be liable for the cost of towing, storage, and other incidental expenses in connection with the towing.
(b)
The owner or operator of this section shall be responsible for the towing, storage and incidental expenses and for the towing or transportation fees to a demolisher or crusher and any crushing preparation fees associated with gas tanks, auto fluff, and battery acid and tire removal which exceed the salvage value of the vehicle.
(c)
Any owner or operator who should fail to pay the costs and expenses set forth in this section within thirty (30) days of the receipt of written notice from the tow company, police department or demolisher shall be punished by a fine upon conviction not in excess of two hundred dollars ($200).
History of Section.
P.L. 1968, ch. 161, § 1; P.L. 1999, ch. 445, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-15. - Lien for towing and storage charges.

§ 31-22-15. Lien for towing and storage charges.
Every licensed wrecker who shall render towing and storage services for the benefit of a motor vehicle owner shall have a lien on and may retain the possession of the motor vehicle until the charges for the towing and storage have been paid.
History of Section.
P.L. 1968, ch. 161, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-16. - Sale to enforce lien.

§ 31-22-16. Sale to enforce lien.
If the charges referred to in § 31-22-15 remain unpaid for a period of at least sixty (60) days from and after the towing, the wrecker may sell the motor vehicle at private or public sale and the proceeds, after first paying the expenses of the sale, shall be applied as follows:
(1)
In payment of the wrecker’s lien;
(2)
In satisfaction of any indebtedness secured by a financing statement filed with the secretary of state;
(3)
In satisfaction of any indebtedness secured by any subordinate security interest if written satisfaction of demand for it is received before distribution of the proceeds is completed;
(4)
After payment of any or all of the above sections, the proceeds if any, shall be paid to the registered owner, if known to the wrecker.

History of Section.
P.L. 1968, ch. 161, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-17. - Notice of sale.

§ 31-22-17. Notice of sale.
Thirty (30) days before any sale pursuant to § 31-22-16 is held, notice in writing shall be given to the registered owner of the motor vehicle to be sold, if known to the wrecker, and to the holder of any security interest recorded with the secretary of state, of the amount owed for the storage and towing, and the time and place of sale. The notice shall be mailed, registered or certified mail, postage prepaid, to the address of the registered owner on file at the division of motor vehicles, or the last known address of the owner.
History of Section.
P.L. 1968, ch. 161, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-18. - Newspaper advertisement of sale.

§ 31-22-18. Newspaper advertisement of sale.
Every licensed wrecker, after giving notice to the registered owner of the motor vehicle to be sold as prescribed in § 31-22-17, shall advertise notice of the sale for two (2) consecutive days at least ten (10) days but not more than fourteen (14) days prior to the date of the sale, in a daily newspaper of general circulation, the following information:
(1)
A general description of the motor vehicle to be sold, including its make, model, year, color, and motor or serial number;
(2)
The name and address of the registered owner and the license plate number, if known, to the wrecker; and
(3)
The place and date of the proposed sale.
History of Section.
P.L. 1968, ch. 161, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-19. - House trailers.

§ 31-22-19. House trailers.
(a)
No person or persons shall occupy or otherwise be a passenger in a house trailer at any time while the house trailer is in transit or being moved in any manner upon the public highways of this state.
(b)
Any person found guilty of violating any of the provisions of this section shall be fined fifteen dollars ($15.00) for each offense.
(c)
For the purposes of this section, a “house trailer” is defined as a trailer or a semi-trailer which is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place, either temporary or permanent and which is equipped for or capable of use as a conveyance on streets and highways.
History of Section.
G.L. 1956, § 31-22-19; P.L. 1969, ch. 172, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-2. - Restrictions on backing.

§ 31-22-2. Restrictions on backing.
The driver of a vehicle shall not back the vehicle unless the movement can be made with reasonable safety and without interfering with other traffic. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 33, § 2; G.L. 1956, § 31-22-2; P.L. 2002, ch. 292, § 119.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-20. - Solicitation on roadways, permit required.

§ 31-22-20. Solicitation on roadways, permit required.
No person shall distribute literature to, request donations from, or in any other manner perform acts of solicitation of any type directed at the operator or any passenger of any motor vehicle in a travel lane, including motor vehicles stopped at intersections or in obedience to any traffic control device, or on any public street or highways within the state, without first obtaining from the city or

town council of the municipality involved a permit to conduct the solicitation. Solicitation without a permit, or in violation of the terms and conditions of a permit, shall be subject to the penalties provided for by the city's or town's applicable code or ordinance for violations.
History of Section.
P.L. 1976, ch. 16, § 1; P.L. 1995, ch. 290, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-21.1. - Presence of alcoholic beverages while operating or riding in a motor vehicle.

§ 31-22-21.1. Presence of alcoholic beverages while operating or riding in a motor vehicle.
(a)
No person shall operate a motor vehicle upon the public highways with any unsealed alcoholic beverage container within the passenger section of the vehicle.
(b)
Any person found in violation of this section may be fined not more than two hundred dollars ($200) or have his or her driver's license suspended for up to six (6) months, or both, for the first violation, and for each subsequent violation may be fined not more than five hundred dollars ($500) or have his or her driver's license suspended for up to one year, or both.
(c)
The operator of a rented limousine or bus shall not be subject to the provisions of this section provided neither the operator nor any passenger under the age of twenty-one (21) is in possession of any unsealed alcoholic beverage container.
(d)
The original jurisdiction of this section shall be exclusively in the traffic tribunal.
History of Section.
P.L. 1999, ch. 382, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-22.1. - Child passenger protection — Warnings of hazard and risk.

§ 31-22-22.1. Child passenger protection — Warnings of hazard and risk.
(a)
All law enforcement officers in this state are authorized to provide a verbal warning to any person who shall be deemed to have left a child under the age of seven (7) unattended in a motor vehicle. The warning shall apprise the offending person of the dangers of this practice including, but not limited to, the risk of kidnapping and/or abduction, and the dangers which may result from the accumulation of excessive temperatures within the motor vehicle.
(b)
No fine or sanction shall be imposed for a violation of this section, other than a verbal warning, and no record of any kind shall be maintained of the warning.
History of Section.
P.L. 1997, ch. 208, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-22. - Safety belt use — Child restraint.

§ 31-22-22. Safety belt use — Child restraint.
(a)(1)
Any person transporting a child under the age of eight (8), less than fifty-seven inches (57″) in height and less than eighty pounds (80 lbs.), in a motor vehicle operated on the roadways, streets, or highways of this state, shall transport the child in any rear seating position of the motor vehicle properly restrained in a child restraint system approved by the United States Department of Transportation under 49 C.F.R. § 571.213. All infants and toddlers under the age of two (2) years or weighing less than thirty pounds (30 lbs.) shall be restrained in a rear-facing car seat. All children two (2) years of age or older or who have outgrown their rear-facing car seat by height or weight should use a forward-facing car seat with a harness up to the maximum allowed by the child restraint manufacturer. If the child is under eight (8) years old but at least fifty-seven inches (57″) in height, or at least eighty pounds (80 lbs.), the child shall be properly wearing a safety belt and/or shoulder harness approved by the Department of Transportation pursuant to 49 C.F.R. § 571.208 in any rear seating position of the motor vehicle. For the purpose of this section, applying to all parts of this section, "rear seating position" means any seating positions located behind the driver and front seat passenger. Under this subsection, a child must be properly restrained in the front seat if:
(i)
The vehicle is not equipped with a back seat; or
(ii)
All rear seating positions are being utilized by other children.
(2)
In no event shall failure to wear a child restraint system or safety belt be considered as contributory or comparative negligence, nor

the failure to wear the child restraint system, seat belt and/or shoulder harness be admissible as evidence in the trial of any civil action.
(b)(1)
Any operator of a motor vehicle transporting a child, who has attained the age of eight (8) years but is under eighteen (18) years of age, in any seating position within a motor vehicle operated on the roadways, streets, or highways of the state shall ensure that the passenger is properly wearing a safety belt and/or shoulder harness system, as defined by 49 C.F.R. § 571.208.
(2)
Any operator of a motor vehicle under eighteen (18) years old shall properly wear a safety belt and/or shoulder harness system.
(3)
This subsection applies only to those motor vehicles required by federal law to have safety belts.
(c)(1)
Any person deemed in violation of subsection (a) of this section shall be issued a citation. If the cited person presents proof of purchase of a federally approved child restraint system under 49 C.F.R. § 571.213 to the issuing police department within seven (7) days of issuance, the department shall void the violation. If the individual fails to present proof of purchase, he or she shall be required to appear for a hearing before the traffic tribunal, and shall be fined as provided in § 31-41.1-4 for each offense, and it shall not be recorded on the person's driving record within the rules and regulations governing chapter 41.1 of this title.
(2)
Any person violating subsection (b) of this section shall be fined as provided in § 31-41.1-4 for each offense. The conviction shall not be recorded on that person's driving record within the rules and regulations governing chapter 41.1 of this title.
(d)
Notwithstanding the provisions of subsection (a) of this section, any person transporting a child properly restrained in a federally approved child restraint system under 49 C.F.R. § 571.213, but transporting the child in a place other than a rear seating position, in violation of subsection (a) of this section, shall be subject only to the fine contained in subdivision (c)(2) of this section.
(e)
All fines collected for violations of this section shall be payable to the state of Rhode Island. Fifty percent (50%) of the proceeds shall be shared with the municipality whose law enforcement department issued the citation for the violations.
(f)(1)
Any operator of a motor vehicle transporting a person eighteen (18) years of age and older in any seating position of a motor vehicle operated on the roadways, streets, or highways of this state shall ensure that the person be properly wearing a safety belt and/or shoulder harness system, as defined by 49 C.F.R. § 571.208.
(2)
The provisions of this subsection shall apply only to those motor vehicles required by federal law to have safety belts.
(g)(1)
Any person who is an operator of a motor vehicle shall be properly wearing a safety belt and/or shoulder harness system as defined by 49 C.F.R. § 571.208 while the vehicle is in operation on any of the roadways, streets, or highways of this state.
(2)
The provisions of this subsection shall apply only to those motor vehicles required by federal law to have safety belts.
(h)
In no event shall failure to be properly restrained by a child restraint system or safety belt be considered as negligence, nor the failure to be properly restrained by the child restraint system or safety belt be admissible as evidence in the trial of any civil action.
(i)
The provisions of subsections (b), (f) and (g) of this section shall not apply to a driver or passenger of:
(1)
A passenger motor vehicle manufactured before July 1, 1966;
(2)
A passenger motor vehicle in which the driver or passenger possesses a written verification from a licensed physician that the driver or passenger is unable to wear a safety seat belt system for physical or medical reasons. The verification time period shall not exceed twelve (12) months at which time a new verification may be issued;
(3)
A passenger motor vehicle which is not required to be equipped with a safety seat belt system under federal laws; or
(4)
A passenger motor vehicle operated by a letter carrier of the United States Postal Service while performing the duties of a letter carrier.
(j)
A program of public information and education designed to educate the motoring public to the benefits of wearing safety belt systems, shall be developed by the department of transportation's governor's office on highway safety. The department of transportation's office on highway safety, in cooperation with the department of health, shall study the effectiveness of the implementation of this section and shall submit to the general assembly a report containing its findings by July 1, 1999.
(k)

Any person violating subsection (f) or (g) of this section shall be fined as provided in § 31-41.1-4. Any conviction for violating subsection (f) or (g) of this section shall not be recorded on that person's driving record within the rules and regulations governing chapter 41.1 of this title.
(l)
No motor vehicle shall be stopped, inspected or detained to determine compliance with subsection (f) or (g) of this section without reasonable suspicion that the operator or passenger(s) of the motor vehicle is in violation of this section.
(m)
A law enforcement officer may not search a motor vehicle, its contents, the driver, or a passenger solely because of a violation of subsection (f) or (g) of this section.
History of Section.
P.L. 1980, ch. 61, § 1; P.L. 1981, ch. 18, § 1; P.L. 1987, ch. 331, § 1; P.L. 1991, ch. 303, § 1; P.L. 1992, ch. 322, § 1; P.L. 1996, ch. 143, § 1; P.L. 1997, ch. 99, § 1; P.L. 1998, ch. 36, § 1; P.L. 2000, ch. 109, § 67; P.L. 2001, ch. 132, § 1; P.L. 2002, ch. 58, § 3; P.L. 2002, ch. 121, § 1; P.L. 2004, ch. 6, § 4; P.L. 2004, ch. 346, § 1; P.L. 2008, ch. 100, art. 12, § 9; P.L. 2009, ch. 59, § 1; P.L. 2009, ch. 62, § 1; P.L. 2011, ch. 185, § 1; P.L. 2011, ch. 186, § 1; P.L. 2017, ch. 16, § 1; P.L. 2017, ch. 30, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-23. - Tow trucks — Identification required.

§ 31-22-23. Tow trucks — Identification required.
(a)
Every motor vehicle used for the purpose of towing or assisting disabled motor vehicles shall display, in sharp color contrast to the background, and be of such size, shape, and color as to be readily legible during daylight hours, from a distance of fifty feet (50′) while the vehicle is not in motion; the name, address, and telephone number of the registered owner shall be displayed on both sides of the vehicle.
(b)
Any person violating this section shall be fined as provided in § 31-41.1-4.
(c)
Any vehicle, except those vehicles exempt from regulation pursuant to the provisions of § 39-12-3, which are used for the purpose of towing or assisting disabled motor vehicles, which does not have a towing certificate issued by the division of public utilities must have the words "Limited Towing" lettered upon the hood or fenders of the vehicle. The letters must be four inches (4") high in a color which contrasts with the vehicle color and must be on both sides of the hood or both sides of the front fender.
(d)
Any person who shall violate this provision shall be fined not more than one hundred dollars ($100) upon conviction for a first offense, not more than two hundred and fifty dollars ($250) upon conviction for a second offense, and for each subsequent conviction may be fined not more than five hundred dollars ($500).
History of Section.
P.L. 1982, ch. 270, § 1; P.L. 1985, ch. 106, § 1; P.L. 1990, ch. 346, § 1; P.L. 2002, ch. 58, § 3; P.L. 2008, ch. 100, art. 12, § 9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-24. - Interior lights to be operated before dawn and after dusk during police stop.

§ 31-22-24. Interior lights to be operated before dawn and after dusk during police stop.
The operator of any vehicle upon a highway within this state, upon the stopping of the vehicle by any law enforcement or police officer, shall, at any time from a half-hour after sunset to a half-hour before sunrise, display and operate its interior lights until such time as the officer allows the vehicle to continue in its operation. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1983, ch. 261, § 1; P.L. 2002, ch. 292, § 119.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-25. - Approaching horses.

§ 31-22-25. Approaching horses.
Each operator of a vehicle approaching a horse on a public highway shall reduce speed, proceed with caution and stop if necessary to avoid endangering the equestrian, or frightening or striking the horse. An operator violating the provisions of this section shall be guilty of a civil violation and, upon conviction, shall be fined not more than twenty-five dollars ($25.00) for the first offense nor more than fifty dollars ($50.00) for second or subsequent offenses.
History of Section.
P.L. 1986, ch. 53, § 1; P.L. 1988, ch. 296, § 2; P.L. 1999, ch. 218, art. 6, § 10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-26. - Noise in vicinity of horse.

§ 31-22-26. Noise in vicinity of horse.
No operator of a vehicle in the vicinity of an equestrian and horse may blow a horn, or cause loud or unusual noises, in a manner to startle or frighten the horse. An operator violating the provisions of this section shall be guilty of a civil violation and upon conviction shall be fined not more than twenty-five dollars ($25.00) for the first offense nor more than fifty dollars ($50.00) for second or subsequent offenses.
History of Section.
P.L. 1986, ch. 53, § 1; P.L. 1988, ch. 296, § 2; P.L. 1999, ch. 218, art. 6, § 10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-27. - Severability.

§ 31-22-27. Severability.
If any provision of this chapter, or the applicability of the provision to any person or circumstances, is held invalid, the invalidity shall not affect other provisions or application of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.
History of Section.
P.L. 1991, ch. 303, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-28. - Transporting animals.

§ 31-22-28. Transporting animals.
(a)
It shall be unlawful for any person to transport any animal or animals either for business or pleasure on or in an open air motor vehicle unless the animal or animals being transported:
(1)
Is kept in an enclosed area of the motor vehicle;
(2)
The animal or animals are under the physical control of a person other than the operator of the motor vehicle; or
(3)
The animal or animals are placed in the motor vehicle and safely restrained by a harness manufactured for the purpose of restraining animals by means other than neck restraints.
(b)
Any person violating the provisions of this section shall be punished by a fine of not more than fifty dollars ($50.00) for a first offense, nor more than two hundred dollars ($200) for each subsequent offense.
History of Section.
P.L. 1992, ch. 194, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-29. - Inspection of fire apparatus vehicles.

§ 31-22-29. Inspection of fire apparatus vehicles.
Any motor vehicle bearing fire apparatus plates shall be subject to a yearly inspection in accordance with the criteria listed in the national fire protection association (NFPA) standard 1915, 2000 edition.
History of Section.
P.L. 2003, ch. 309, § 1; P.L. 2003, ch. 327, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-3.1. - Riding on motor driven cycles — Passengers prohibited.

§ 31-22-3.1. Riding on motor driven cycles — Passengers prohibited.
A person operating a motor driven cycle as defined in § 31-3-1(i) shall ride only upon the permanent and regular seat attached to it. The operator shall not carry any other person. An operator violating the provisions of this section shall be guilty of a civil violation and upon conviction shall be fined not more than twenty-five dollars ($25.00) for the first offense nor more than fifty dollars ($50.00) for the second or subsequent offenses.
History of Section.
P.L. 1984, ch. 117, § 1; P.L. 1999, ch. 218, art. 6, § 10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-3. - Riding on motorcycles.

§ 31-22-3. Riding on motorcycles.
(a)

A person operating a motorcycle shall ride only upon the permanent and regular seat attached to it. The operator shall not carry any other person nor shall any other person ride on a motorcycle unless the motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the rear or side of the operator.
(b)
In no event shall a motorcycle passenger ride in front of the operator. An operator violating the provisions of this section shall be guilty of a civil violation and upon conviction shall be fined not more than one hundred dollars ($100).
History of Section.
P.L. 1950, ch. 2595, art. 33, § 3; G.L. 1956, § 31-22-3; P.L. 1983, ch. 248, § 1; P.L. 1999, ch. 218, art. 6, § 10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-30. - Text messaging while operating a motor vehicle.

§ 31-22-30. Text messaging while operating a motor vehicle.
(a)
For purposes of this section, the following terms shall have the following meanings:
(1)
“Driving” means operating a motor vehicle on a public road, including operation while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise, but does not include operating a motor vehicle when the vehicle has pulled over to the side of, or off, an active roadway and has stopped in a location where it can safely remain stationary.
(2)
“Hands free” means the manner in which a wireless handset is operated for the purpose of composing, reading, or sending text messages by using an internal feature or function, or through an attachment or addition, including, but not limited to, an earpiece, headset, remote microphone, or short-range wireless connection, thereby allowing the user to operate said device without the use of hands, except to activate, deactivate, or initiate a feature or function thereof.
(3)
“Inoperability” means a motor vehicle that is incapable of being operated or being operated in a safe and prudent manner due to mechanical failure, including, but not limited to, engine overheating or tire failure.
(4)
“Motor vehicle” means any vehicle that is self-propelled by a motor, including, but not limited to: automobiles, trucks, vans, construction vehicles, etc.
(5)
“Person” means any natural person, corporation, unincorporated association, firm, partnership, joint venture, joint stock association, or other entity or business organization of any kind.
(6)
“Personal wireless communication device” means a hand-held device through which personal wireless services (commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services) are transmitted, but does not include a global navigation satellite receiver used for positioning, emergency notification, or navigation purposes.
(7)
“Stopped” means not in motion.
(8)
“Text message,” also referred to as short messaging service (SMS), means the process by which users send, read, or receive messages on a wireless handset, including text messages, instant messages, electronic messages, or e-mails, in order to communicate with any person or device.
(9)
“Use” means to operate a wireless handset or a personal wireless communication device in a manner not consistent with hands-free operation.
(10)
“Wireless handset” means a portable electronic or computing device, including cellular telephones and personal digital assistants (PDAs), capable of transmitting data in the form of a text message.
(b)
No person shall use a wireless handset or personal wireless communication device to compose, read, or send text messages while driving a motor vehicle on any public street or public highway within the state of Rhode Island.
(c)
Notwithstanding the provisions of subsection (b), this section shall not be construed to prohibit the use of any wireless handset or personal wireless communication device by:
(1)
Any law enforcement, public safety or police officers, emergency services officials, first aid, emergency medical technicians and personnel, and fire safety officials in the performance of duties arising out of, and in the course of, their employment as such;
(2)

A person using a wireless handset to contact an individual listed in subsection (c)(1);
(3)
A person using a wireless handset or personal wireless communication device inside a motor vehicle while such motor vehicle is parked, standing, or stopped and is removed from the flow of traffic, in accordance with applicable laws, rules, or ordinances, or is stopped due to the inoperability of such motor vehicle; or
(4)
A person activating, viewing, or deactivating a global positioning or navigation device or a global positioning or navigation application.
(d)
Nothing in this section shall be construed to prohibit a person driving a motor vehicle from utilizing a hands-free wireless handset. The nonemergency use by pilot/escort vehicle drivers of portable electronic devices is prohibited.
(e)
Any person who violates any of the provisions of this section shall, upon conviction, be subject to a fine of one hundred dollars ($100), or a license suspension for up to thirty (30) days, or both; for a second conviction a person shall be subject to a fine of one hundred fifty dollars ($150), or a license suspension for up to three (3) months, or both; and for a third or subsequent conviction a person shall be subject to a fine of two hundred fifty dollars ($250), or a license suspension for up to six (6) months, or both. All violations arising out of this section shall be heard in the Rhode Island traffic tribunal.
History of Section.
P.L. 2009, ch. 213, § 1; P.L. 2009, ch. 214, § 1; P.L. 2013, ch. 291, § 1; P.L. 2013, ch. 393, § 1; P.L. 2014, ch. 155, § 1; P.L. 2014, ch. 167, § 1; P.L. 2014, ch. 256, § 1; P.L. 2014, ch. 313, § 1; P.L. 2015, ch. 75, § 1; P.L. 2015, ch. 87, § 1; P.L. 2017, ch. 460, § 1; P.L. 2017, ch. 462, § 1; P.L. 2019, ch. 34, § 1; P.L. 2019, ch. 35, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-31. - Mobile telephone usage by motor vehicle operators.

§ 31-22-31. Mobile telephone usage by motor vehicle operators.
(a)
For purposes of this section, the following terms shall have the following meanings:
(1)
“Engage in a call” means talking into or listening on a hand-held personal wireless communication device, but does not include holding a hand-held personal wireless communication device to activate, deactivate, or initiate a function of such telephone.
(2)
“Hand-held personal wireless communication device” means a personal wireless communication device with which a user engages in a call using at least one hand.
(3)
“Hands-free accessory” means an attachment, add-on, built-in feature, or addition to a personal wireless communication device, whether or not permanently installed in a motor vehicle, that, when used, allows the vehicle operator to maintain both hands on the steering wheel.
(4)
“Hands-free personal wireless communication device” means a hand-held personal wireless communication device that has an internal feature or function, or that is equipped with an attachment or addition, whether or not permanently part of such hand-held personal wireless communication device, by which a user engages in a call without the use of either hand, whether or not the use of either hand is necessary to activate, deactivate, or initiate a function of such telephone.
(5)
“Immediate proximity” means the distance that permits the operator of a hand-held personal wireless communication device to hear telecommunications transmitted over such hand-held personal wireless communication device, but does not require physical contact with such operator’s ear.
(6)
“Mobile telephone” means a personal wireless communication device, analog, wireless, or digital telephone capable of sending or receiving telephone communication without an access line for service.
(7)
“Public utility” means a business that provides electricity, natural gas, water, and communications and other information services to residential and commercial customers.
(8)
“Using” or “use” means holding a hand-held personal wireless communication device to, or in the immediate proximity of, the user’s ear.
(b)(1)
Except as otherwise provided in this section, no person shall operate a motor vehicle while using a hand-held personal wireless communication device to engage in a call while such vehicle is in motion.
(2)

An operator of a motor vehicle who holds a hand-held personal wireless communication device to, or in the immediate proximity of, the operator's ear while such vehicle is in motion is presumed to be engaging in a call within the meaning of this section. The presumption established by this subdivision is rebuttable by evidence tending to show that the operator was not engaged in a call.
(3)
The provisions of this section shall not be construed as authorizing the seizure or forfeiture of a hand-held personal wireless communication device, unless otherwise provided by law.
(4)
Subsection (b)(1) of this section shall not apply to:
(i)
The use of a hand-held personal wireless communication device for the sole purpose of communicating with any of the following regarding an emergency situation: an emergency response operator; a hospital, physician's office or health clinic; an ambulance company; a fire department; a police department; or a public utility; or
(ii)
Any of the following persons while in the performance of their official duties and within the scope of their employment: a peace officer, as defined in § 12-7-21, a firefighter or an operator of an ambulance or authorized emergency vehicle, or the operator of a taxi cab, tow truck, or bus without passengers; or employees or agents of a public utility; or
(iii)
The use of a hands-free personal wireless communication device.
(c)
Any person who violates the provisions of subsection (b)(1) of this section shall be fined not more than one hundred dollars ($100); provided, however, until January 1, 2023, the fine shall be suspended for a first-time violator who provides proof of acquisition of a hands-free accessory subsequent to the violation, but prior to the imposition of a fine.
History of Section.
P.L. 2017, ch. 167, § 1; P.L. 2017, ch. 308, § 1; P.L. 2022, ch. 180, § 1, effective June 27, 2022; P.L. 2022, ch. 181, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-4. - Overloading of vehicles.

§ 31-22-4. Overloading of vehicles.
(a)
No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding three (3), as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.
(b)
No passenger in a vehicle shall ride in any position as to interfere with the driver's view ahead or to the sides, or to interfere with the driver's control over the driving mechanism of the vehicle.
(c)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 33, § 4; G.L. 1956, § 31-22-4; P.L. 2002, ch. 292, § 119.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-5. - Safety zones.

§ 31-22-5. Safety zones.
No vehicle shall at any time be driven through or within a safety zone. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 33, § 5; G.L. 1956, § 31-22-5; P.L. 2002, ch. 292, § 119.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-6. - Coasting prohibited.

§ 31-22-6. Coasting prohibited.
(a)
The driver of any motor vehicle when traveling upon a down grade shall not coast with the gears of the vehicle in neutral.
(b)
The driver of a commercial motor vehicle, when traveling upon a down grade, shall not coast with the clutch disengaged.
(c)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.

P.L. 1950, ch. 2595, art. 33, § 6; G.L. 1956, § 31-22-6; P.L. 2002, ch. 292, § 119.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-7. - Following fire apparatus.

§ 31-22-7. Following fire apparatus.
The driver of any vehicle other than one on official business, shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet (500′), or drive into or park the vehicle within the block where fire apparatus has stopped in answer to a fire alarm. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 33, § 7; G.L. 1956, § 31-22-7; P.L. 2002, ch. 292, § 119.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-8. - Crossing fire hose.

§ 31-22-8. Crossing fire hose.
No vehicle shall be driven over any unprotected hose of a fire department when it is laid down on any street, or private driveway to be used at any fire or alarm of fire, without the consent of the fire department official in command. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 33, § 8; G.L. 1956, § 31-22-8; P.L. 2002, ch. 292, § 119.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-22 - Miscellaneous RulesSection 31-22-9. - Throwing debris on highway — Snow removal.

§ 31-22-9. Throwing debris on highway — Snow removal.
(a)
No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal, or vehicle upon the highway, or likely to deface the beauty or cleanliness of the highway, nor shall any person in removing snow from any driveway, public or private, leave the snow in any condition so as to constitute a hazard on the highway.
(b)
The director of transportation shall post signs advising the public of penalties for throwing debris on the highways.
(c)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 33, § 9; G.L. 1956, § 31-22-9; P.L. 1958, ch. 106, §§ 1, 2; P.L. 2002, ch. 292, § 119; P.L. 2008, ch. 98, § 18; P.L. 2008, ch. 145, § 18.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.1 - Vehicle Equipment Safety CompactSection 31-23.1-1. - Compact enacted.

§ 31-23.1-1. Compact enacted.
The vehicle equipment safety compact is enacted into law and entered into with all other jurisdictions legally joining in it in the form substantially as follows:
Findings and Purposes
(a)
The party states find that:
(1)
Accidents and deaths on their streets and highways present a very serious human and economic problem with a major deleterious effect on the public welfare.
(2)
There is a vital need for the development of greater interjurisdictional cooperation to achieve the necessary uniformity in the laws, rules, regulations and codes relating to vehicle equipment, and to accomplish this by any means that will minimize the time between the development of demonstrably and scientifically sound safety features and their incorporation into vehicles.
(b)
The purposes of this compact are to:
(1)
Promote uniformity in regulation of and standards for equipment.
(2)
Secure uniformity of law and administrative practice in vehicular regulation and related safety standards to permit incorporation of desirable equipment changes in vehicles in the interest of greater traffic safety.

(3)
To provide means for the encouragement and utilization of research which will facilitate the achievement of the foregoing purposes, with due regard for the findings set forth in subdivision (a) of this article.
(c)
It is the intent of this compact to emphasize performance requirements and not to determine the specific detail of engineering in the manufacture of vehicles or equipment except to the extent necessary for the meeting of such performance requirements.
As used in this compact:
(a)
“Vehicle” means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.
(b)
“State” means a state, territory or possession of the United States, the District of Columbia, or the commonwealth of Puerto Rico.
(c)
“Equipment” means any part of a vehicle or any accessory for use thereon which affects the safety of operation of such vehicle or the safety of the occupants.
(a)
There is created an agency of the party states to be known as the “vehicle equipment safety commission” referred to here as “the commission”. The commission shall be composed of one commissioner from each party state who shall be appointed, serve, and be subject to removal in accordance with the laws of the state which he or she represents. If authorized by the laws of that party state, a commissioner may provide for the discharge of his or her duties and the performance of his or her functions on the commission, either for the duration of his or her membership or for any lesser period of time, by an alternate. No such alternate shall be entitled to serve unless notification of his or her identity and appointment shall have been given to the commission in whatever form that the commission may require. Each commissioner, and each alternate, when serving in the place and stead of a commissioner, shall be entitled to be reimbursed by the commission for expenses actually incurred in attending commission meetings or while engaged in the business of the commission.
(b)
The commissioners shall be entitled to one vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor of that action. Action of the commission shall be only at a meeting at which a majority of the commissioners, or their alternates, are present.
(c)
The commission shall have a seal.
(d)
The commission shall elect annually, from among its members, a chairman, a vice chairman and a treasurer. The commission may appoint an executive director and fix his or her duties and compensation. The executive director shall serve at the pleasure of the commission, and together with the treasurer shall be bonded in any amount that the commission shall determine. The executive director also shall serve as secretary. If there be no executive director, the commission shall elect a secretary in addition to the other officers provided by this subdivision.
(e)
Irrespective of the civil service, personnel or other merit system laws of any of the party states, the executive director with the approval of the commission, or the commission if there be no executive director, shall appoint, remove or discharge such personnel as may be necessary for the performance of the commission’s functions, and shall fix the duties and compensation of such personnel.
(f)
The commission may establish and maintain independently or in conjunction with any one or more of the party states, a suitable retirement system for its full time employees. Employees of the commission shall be eligible for social security coverage in respect of old age and survivor’s insurance provided that the commission takes such steps as may be necessary pursuant to the laws of the United States, to participate in such program of insurance as a governmental agency or unit. The commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate.
(g)
The commission may borrow, accept or contract for the services of personnel from any party state, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two (2) or more of the party states or their subdivisions.
(h)
The commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from any state, the United States, or any other governmental agency and may receive, utilize and dispose of the same.
(i)
The commission may establish and maintain any facilities that may be necessary for the transacting of its business. The commission may acquire, hold, and convey real and personal property and any interest in it.

(j)
The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The commission shall publish its bylaws in convenient form and shall file a copy of them and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states. The bylaws shall provide for appropriate notice to the commissioners of all commission meetings and hearings and the business to be transacted at those meetings or hearings. This notice shall also be given to those agencies or officers of each party state as the laws of that party state may provide.
(k)
The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year, and embodying such recommendations as may have been issued by the commission. The commission may make such additional reports as it may deem desirable.
The commission shall have power to:
(a)
Collect, correlate, analyze and evaluate information resulting or derivable from research and testing activities in equipment and related fields.
(b)
Recommend and encourage the undertaking of research and testing in any aspect of equipment or related matters when, in its judgment, appropriate or sufficient research or testing has not been undertaken.
(c)
Contract for any equipment research and testing that one or more governmental agencies may agree to have contracted for by the commission, provided that the governmental agency or agencies shall make available the funds necessary for that research and testing.
(d)
Recommend to the party states changes in law or policy with emphasis on uniformity of laws and administrative rules, regulations, or codes which would promote effective governmental action or coordination in the prevention of equipment-related highway accidents or the mitigation of equipment-related highway safety problems.
(a)
In the interest of vehicular and public safety, the commission may study the need for or desirability of the establishment of or changes in performance requirements, or restrictions for any item of equipment. As a result of such a study, the commission may publish a report relating to any item or items of equipment, and the issuance of such a report shall be a condition precedent to any proceedings or other action provided or authorized by this article. No less than sixty (60) days after the publication of a report containing the results of such a study, the commission upon due notice shall hold a hearing or hearings at such place or places as it may determine.
(b)
Following the hearing or hearings provided for in subdivision (a) of this article, and with due regard for standards recommended by appropriate professional and technical associations and agencies, the commission may issue rules, regulations, or codes embodying performance requirements or restrictions for any item or items of equipment covered in the report, which in the opinion of the commission will be fair and equitable and effectuate the purposes of this compact.
(c)
Each party state obligates itself to give due consideration to any and all rules, regulations, and codes issued by the commission and declares its policy and intent to be the promotion of uniformity in the laws of the several party states relating to equipment.
(d)
The commission shall send prompt notice of its action in issuing any rule, regulation or code pursuant to this article to the appropriate motor vehicle agency of each party state and that notice shall contain the complete text of the rule, regulation or code.
(e)
If the constitution of a party state requires, or if its statutes provide, the approval of the legislature by appropriate resolution or act may be made a prior condition to the taking effect in that party state of any rule, regulation or code. In such event, the commissioner of that party state shall submit any commission rule, regulation, or code to the legislature as promptly as may be in lieu of administrative acceptance or rejection of it by the party state.
(f)
Except as otherwise specifically provided in or pursuant to subdivisions (e) and (g) of this article, the appropriate motor vehicle agency of a party state shall in accordance with its constitution or procedural laws adopt the rule, regulation or code within six (6) months of the sending of the notice, and upon adoption, the rule, regulation or code shall have the force and effect of law in that state.
(g)
The appropriate motor vehicle agency of a party state may decline to adopt a rule, regulation or code issued by the commission pursuant to this article if that agency specifically finds, after public hearing on due notice, that a variation from the commission’s rule, regulation or code is necessary to the public safety, and incorporates in that finding the reasons upon which it is based. Any such finding shall be subject to review by whatever procedure for review of administrative determinations as may be applicable pursuant to the laws of the party state. Upon request, the commission shall be furnished with a copy of the transcript of any hearings

held pursuant to this subdivision.
(a)
The commission shall submit to the executive head or designated officer or officers of each party state a budget of its estimated expenditures for that period as may be required by the laws of that party state for presentation to its legislature.
(b)
Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. The total amount of appropriations under any of these budgets shall be apportioned among the party states as follows: one-third (
1
/
3
) in equal shares; and the remainder in proportion to the number of motor vehicles registered in each party state. In determining the number of registrations, the commission may employ whatever source or sources of information as, in its judgment present the most equitable and accurate comparisons among the party states. Each of the commission's budgets of estimated expenditures and requests for appropriations shall indicate the source or sources used in obtaining information concerning vehicular registrations.
(c)
The commission shall not pledge the credit of any party state. The commission may meet any of its obligations in whole or in part with funds available to it under article III(h) of this compact, provided that the commission takes specific action setting aside those funds prior to incurring any obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it under article III(h) of this compact, the commission shall not incur any obligation prior to the allotment of funds by party states adequate to meet them.
(d)
The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its rules. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become part of the annual reports of the commission.
(e)
The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any persons authorized by the commission.
(f)
Nothing contained in this compact shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.
(a)
The commission shall adopt rules and regulations with respect to conflict of interest for the commissioners of the party states, and their alternates, if any, and for the staff of the commission and contractors with the commission to the end that no member or employee or contractor shall have a pecuniary or other incompatible interest in the manufacture, sale or distribution of motor vehicles or vehicular equipment or in any facility or enterprise employed by the commission or on its behalf for testing, conduct of investigations or research. In addition to any penalty for violation of any rules and regulations that may be applicable under the laws of the violator's jurisdiction of residence, employment or business, any violation of a commission rule or regulation adopted pursuant to this article shall require the immediate discharge of any violating employee and the immediate vacating of membership, or relinquishing of status as a member on the commission by any commissioner or alternate. In the case of a contractor, any violation of any rule or regulation shall make any contract of the violator with the commission subject to cancellation by the commission.
(b)
Nothing contained in this article shall be deemed to prevent a contractor for the commission from using any facilities subject to the contractor's control in the performance of the contract even though those facilities are not devoted solely to work of or done on behalf of the commission; nor to prevent such a contractor from receiving remuneration or profit from the use of those facilities.
The commission may establish any advisory and technical committees as it may deem necessary, membership on which may include private citizens and public officials, and may cooperate with and use the services of any of these committees and the organizations which the members represent in furthering any of its activities.
(a)
This compact shall enter into force when enacted into law by any six (6) or more states. Thereafter, this compact shall become effective as to any other state upon its enactment of it.
(b)
Any party state may withdraw from this compact by enacting a statute repealing it, but no withdrawal shall take effect until one year after the executive head of the withdrawing state has given notice in writing of the withdrawal to the executive heads of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of that withdrawal.
This compact shall be liberally construed so as to effectuate its purposes. The provisions of this compact shall be severable and if

any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States or the applicability of it to any government, agency, person or circumstances is held invalid, the validity of the remainder of this compact and the applicability of it to any government, agency, person or circumstance shall not be affected by it. If this compact shall be held contrary to the constitution of any state participating in it, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.
History of Section.
P.L. 1963, ch. 43, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.1 - Vehicle Equipment Safety CompactSection 31-23.1-10. - Inspection of accounts.

§ 31-23.1-10. Inspection of accounts.
Pursuant to article VI(e) of the compact, the department of revenue is empowered and authorized to inspect the accounts of the vehicle equipment safety commission.
History of Section.
P.L. 1963, ch. 43, § 1; P.L. 2008, ch. 98, § 20; P.L. 2008, ch. 145, § 20.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.1 - Vehicle Equipment Safety CompactSection 31-23.1-11. - "Executive head" defined.

§ 31-23.1-11. "Executive head" defined.
"Executive head" as used in article IX(b) of the compact, with reference to this state, means the governor.
History of Section.
P.L. 1963, ch. 43, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.1 - Vehicle Equipment Safety CompactSection 31-23.1-2. - Legislative findings.

§ 31-23.1-2. Legislative findings.
The legislature finds that:
(1)
The public safety necessitates the continuous development, modernization, and implementation of standards and requirements of law relating to vehicle equipment, in accordance with expert knowledge and opinion.
(2)
The public safety further requires that those standards and requirements be uniform from jurisdiction to jurisdiction, except to the extent that specific and compelling evidence supports variation.
(3)
The division of motor vehicles, acting upon recommendations of the vehicle equipment safety commission and pursuant to the Vehicle Equipment Safety Compact, provides a just, equitable, and orderly means of promoting the public safety in the manner and within the scope contemplated by this chapter.
History of Section.
P.L. 1963, ch. 43, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.1 - Vehicle Equipment Safety CompactSection 31-23.1-3. - Supersession of other laws.

§ 31-23.1-3. Supersession of other laws.
Provisions of chapters 23 and 24 of this title shall continue to be of force and effect only until superseded by a rule, regulation, or code adopted by the general assembly pursuant to the Vehicle Equipment Safety Compact. Any superseding rule, regulation, or code shall specify the provision or provisions of existing statute being superseded in accordance with and as required by this chapter. The provision or provisions are repealed, effective on the date when the rule, regulation or, code superseding the provision or provisions becomes effective pursuant to the Vehicle Equipment Safety Compact, and any violation of the superseding provision or provisions shall be a civil violation.
History of Section.
P.L. 1963, ch. 43, § 1; P.L. 1999, ch. 218, art. 6, § 12.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.1 - Vehicle Equipment Safety CompactSection 31-23.1-4. - Legislative approval.

§ 31-23.1-4. Legislative approval.
Pursuant to article V(e) of the Vehicle Equipment Safety Compact, it is the intention of this state and it is provided that no rule, regulation, or code issued by the vehicle equipment safety commission in accordance with article V of the compact shall take effect until approved by act of the legislature.

History of Section.
P.L. 1963, ch. 43, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.1 - Vehicle Equipment Safety CompactSection 31-23.1-5. - Rhode Island commissioner.

§ 31-23.1-5. Rhode Island commissioner.
The commissioner of this state on the vehicle equipment safety commission shall be the administrator of the division of motor vehicles who shall serve during his or her continuance as the officer. The commissioner of this state appointed pursuant to this section may designate an alternate from among the officers and employees of the commissioner's agency to serve in his or her place and stead on the vehicle equipment safety commission. Subject to the provisions of the compact and bylaws of the vehicle equipment safety commission, the authority and responsibilities of the alternate shall be as determined by the commissioner designating the alternate.
History of Section.
P.L. 1963, ch. 43, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.1 - Vehicle Equipment Safety CompactSection 31-23.1-6. - Employees' retirement.

§ 31-23.1-6. Employees' retirement.
The employees' retirement system of the state of Rhode Island may make an agreement with the vehicle equipment safety commission for the coverage of the commission's employees pursuant to article III(f) of the compact. The agreement, as nearly as may be, shall provide for arrangements similar to those available to the employees of this state, and shall be subject to amendment or termination in accordance with its terms.
History of Section.
P.L. 1963, ch. 43, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.1 - Vehicle Equipment Safety CompactSection 31-23.1-7. - Departmental cooperation.

§ 31-23.1-7. Departmental cooperation.
Within appropriations available for them, the departments, agencies, and officers of the government of this state may cooperate with and assist the vehicle equipment safety commission within the scope contemplated by article III(h) of the compact. The departments, agencies, and officers of the government of this state are authorized generally to cooperate with the commission.
History of Section.
P.L. 1963, ch. 43, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.1 - Vehicle Equipment Safety CompactSection 31-23.1-8. - Filings.

§ 31-23.1-8. Filings.
Filing of documents as required by article III(j) of the compact shall be with the division of motor vehicles.
History of Section.
P.L. 1963, ch. 43, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.1 - Vehicle Equipment Safety CompactSection 31-23.1-9. - Budget.

§ 31-23.1-9. Budget.
Pursuant to article VI(a) of the compact, the vehicle equipment safety commission shall submit its budgets to the administrator of the division of motor vehicles.
History of Section.
P.L. 1963, ch. 43, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.2 - Tampering with OdometersSection 31-23.2-1. - Declaration of findings and purpose.

§ 31-23.2-1. Declaration of findings and purpose.
(a)
The general assembly finds:
(1)
That purchasers, when buying motor vehicles, rely heavily on the odometer reading as an index of the condition and value of the vehicle;
(2)

That purchasers are entitled to rely on the odometer reading as an accurate reflection of the mileage actually traveled by the vehicle;
(3)
That an accurate indication of the mileage traveled by a motor vehicle, assists the purchaser in determining its safety and reliability; and
(4)
That motor vehicles move in the current of interstate and foreign commerce or affect that commerce.
(b)
It is therefore the purpose of this chapter to prohibit tampering with odometers on motor vehicles, to establish certain safeguards for the protection of purchasers with respect to the sale of motor vehicles having altered or reset odometers, and to create civil and criminal sanctions for the violation of the provisions of this chapter.
History of Section.
P.L. 1972, ch. 14, § 1; P.L. 1985, ch. 392, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.2 - Tampering with OdometersSection 31-23.2-10. - Division of motor vehicles — Odometer inspection.

§ 31-23.2-10. Division of motor vehicles — Odometer inspection.
(a)
Notwithstanding any other provisions of the general laws, the division of motor vehicles shall require the inspection by a member of a city or town police department, of the odometer of every motor vehicle purchased from a seller from outside the state of Rhode Island, prior to issuing a certificate of title in accordance with the provisions of § 31-23.2-6.
(b)
For each vehicle inspected, the local police department may collect a fee of ten dollars ($10.00).
(c)
In the town of Exeter, the town sergeant, or designees, who shall also be employees of the Exeter town sergeant’s office, are authorized to conduct the inspection required by this section.
History of Section.
P.L. 1985, ch. 392, § 3; P.L. 1987, ch. 118, art. 23, § 3; P.L. 1987, ch. 420, § 2; P.L. 2021, ch. 190, § 2, effective July 8, 2021; P.L. 2021, ch. 191, § 2, effective July 8, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.2 - Tampering with OdometersSection 31-23.2-11. - Violation constituting deceptive trade practice.

§ 31-23.2-11. Violation constituting deceptive trade practice.
Any violation of the provisions of this chapter shall constitute a deceptive trade practice under the terms of chapter 13.1 of title 6. In addition to the provisions of § 31-23.2-8, all of the public and private remedies provided for in chapter 13.1 of title 6 shall be available to enforce the provisions of this chapter.
History of Section.
P.L. 1984, ch. 76, § 2; P.L. 1985, ch. 392, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.2 - Tampering with OdometersSection 31-23.2-12. - Dealers — Bonding.

§ 31-23.2-12. Dealers — Bonding.
All motor vehicle dealers licensed by the state of Rhode Island shall post a bond of not less than fifteen thousand dollars ($15,000) with the Rhode Island motor vehicle dealers license commission for the purpose of indemnifying a good faith purchaser who suffers any loss occasioned by a violation of the general laws or the rules and regulations of the commission. The bond shall be renewed annually and shall continue in effect for two (2) years after any dealer goes out of business.
History of Section.
P.L. 1985, ch. 392, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.2 - Tampering with OdometersSection 31-23.2-13. - Dealers — Records.

§ 31-23.2-13. Dealers — Records.
All motor vehicle dealers licensed by the state of Rhode Island shall retain all records involving the transfer of motor vehicles in the state of Rhode Island, including, but not limited to, those set forth in § 31-23.2-6(a) and (b), for a period of six (6) years after the date of sale of each motor vehicle.
History of Section.
P.L. 1985, ch. 392, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.2 - Tampering with OdometersSection 31-23.2-2. - Definitions.

§ 31-23.2-2. Definitions.
As used in this title:
(1)
“Motor vehicle” means any vehicle driven or drawn by mechanical power for use on the public streets, roads, and highways;
(2)
“Odometer” means an instrument for measuring and recording the actual distance a motor vehicle travels while in operation;
(3)
“Person” means any individual, sole proprietorship, partnership, corporation, or business trust including, but not limited to, private individuals and motor vehicle dealers, both wholesale and retail, whether the private individual or dealer is a dealer in the ordinary course of business or not;
(4)
“Repair and replacement” means to restore to a sound working condition by replacing the instrument or any part thereof or by correcting what is inoperative;
(5)
“Transfer” means to acquire ownership by purchase, gift, bequest, or any other means.
History of Section.
P.L. 1972, ch. 14, § 1; P.L. 1985, ch. 392, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.2 - Tampering with OdometersSection 31-23.2-3. - Unlawful devices.

§ 31-23.2-3. Unlawful devices.
It is unlawful for any person to advertise for sale, to sell, to use, or to install or to have installed, any device which causes the odometer to register any mileage other than the true mileage driven. For the purpose of this section the “true mileage driven” is that mileage driven by the vehicle as registered by the odometer within the manufacturer’s designed tolerance.
History of Section.
P.L. 1972, ch. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.2 - Tampering with OdometersSection 31-23.2-4. - Unlawful activity.

§ 31-23.2-4. Unlawful activity.
It is unlawful for any person or his or her agent to disconnect, reset, or alter the odometer of any motor vehicle with the intent to reduce the number of miles indicated on it.
History of Section.
P.L. 1972, ch. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.2 - Tampering with OdometersSection 31-23.2-5. - Maintenance.

§ 31-23.2-5. Maintenance.
Nothing in this chapter shall prevent the service, repair, or replacement of an odometer, provided the mileage indicated on it remains the same as before the service, repair, or replacement. Where the odometer is incapable of registering the same mileage as before the service, repair, or replacement, the odometer shall be adjusted to read zero.
History of Section.
P.L. 1972, ch. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.2 - Tampering with OdometersSection 31-23.2-6. - Transfer of vehicle.

§ 31-23.2-6. Transfer of vehicle.
(a)
Any sales agreement for the transfer of a motor vehicle between persons as defined in this chapter shall contain the words “both buyer and seller have examined the title certificate of this motor vehicle and it correctly reflects the mileage as it appears on the odometer” which shall be placed conspicuously and prominently on the agreement.
(b)
It shall be unlawful for any person to transfer ownership of a motor vehicle previously registered in this state or a motor vehicle used by a dealer as a demonstrator unless the person:
(1)
Enters on a form prescribed by the department of revenue, as prescribed by state law, the mileage the motor vehicle has been operated. The form shall be signed by both the seller and buyer and contain a statement that both parties have viewed the odometer of the motor vehicle. The form as completed shall then be attached to the instrument evidencing transfer of ownership; or

(2)
Enters upon the form “not actual mileage” in the event that the odometer mileage is known to the person to be less than the motor vehicle has actually traveled; or
(3)
Enters the total cumulative mileage on the form in the event that it is known that the mileage indicated on the odometer is beyond its designated mechanical limits;
(4)
Enters the same information as set forth in subdivisions (1) through (3) of this subsection on the owner’s title certificate; and
(5)
The owner of a motor vehicle shall supply its mileage upon the annual renewal registration form supplied by the division of motor vehicles.
(c)
It shall be a violation of this chapter for any person to give a false statement to a transferee under the provisions of this section; provided, however, that no person shall be in violation of this chapter where a vehicle has been resold in reliance on the required statement of the prior owner made pursuant to this section.
(d)
No motor vehicle, previously registered in another state, shall be registered for use in this state unless the application for a certificate of title in Rhode Island is accompanied by the prior owner’s certificate of title and a form as set forth in subdivision (b)(1) of this section.
(e)
The certificate of title of the motor vehicle issued to the new owner by the state of Rhode Island shall:
(1)
Be printed using a process determined by the director to be the most efficient and effective means of avoiding unauthorized duplication;
(2)
Indicate on its face the mileage required to be disclosed by the transferor under subsections (b)(1) and (d) of this section; and
(3)
Contains a space for the transferee to disclose the mileage at the time of any future transfer and to sign and date the disclosure.
(f)
No registration card may be issued in this state for any motor vehicle unless:
(1)
The application for the registration card contains the prior owner’s most recent registration card and the prior owner’s title; and
(2)
The new registration card contains such information as provided on the application.
History of Section.
P.L. 1972, ch. 14, § 1; P.L. 1985, ch. 392, § 1; P.L. 1987, ch. 47, § 1; P.L. 1988, ch. 194, § 1; P.L. 1990, ch. 495, § 1; P.L. 2008, ch. 98, § 21; P.L. 2008, ch. 145, § 21.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.2 - Tampering with OdometersSection 31-23.2-7. - Penalty.

§ 31-23.2-7. Penalty.
(a)
A person who shall violate any of the sections of this chapter shall be punished by imprisonment for up to five (5) years or a fine of not more than ten thousand dollars ($10,000) or one dollar ($1.00) for each mile representing the difference between the actual mileage driven and the mileage as represented on the vehicle at the time of sale, and the person may be prohibited from working for any motor vehicle dealer authorized to do business in the state of Rhode Island for a period of not more than one year; and if the person has been issued plates pursuant to § 31-3-25, the plates may be revoked.
(b)
Should any person who violates any of the sections of this chapter possess a motor vehicle dealer’s license, this license shall be revoked upon his or her conviction for a period of not more than one year.
History of Section.
P.L. 1972, ch. 14, § 1; P.L. 1984, ch. 256, § 1; P.L. 1985, ch. 392, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.2 - Tampering with OdometersSection 31-23.2-8. - Cause of action — Statute of limitations — Damages.

§ 31-23.2-8. Cause of action — Statute of limitations — Damages.
(a)
Notwithstanding the provisions of any general or public law to the contrary, any person who suffers a loss as a result of a violation of any provision of this chapter, may commence an action in either the superior or district court within three (3) years from the date

of discovery of the loss, or within one year from the date when through the exercise of reasonable diligence, the cause of the loss should have been discovered, whichever is later. If the seller of any motor vehicle or any previous owner shall have knowingly violated any of the provisions of this chapter, he or she shall be liable to any subsequent good faith purchaser in an amount equal to three (3) times the amount of actual damages and shall also be liable for punitive damages, costs, and reasonable attorney's fees as determined by the court.
(b)
Prior to initiating any legal action as set forth in subsection (a) of this section, a person shall serve a written demand upon the seller or any previous owner by registered mail, return receipt requested, containing the following information:
(1)
That the buyer believes the odometer has been tampered with;
(2)
Date of purchase;
(3)
Name of buyer and seller;
(4)
Make, model, year, and VIN of motor vehicle;
(5)
Sales price;
(6)
Present mileage;
(7)
Any repairs done on the motor vehicle since its purchase; and
(8)
A demand for a refund or a replacement motor vehicle of comparable value within thirty (30) days of the notification of the seller or previous owner. Should the seller or previous owner comply with the demand within thirty (30) days, the buyer shall forfeit any right to proceed in accordance with subsection (a) of this section. Additionally, a replacement motor vehicle shall be accepted by any financial institution financing the motor vehicle replaced as substitute collateral on any notes made to finance the replaced motor vehicle, and the owner/borrower and/or guarantors on the notes shall not have to pay any penalties or refinance charges.
(c)
Any person who knowingly violates any of the provisions of this chapter, shall be absolutely liable to any person suffering a loss, and it shall not be a defense that any plaintiff contributed to his or her own loss.
History of Section.
P.L. 1972, ch. 14, § 1; P.L. 1984, ch. 76, § 1; P.L. 1985, ch. 392, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.2 - Tampering with OdometersSection 31-23.2-9. - Other laws unaffected.

§ 31-23.2-9. Other laws unaffected.
This chapter does not annul, alter, affect, or exempt any person subject to the provisions of this chapter from complying with the laws of any state with respect to the disconnecting, altering, or tampering with odometers with the intent to defraud, except to the extent that those laws are inconsistent with any provision of this chapter, and then only to the extent of the inconsistency.
History of Section.
P.L. 1972, ch. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.3 - Nontransparent Windshields and WindowsSection 31-23.3-1. - Definitions.

§ 31-23.3-1. Definitions.
The following words and phrases, for the purposes of this chapter only, have the following meanings:
(1)
"Motor vehicle" means any vehicle, except those vehicles defined in § 31-1-8 as vehicles used in farm husbandry, which is registered or required to be registered in the state.
(2)
"Multipurpose passenger vehicle" means a motor vehicle with motive power designed to carry ten (10) persons or fewer which is constructed either on a truck chassis or with special features for occasional off-road operation.
(3)
"Reflectance" means the ratio of the amount of total light, expressed in a percentage, which is reflected outward by the product or material to the amount of total light falling on the product or material.
(4)
"Sunscreening material" means a product or material, including film, glazing, and perforated sunscreening, which, when applied to the windshield or windows of a motor vehicle, reduces the effects of the sun with respect to light reflectance or transmittance.

(5)
“Transmittance” means the ratio of the amount of total light, expressed in a percentage, which is allowed to pass through the product or material, including glazing, to the amount of total light falling on the product or material and the glazing.
(6)
“Window” means any device designed for exterior viewing from a motor vehicle, except the windshield, any roof-mounted viewing device, and any viewing device having less than one hundred fifty (150) square inches in area.
(7)
“Windshield” means the front exterior viewing device of a motor vehicle.
History of Section.
P.L. 1993, ch. 250, § 1; P.L. 1993, ch. 408, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.3 - Nontransparent Windshields and WindowsSection 31-23.3-2. - Windshields and windows obscured by nontransparent materials.

§ 31-23.3-2. Windshields and windows obscured by nontransparent materials.
No person shall own and operate any motor vehicle upon any public highway, road or street with nontransparent or sunscreen material, window application, reflective film or non-reflective film used in any way to cover or treat the front windshield, the side windows immediately adjacent to the right and left of the operator’s seat, the side windows immediately to the rear of the operator’s seat and the front passenger seat and the rear window unless this vehicle meets one of the criteria set forth in § 31-23.3-3.
History of Section.
P.L. 1993, ch. 250, § 1; P.L. 1993, ch. 408, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.3 - Nontransparent Windshields and WindowsSection 31-23.3-3. - Rules and regulations authorized — Administrator of the division of motor vehicles.

§ 31-23.3-3. Rules and regulations authorized — Administrator of the division of motor vehicles.
(a)
The administrator of the division of motor vehicles shall establish rules and regulations to provide standards and tests to measure the percentage of reflective and transmittance of light.
(b)
Any person, firm, corporation, or other entity installing such a sunscreen device on a motor vehicle shall provide and affix a label to the front window not to exceed one and one-half (1½) square inches in size, which contains the installer’s name and the percentage of light transmittance. Facing the motor vehicle from the outside, the label shall be placed in the lower left corner of the front window.
History of Section.
P.L. 1993, ch. 250, § 1; P.L. 1993, ch. 408, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.3 - Nontransparent Windshields and WindowsSection 31-23.3-4. - Exemptions.

§ 31-23.3-4. Exemptions.
The provisions of this chapter shall not apply to:
(1)
Motor vehicles manufactured with windshields and window glass areas equipped in accordance with specifications of 49 CFR 571.205 as authorized by 15 U.S.C. § 1407.
(2)
Motor vehicles owned or leased by federal, state and local law enforcement agencies.
(3)
The use of nontransparent or sunscreen material or window application on motor vehicles which has a total visible light transmittance of not less than seventy percent (70%) measured perpendicular to the surface of the glass on the windshield and side windows immediately adjacent to the right and left of the operator’s seat, the side windows immediately to the rear of the operator’s seat and the front passenger seat or on the rear window if the vehicle is equipped with two (2) outside mirrors, one on each side, adjusted so that the driver has a clear view of the highway behind the vehicle.
(4)
The use of any transparent material limited to the uppermost six inches (6") along the top of the windshield, provided the strip does not encroach upon the driver’s direct forward viewing area as more particularly described and defined in applicable Federal Motor Vehicle Safety Standards.
(5)
Motor vehicles not required to be registered in this state.
(6)
The use of sunscreen material on windows behind the driver in trucks, buses, trailers, mobile homes, campers, multipurpose vehicles, charter buses, funeral service vehicles, or limousines, provided that the vehicle is equipped with two (2) outside mirrors,

one on each side, if those mirrors meet federal standards adjusted so the driver has a clear view of the highway behind the vehicle.
(7)
A motor vehicle registered in this state in the name of a person, or the person's legal guardian, who has an affidavit signed by a physician or an optometrist licensed to practice in this state that states that the person has a physical condition that makes it necessary to equip the motor vehicle with a sunscreening device which may exceed federal standards. The division of motor vehicles, upon application of the individual, which shall include the affidavit, shall issue a sticker to be applied to the driver's side window to identify this exemption.
(8)
Any motor vehicle, registered and garaged within this state, whose sole purpose is to provide executive security to persons within this state. The owner(s) of the vehicle shall first seek and obtain written permission from the local police chief where the vehicle is garaged and registered before the waiver is granted.
History of Section.
P.L. 1993, ch. 250, § 1; P.L. 1993, ch. 408, § 1; P.L. 1994, ch. 76, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.3 - Nontransparent Windshields and WindowsSection 31-23.3-5. - Penalties.

§ 31-23.3-5. Penalties.
(a)
Any person, firm, corporation, or other business entity that installs any sunscreening material which is not in compliance with the provisions of this chapter shall be fined not more than two hundred fifty dollars ($250) for each offense.
(b)
Any person who owns a motor vehicle which has installed on it any sunscreening device or material in violation of this chapter shall be fined not more than two hundred fifty dollars ($250).
History of Section.
P.L. 1993, ch. 250, § 1; P.L. 1993, ch. 408, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23.3 - Nontransparent Windshields and WindowsSection 31-23.3-6. - Vehicles with existing sunscreening materials.

§ 31-23.3-6. Vehicles with existing sunscreening materials.
The owners of all motor vehicles who have sunscreening material in their motor vehicle in violation of the provisions of this chapter may be found in violation of the provisions of this chapter; provided, an owner of a motor vehicle shall not be required to remove any sunscreening material if that material was initially installed by the motor vehicle manufacturer and was purchased prior to December 1, 1993.
History of Section.
P.L. 1993, ch. 250, § 1; P.L. 1993, ch. 408, § 1; P.L. 2000, ch. 109, § 73.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-1. - Driving of unsafe vehicle — Disobedience of requirements — Inspections of motor carriers — Fines.

§ 31-23-1. Driving of unsafe vehicle — Disobedience of requirements — Inspections of motor carriers — Fines.
(a)
It is a civil violation for any person to drive or move, or for the owner, employer or employee to cause or knowingly permit to be driven or moved, on any highway any vehicle or combination of vehicles which is in such an unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with lamps and other equipment in proper condition and adjustment as required in this chapter or chapter 24 of this title, or for any person to do any act forbidden or fail to perform any act required under these chapters.
(b)(1)
For the purpose of reducing the number and severity of accidents, all commercial motor vehicles must meet applicable standards set forth in this chapter and chapter 24 of this title and in the federal motor carrier safety regulations (FMCSR) contained in 49 CFR Parts 387 and 390-399, and the Hazardous Materials Regulations in 49 CFR Parts 107 (subparts F and G only), 171-173, 177, 178 and 180, as amended except as may be determined by the administrator to be inapplicable to a state enforcement program, as amended and adopted by the U.S. Department of Transportation (U.S. DOT), Federal Motor Carrier Safety Administration, as may be amended from time to time. Part 391.11(b)(1) of FMCSR, 49 CFR 391.11(b)(1) shall not apply to intrastate drivers of commercial motor vehicles except for drivers of school buses and vehicles placarded under 49 CFR Part 172, Subpart F. Rules and Regulations shall be promulgated by the director of the department of revenue for the administration and enforcement of motor carrier safety. The rules and regulations shall be promulgated to ensure uniformity in motor carrier safety enforcement activities and to increase the likelihood that safety defects, driver deficiencies, and unsafe carrier practices will be detected and corrected.
(2)
Any carrier convicted of violating the rules and regulations established pursuant to this subsection shall be fined as provided in §

31-41.1-4 for each offense.
(c)
For the purposes of this section, “carrier” is defined as any company or person who furthers their commercial or private enterprise by use of a vehicle that has a gross vehicle weight rating (GVWR) of ten thousand and one (10,001) or more pounds, or that transports hazardous material.
(d)
Authorized examiners, investigators, officers, or regulatory inspectors from the department of revenue with proper identification issued by the director of the department of revenue, the state police, and local law enforcement officials with proper identification certifying they are qualified motor carrier enforcement personnel trained according to subsection (f) of this section, shall have a right of entry and authority to examine all equipment of motor carriers and lessors and enter upon and perform inspections of motor carrier vehicles in operation. They shall have authority to inspect, examine, and copy all accounts, books, records, memoranda, correspondence and other documents of the motor carriers and or lessors and the documents, accounts, books, records, correspondence, and memoranda of any person controlling, controlled by, or under common control of any carrier which relate to the enforcement of this chapter.
(e)(1)
Authorized examiners, investigators, officers, or regulatory inspectors from the state police, local law enforcement officials or the department of revenue shall declare “out of service” any motor vehicle which, by reason of its mechanical condition or loading, is so imminently hazardous to operate as to be likely to cause an accident or a breakdown. An “out of service vehicle” sticker shall be used to mark vehicles out of service. The “out of service vehicle” sticker shall be affixed to the driver’s window on power units placed out of service and, affixed to the left front corner of trailers or semi-trailers placed out of service.
(2)
No person shall remove the “out of service vehicle” sticker from any motor vehicle prior to completion of all repairs required by the “out of service” notice.
(3)
Any motor vehicle discovered to be in an unsafe condition while being operated on the highway may be continued in operation only to the nearest place where repairs can be safely effected.
(4)
Operation in an unsafe condition will be conducted only if it is less hazardous to the public than to permit the vehicle to remain on the highway.
(5)
A motor carrier shall not require or permit a person to operate a motor vehicle declared out of service until all the repairs required by the out of service notice are satisfactorily completed.
(6)
Any person convicted of unauthorized removal or causing to be removed an “out of service vehicle” sticker shall be fined as provided in § 31-41.1-4.
(7)
Any person convicted of operating or causing to operate an “out of service vehicle” on a public highway shall be fined as provided in § 31-41.1-4.
(f)
In order to enforce the provisions of this section, authorized examiners, investigators, officers, or regulatory inspectors must satisfactorily complete a course of instruction as prescribed by the U.S. Department of Transportation (U.S. DOT), Federal Motor Carrier Safety Administration in the federal motor carrier safety regulations (FMCSR) safety inspection procedures, and out of service criteria with at least annual in-service training covering the prescribed instruction.
(g)
Violations of the provisions of this section shall be recorded in the commercial vehicle inspection report approved by the U.S. Department of Transportation (U.S. DOT), Federal Motor Carrier Safety Administration in addition to the appropriate Rhode Island state uniform summons.
(h)
Any fine imposed as a result of a violation of this section shall not be subject to any additional assessments imposed pursuant to any other laws of the state of Rhode Island.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 1; G.L. 1956, § 31-23-1; P.L. 1985, ch. 503, § 1; P.L. 1986, ch. 282, § 1; P.L. 1989, ch. 83, § 1; P.L. 1991, ch. 298, § 1; P.L. 1999, ch. 218, art. 6, § 11; P.L. 2002, ch. 58, § 4; P.L. 2005, ch. 77, § 5; P.L. 2005, ch. 82, § 5; P.L. 2008, ch. 98, § 19; P.L. 2008, ch. 100, art. 12, § 10; P.L. 2008, ch. 145, § 19.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-10. - Sirens, bells, and whistles prohibited.

§ 31-23-10. Sirens, bells, and whistles prohibited.
No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle, or bell, except as permitted in §§

31-23-9, 31-23-11 and 31-23-12. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 32; G.L. 1956, § 31-23-10; P.L. 1972, ch. 25, § 1; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-11.1. - Warning lights on private vehicles.

§ 31-23-11.1. Warning lights on private vehicles.
(a)
A joint committee for volunteer permits, three (3) of whom shall be appointed by the president of the Rhode Island Association of Fire Chiefs and two (2) of whom shall be appointed by the president of the Rhode Island Association of Police Chiefs, shall take responsibility for the following actions regarding warning lights on privately owned vehicles:
(1)
Develop procedures for the design, issuance, transfer and revocation of permit stickers;
(2)
Develop rules and regulations for the use of warning lights;
(3)
Develop minimum training standards for drivers;
(4)
Develop procedures to govern the board's activities.
(b)
The fire chief or commander of a municipal or non-profit fire, rescue, or ambulance department shall take responsibility for the following actions regarding warning lights on privately owned vehicles:
(1)
Make application for permits to joint committee on volunteer permits;
(2)
Maintain a listing of vehicle registrations and vehicle identification numbers for which warning lights are issued;
(3)
Ensure that permits are removed from vehicles upon transfer of ownership;
(4)
Post in a conspicuous place at all times, standard operating guidelines for the proper use of warning lights.
(c)
The chief or commander of any fire, rescue, or ambulance department shall limit the use of warning lights to chief officers, deputy chiefs, assistant chiefs, captains, or other members deemed necessary and appropriate by written justification to the joint committee on volunteer permits.
(d)
The fire, rescue, or ambulance department must own any warning lights issued by the fire chief or commander of the department.
(e)
Each authorized volunteer member of a fire, rescue, or ambulance department must affix a permit sticker on any vehicle utilizing warning lights in accordance with rules and regulations developed by the joint committee on volunteer permits. Authorized members shall only utilize these warning lights within their department jurisdiction as the members respond to an emergency or to provide protection while parked at the scene of an emergency.
History of Section.
P.L. 1985, ch. 209, § 1; P.L. 1989, ch. 375, § 1; P.L. 1999, ch. 447, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-11. - Warning devices on emergency vehicles.

§ 31-23-11. Warning devices on emergency vehicles.
Any authorized emergency vehicle may be equipped with a siren, whistle, or bell, capable of emitting sound audible under normal conditions from a distance of not less than five hundred feet (500′) and of a type approved by the registry. The siren shall not be used except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which latter events, the driver of the vehicle shall sound the siren when reasonably necessary to warn pedestrians and other drivers of its approach.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 32; G.L. 1956, § 31-23-11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-12.1. - Providence canteen vehicles.

§ 31-23-12.1. Providence canteen vehicles.
(a)

The motor vehicle equipment belonging to the Providence Canteen with headquarters in Providence, Rhode Island, is declared to be an authorized emergency vehicle and may be equipped with a siren, whistle, or bell as provided in § 31-23-11.
(b)
Any operator of the Providence Canteen motor vehicle shall have, at a minimum, five (5) hours of training and instruction from an active or retired police officer or firefighter, in the operation of the Providence Canteen vehicle as an authorized emergency vehicle and the use of emergency lights and sirens.
History of Section.
P.L. 2024, ch. 162, § 1, effective June 17, 2024; P.L. 2024, ch. 164, § 1, effective June 17, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-12. - Salvation Army vehicle.

§ 31-23-12. Salvation Army vehicle.
The motor vehicle equipment (station wagon) of the Salvation Army, with headquarters located in Providence, Rhode Island, is declared to be an authorized emergency vehicle and may be equipped with a siren, whistle, or bell as provided in § 31-23-11.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 32; P.L. 1953, ch. 3067, § 1; G.L. 1956, § 31-23-12.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-13.1. - Altering height of or operating a motor vehicle with an altered height prohibited.

§ 31-23-13.1. Altering height of or operating a motor vehicle with an altered height prohibited.
No person shall alter the height of or operate a motor vehicle with an altered height that has an original manufacturer's gross vehicle weight rating of up to and including ten thousand pounds (10,000 lbs.), by elevating or lowering the chassis or body by more than four inches (4") from the original manufacturers' specified height by use of so called "shackle lift kits" for leaf springs or by use of lift kits for coil springs, tires, or any other means or device. The administrator of the division of motor vehicles shall establish rules and regulations for motor vehicle heights including exceptions for vehicles used for farming or forestry. No motor vehicle that has been so altered, modified, or changed beyond the provisions of this section or the rules and regulations established by the administrator of the division of motor vehicles, shall be operated on any highway. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1975, ch. 72, § 1; P.L. 1986, ch. 541, § 1; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-13. - Muffler.

§ 31-23-13. Muffler.
Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. No person shall use a muffler cutout, bypass, or similar device upon a motor vehicle on a highway. Any exhaust system shall be deemed defective if any changes, modifications, alterations, deletions, or adjustments have been made which would cause the exhaust system to generate a higher or louder sound level than would be generated by the exhaust system customarily installed by the manufacturer as original equipment. The defective exhaust system shall be replaced or repaired to restore the exhaust system to the performance specifications of the original equipment. Failure to replace or restore the exhaust system as required in this section within five (5) days shall be deemed a civil violation and violators are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 33; G.L. 1956, § 31-23-13; P.L. 1967, ch. 97, § 1; P.L. 1999, ch. 218, art. 6, § 11; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-14.1. - Fire extinguishers.

§ 31-23-14.1. Fire extinguishers.
Every truck operated, owned, or leased by the state of Rhode Island or a political subdivision of the state shall be equipped with a fire extinguisher. The fire extinguisher shall contain a potassium bicarbonate base dry chemical fire extinguishing agent having an underwriter's laboratory rating of six (6) B:C, and a capacity of not less than two and one-half pounds (21/2 lbs.).
History of Section.
P.L. 1968, ch. 65, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-14. - Prevention of excessive fumes or smoke.

§ 31-23-14. Prevention of excessive fumes or smoke.

The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 33; G.L. 1956, § 31-23-14; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-15. - Rear-view mirror.

§ 31-23-15. Rear-view mirror.
(a)
Every motor vehicle which is so constructed or loaded as to obstruct the driver's view to the rear of it from the driver's position shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least two hundred feet (200′) to the rear of the vehicle.
(b)
Every motor vehicle, the primary function of which is the carrying of passengers, shall be equipped with a rear-view mirror on the left front door or fender, so located as to reflect a view of the highway for at least two hundred feet (200′) to the rear of the vehicle.
(c)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 34; G.L. 1956, § 31-23-15; P.L. 1967, ch. 87, § 1; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-16. - Windshield and window stickers — Obstructions to clear view — Snow and ice on vehicle.

§ 31-23-16. Windshield and window stickers — Obstructions to clear view — Snow and ice on vehicle.
(a)
No person shall drive any motor vehicle with any sign, poster, or other nontransparent material, or dirt, snow, or ice upon the front windshield, side wings, or side or rear windows of the vehicle which obstructs the driver's clear view of the highway or any intersecting highway; provided, that the administrator of the division of motor vehicles may permit the placing of special stickers upon the windshield or any of the windows of a motor vehicle in the manner specified by the administrator of the division of motor vehicles.
(b)
No person shall drive any motor vehicle with any significant amounts of snow or ice upon the vehicle. The term "significant" is construed as any amount of accumulation which might reasonably be expected, when blowing off the vehicle while driving, to obscure the vision of an operator of another vehicle. However, the natural accumulation of snow while driving during adverse weather conditions shall not constitute a violation of this section. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 35; P.L. 1952, ch. 2937, § 14; G.L. 1956, § 31-23-16; P.L. 1983, ch. 255, § 1; P.L. 1984, ch. 415, § 1; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-17. - Windshield wipers.

§ 31-23-17. Windshield wipers.
(a)
The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.
(b)
Every windshield wiper upon a motor vehicle shall be maintained in good working order.
(c)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 35; G.L. 1956, § 31-23-17; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-18. - Solid rubber tires.

§ 31-23-18. Solid rubber tires.
Every solid rubber tire on a vehicle shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery.
History of Section.

P.L. 1950, ch. 2595, art. 34, § 36; G.L. 1956, § 31-23-18.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-19. - Metal tires prohibited.

§ 31-23-19. Metal tires prohibited.
No person shall operate or move on any highway any motor vehicle, trailer, or semi-trailer having any metal tire in contact with the roadway. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 36; G.L. 1956, § 31-23-19; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-2. - Additional parts and accessories.

§ 31-23-2. Additional parts and accessories.
(a)
Nothing contained in this chapter or chapter 24 of this title shall be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with the provisions of these chapters.
(b)
No person shall install or adjust any equipment, part, or accessory on a motor vehicle that is intended for use on any highway, which would result in the motor vehicle or its operation being inconsistent with the provisions of this chapter or chapter 24 of this title and could result in the issuance of a notice pursuant to § 31-38-2. The penalty for the first violation of the provisions of the subsection shall be a fine of two hundred fifty dollars ($250), for the second violation a fine of five hundred dollars ($500), and for the third and subsequent violations a fine of one thousand dollars ($1,000).
History of Section.
P.L. 1950, ch. 2595, art. 34, § 1; G.L. 1956, § 31-23-2; P.L. 2008, ch. 249, § 1; P.L. 2008, ch. 311, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-20. - Protuberances on tires.

§ 31-23-20. Protuberances on tires.
No tires on a vehicle moved on a highway shall have on its periphery any block, flange, cleat, or pointed spike or other protuberance of any material other than rubber which projects beyond the tread of the traction surface of the tire except that:
(1)
It shall be permissible to use tires with flat-headed studs projecting one-sixteenth inch (1/16") or less beyond the tread of the traction surface from the fifteenth day of November to the first day of April;
(2)
It shall be permissible to use farm machinery with tires having protuberances which will not injure the highway; and
(3)
It shall be permissible to use tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid.
(4)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 36; G.L. 1956, § 31-23-20; P.L. 1965, ch. 203, § 1; P.L. 1970, ch. 321, § 1; P.L. 1976, ch. 7, § 1; P.L. 1980, ch. 200, § 1; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-21. - Permits for operation of vehicles having tracks with transverse corrugations.

§ 31-23-21. Permits for operation of vehicles having tracks with transverse corrugations.
The department of revenue and local authorities in their respective jurisdictions may in their discretion issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of the movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this chapter.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 36; P.L. 1952, ch. 2937, § 14; G.L. 1956, § 31-23-21; P.L. 2008, ch. 98, § 19; P.L. 2008, ch. 145, § 19.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-22. - Safety glass in new vehicles.

§ 31-23-22. Safety glass in new vehicles.

(a)
No person shall sell any new motor vehicle as specified in this section, nor shall any new motor vehicle as specified in this section be registered, unless the vehicle is equipped with safety glass of a type approved by the administrator of the division of motor vehicles wherever glass is used in doors, windows, and windshields.
(b)
The provisions of this section shall apply to all passenger type motor vehicles, including passenger buses and school buses, but in respect to trucks, including truck tractors, the requirements as to safety glass shall apply to all glass used in doors, windows, and windshields in the drivers' compartments of those vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 37; G.L. 1956, § 31-23-22.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-23. - Replacement with safety glass.

§ 31-23-23. Replacement with safety glass.
No person shall replace any glass on any motor vehicle at a place where safety glass is required unless the replacement is made with safety glass approved by the administrator of the division of motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 37; G.L. 1956, § 31-23-23.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-24. - "Safety glass" defined.

§ 31-23-24. "Safety glass" defined.
"Safety glass" means any product composed of glass manufactured, fabricated, or treated as substantially to prevent shattering and flying of the glass when struck or broken, or any other or similar product that may be approved by the administrator of the division of motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 37; G.L. 1956, § 31-23-24.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-25. - List of approved types of glass — Enforcement of requirements.

§ 31-23-25. List of approved types of glass — Enforcement of requirements.
The administrator of the division of motor vehicles shall compile and publish a list of types of glass by name approved by him or her as meeting the requirements of §§ 31-23-22 — 31-23-24. The administrator of the division of motor vehicles shall not register any motor vehicle which is subject to the provisions of this chapter unless it is equipped with an approved type of safety glass, and he or she shall subsequently suspend the registration of any motor vehicle subject to this chapter which he or she finds is not so equipped until it is made to conform to the requirements of this chapter.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 37; G.L. 1956, § 31-23-25.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-26. - Fenders and wheel flaps required.

§ 31-23-26. Fenders and wheel flaps required.
No person shall operate any motor vehicle on any public highway of this state unless the vehicle is equipped with fenders covering the front wheels of the motor vehicle, or operate any passenger motor vehicle on any public highway equipped with tires which extend beyond the fenders or body of the vehicle unless it is also equipped with flaps or suitable guards to reduce spray or splash to the rear and sides. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 41; P.L. 1955, ch. 3539, § 1; G.L. 1956, § 31-23-26; P.L. 1973, ch. 265, § 1; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-27. - Rear wheel flaps on buses, trucks, and trailers.

§ 31-23-27. Rear wheel flaps on buses, trucks, and trailers.
No person shall operate or cause to be operated any bus, truck, full trailer or semi-trailer, of registered gross weight exceeding three (3) tons, on any public highway in this state unless it is equipped with suitable metal protectors or substantial flexible flaps behind the rearmost wheels. In case the rear wheels are not covered at the top and rear by fender, body, or other parts of the vehicle, the rear wheels shall be covered at the top and rear by protective means of a standard type or design and so installed as to reduce, as far as practicable, the wheels from throwing dirt, water, or other materials on the windshields of following vehicles, except in cases in

which the motor vehicle is so designed and constructed that the requirements of this section are accomplished by reason of the fender or body construction or other means of enclosure. However, §§ 31-23-26 — 31-23-28 shall not apply to vehicles where their construction is such that complete freedom around the wheel area is necessary to secure the designed use of the vehicle. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 41; P.L. 1955, ch. 3539, § 1; G.L. 1956, § 31-23-27; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-28. - Failure to have fenders or wheel flaps.

§ 31-23-28. Failure to have fenders or wheel flaps.
Any person who violates any provision of §§ 31-23-26 and 31-23-27 shall be fined not more than fifty dollars ($50.00) or imprisoned not more than thirty (30) days, or both fine and imprisonment.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 41; P.L. 1955, ch. 3539, § 1; G.L. 1956, § 31-23-28.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-29. - Flares and warning devices.

§ 31-23-29. Flares and warning devices.
(a)
No person shall operate any truck, truck/tractor or passenger bus upon any highway unless there shall be carried flares and/or warning devices for stopped and/or disabled vehicles.
(b)
These flares and/or warning devices shall conform and be displayed according to regulations set forth in 49 CFR Parts 390-399, as amended.
(c)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1988, ch. 361, § 2; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-3. - Farm and road machinery exempt.

§ 31-23-3. Farm and road machinery exempt.
The provisions of this chapter and chapter 24 of this title with respect to equipment on vehicles shall not apply to farm vehicles, road machinery, road rollers, or farm tractors except as made applicable in these chapters.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 1; G.L. 1956, § 31-23-3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-37. - Transporting hazardous substances.

§ 31-23-37. Transporting hazardous substances.
(a)
For the purpose of this section, “explosives and other hazardous materials” is defined as those materials and substances described and classified as such by the hazardous materials regulations of the U.S. Department of Transportation (parts of the Code of Federal Regulations as prescribed under Title 18 U.S.C. §§ 831, 836, as amended).
(b)
No person, corporation, or other agency shall ship in its own vehicle or tender to any carrier any shipment of explosives or other hazardous materials unless the shipments are made in full compliance with the regulations cited in subsection (a) of this section.
(c)
No person, corporation, or other agency shall operate upon any highway in this state a vehicle carrying explosives or other hazardous materials unless the vehicle is in compliance in all respects with the regulations applicable to the transportation of such materials or substances cited in subsection (a) of this section.
(d)(1)
Any person, corporation, or other agency convicted of violating this section shall be fined not less than one hundred dollars ($100) nor more than five hundred dollars ($500), or imprisoned for one year, for the first offense, and shall be fined not less than two hundred dollars ($200) nor more than one thousand dollars ($1,000), or imprisoned for one year for each subsequent offense.
(2)
If death or injury results from any violation of this section, the fine shall be not more than ten thousand dollars ($10,000) and the period of imprisonment not more than ten (10) years.

History of Section.
P.L. 1950, ch. 2595, art. 34, § 40; G.L. 1956, § 31-23-37; P.L. 1962, ch. 205, § 1; P.L. 1963, ch. 10, § 1; P.L. 1968, ch. 75, § 1; P.L. 1972, ch. 177, § 1; P.L. 1993, ch. 101, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-38. - Television receivers prohibited.

§ 31-23-38. Television receivers prohibited.
(a)
No television viewer, screen, or other means of visually receiving a television broadcast shall be located in the field of view of the operator of the motor vehicle. Any person who drives or causes to be driven any motor vehicle in violation of the provisions of this section shall be punished by a fine of not more than one hundred dollars ($100).
(b)
This section does not prohibit the use of an electronic display used exclusively for safety or in conjunction with a vehicle navigation system.
History of Section.
P.L. 1950, ch. 2611, §§ 1, 2; G.L. 1956, § 31-23-38; P.L. 1999, ch. 293, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-39. - Safety seat belts in new vehicles.

§ 31-23-39. Safety seat belts in new vehicles.
It is unlawful for any person to buy, sell, lease, trade, or transfer from or to Rhode Island residents at retail an automobile, which is manufactured or assembled commencing with the 1964 models, unless the vehicle is equipped with safety belts installed for use in the left front and right front seat.
History of Section.
P.L. 1962, ch. 98, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-4. - Brake equipment required.

§ 31-23-4. Brake equipment required.
(a)
Every motor vehicle, other than a motorcycle or motor-driven cycle, when operated upon a highway, shall be equipped with brakes adequate to control the movement of and to stop and hold the vehicle, including two (2) separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two (2) wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two (2) wheels.
(b)
Every motorcycle, and motor-driven cycle, when operated upon a highway shall be equipped with at least one brake, which may be operated by hand or foot, and which is adequate to control and stop the vehicle.
(c)
Every trailer or semi-trailer of a gross weight of four thousand pounds (4,000 lbs.) or more, when operated upon a highway, shall be equipped with brakes adequate to control the movement of and to stop and to hold the vehicle, and so designed as to be applied by the driver of the towing motor vehicle from the driver’s normal operating position, and the brakes shall be so designed and connected that in case of an accidental breakaway of the towed vehicle, the brakes shall be automatically applied.
(d)
Every new motor vehicle, trailer or semi-trailer sold in this state and operated upon the highways shall be equipped with service brakes upon all wheels of the vehicle, except any motorcycle or motor-driven cycle, and except that any semi-trailer of less than four thousand pounds (4,000 lbs.) gross weight need not be equipped with brakes.
(e)
In any combination of motor-drawn vehicles, means shall be provided for applying:
(1)
The rearmost trailer brakes, of any trailer equipped with brakes, in approximate synchronism with the brakes on the towing vehicle and developing the required braking effort on the rearmost wheels at the fastest rate; or
(2)
Braking effort first on the rearmost trailer equipped with brakes; or
(3)
Both of the above means capable of being used alternatively may be employed.
(f)
Every motor vehicle, trailer, semi-trailer, and pole trailer, and any combination of those vehicles, except motorcycles and motor-driven cycles, shall be equipped with parking brakes adequate to hold the vehicle on any grade on which it is operated under

all conditions of loading on a surface free from snow, ice, or loose material. The parking brakes shall be capable of being applied in conformance with the requirements in this subsection by the driver's muscular effort, by spring action, or by equivalent means. The operation may be assisted by the service brakes or other source of power, provided that failure of the service brake actuation system or other power assisting mechanism will not prevent the parking brakes from being applied in conformance with the requirements in this subsection. The parking brakes shall be so designed that when once applied they shall remain applied with the required effectiveness, despite exhaustion of any source of energy or leakage of any kind. The same brake drums, brake shoes and lining assemblies, brake shoe anchors, and mechanical brake shoe actuation mechanism normally associated with the wheel brake assemblies may be used for both the service brakes and the parking brakes. If the means of applying the parking brakes and the service brakes are connected in any way, they shall be so constructed that failure of any one part shall not leave the vehicle without operative brakes.

(g)

The brake shoes operating within or upon the drums on the vehicle wheels of any motor vehicle may be used for both service and hand operation.

(h)

It shall be unlawful to sell, offer for sale, or distribute brake linings for use on motor vehicles, unless they are of a type and meet specifications promulgated by the administrator of the division of motor vehicles. The administrator of the division of motor vehicles is authorized and empowered to adopt and amend regulations governing types and promulgate specifications of brake linings which comply with approved standards, as promulgated by the vehicle equipment safety commission, and shall establish and maintain an approved list of brake linings meeting the specifications as established in this chapter. Any person who violates the provisions of this section shall be guilty of a civil violation and is subject to fines enumerated in § 31-41.1-4.

History of Section.

P.L. 1950, ch. 2595, art. 34, § 30; P.L. 1952, ch. 2937, § 14; G.L. 1956, § 31-23-4; P.L. 1965, ch. 103, § 1; P.L. 1967, ch. 36, § 1; P.L. 1972, ch. 26, § 1; P.L. 1999, ch. 218, art. 6, § 11; P.L. 2000, ch. 109, § 68; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-40. - Approved types of seat belts — Enforcement of requirements.

§ 31-23-40. Approved types of seat belts — Enforcement of requirements.

All safety belts must be of a type and must be installed in a manner approved by the division of motor vehicles. The division of motor vehicles shall establish specifications and requirements for approved types of safety belts and attachments to them. The division of motor vehicles will accept, as approved, all seat belt installations and the belt and anchor meeting the Society of Automotive Engineers' specifications. No new passenger motor vehicle shall be registered unless it is equipped with an approved type of safety seat belt. The administrator of the division of motor vehicles shall suspend the registration of any motor vehicle not so equipped until it is made to conform to the requirements of this section. Violations of this section are subject to fines enumerated in § 31-41.1-4.

History of Section.

P.L. 1962, ch. 98, § 1; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-41. - Safety belts in public service vehicles.

§ 31-23-41. Safety belts in public service vehicles.

Every jitney, bus, private bus, school bus, and trackless trolley coach, when operated upon a highway, shall be equipped with a driver's seat safety belt device sufficiently anchored and attached and so constructed, designed, and installed as to support a loop-load strength of not less than five thousand pounds (5,000 lbs.) and a buckle or closing device which shall be of a construction and design that it can be released with one hand with a pull of less than forty-five pounds (45 lbs.). Every person when driving any vehicle of this kind shall use and have his or her body anchored by the seat safety belt. Violation of this section shall constitute a civil violation.

History of Section.

P.L. 1962, ch. 204, § 5; P.L. 1986, ch. 424, § 1; P.L. 1999, ch. 218, art. 6, § 11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-42.1. - Special mirrors on school buses.

§ 31-23-42.1. Special mirrors on school buses.

Every school bus as defined in § 31-1-3 shall be equipped with a system of mirrors that will give the seated driver a view of the roadway to each side of the bus, and the area immediately in front of the front bumper, in accordance with the following specifications:

(1)

At least seven and one-half inches (7½") of a thirty-inch (30") long rod shall be visible to the driver, either by direct view or by means of an indirect visibility system, when the rod is placed upright on the ground at any point along a traverse line extending one foot from the forward-most point of the bus and one foot from the length and width and rear of the bus.

(2)
Every school bus owner shall maintain a measuring rod thirty inches (30") in length with distinctive identification marks located at seven and one-half inch (7½”) intervals for purposes of adjusting the system of mirrors required by this section in accordance with these specifications.
(3)
Other mirrors shall be located and adjustable so as to meet their intended minimum requirements, and may be incorporated in the system of mirrors required by this section.
(4)
Each school bus shall be equipped with at least two (2) flat-surfaced rectangular exterior mirrors, one situated on each side of the bus forward of the operator and any entrance door. The reflecting surface shall not be obscured and shall have a minimum reflective surface of fifty square inches (50 sq. in.). The mirrors shall be firmly supported and adjustable, and shall afford the driver a clear, stable, reflected view of the road surface at each side of the vehicle for a continual distance beginning at a point not greater than two hundred feet (200′) to the rear and continuing to the horizon when measured on a straight and level road.
(5)
Exterior mirror mounts shall include a wide-angle adjustable convex mirror to provide a close-in field of vision to the operator. Each school bus shall be equipped with convex mirrors that shall be mounted at the left front corner and the right front corner of the vehicle, sufficiently adjustable to enable a seated operator to observe a reflection of the area in front of the bus where children might stand or pass.
(6)
Each school bus shall be equipped with interior mirrors that shall afford the driver a view of the bus interior, emergency door, and the roadway to the immediate rear of the bus. Every school bus with a seating capacity of sixteen (16) passengers or fewer shall have a convex rear view mirror located near the right front corner, so as to provide the operator with a view of the ground area at the entrance door when the door is not equipped with safety glass in the lower portion of the door.
(7)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1969, ch. 176, § 1; P.L. 1975, ch. 198, § 1; P.L. 1986, ch. 448, § 1; P.L. 2002, ch. 292, § 120; P.L. 2004, ch. 6, § 17.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-42.2. - Power equipment on school buses.

§ 31-23-42.2. Power equipment on school buses.
(a)
Every new school bus within the state shall be equipped with a dual braking system, including a power braking system, and power steering.
(b)
All school buses, model year 2010 and newer, shall have emergency brakes that are equipped with an interlock system so designed that the emergency brake may be released only when the service brake pedal is depressed and the ignition key is inserted in the ignition lock.
History of Section.
P.L. 1976, ch. 39, § 1; P.L. 2000, ch. 109, § 72; P.L. 2007, ch. 168, § 1; P.L. 2007, ch. 423, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-42. - First-aid kit and heating equipment in school bus.

§ 31-23-42. First-aid kit and heating equipment in school bus.
Every school bus as defined in § 31-1-3 shall be equipped with a first-aid kit containing those articles and appliances generally included in an approved American Red Cross first-aid kit used in the administration of first-aid treatment. Every school bus shall also be equipped with an operable system for completely and adequately heating the bus while transporting children.
History of Section.
P.L. 1963, ch. 148, § 1; P.L. 1968, ch. 48, § 1; P.L. 1986, ch. 448, § 1; P.L. 2004, ch. 6, § 17.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-43. - Wheel safety chocks.

§ 31-23-43. Wheel safety chocks.
(a)
Every bus having a seat capacity of more than seven (7) passengers, every truck with a gross weight of more than seven thousand pounds (7,000 lbs.), and every tractor or trailer, or combination, operated upon the public highways shall be equipped with one pair of approved wheel safety chock blocks. Whenever the motor vehicle shall be parked on a highway on a grade sufficient to cause the vehicle to move of its own momentum, and is left unattended by the operator, the safety chock blocks shall be securely placed around the rear wheel of the vehicle so as to prevent movement of the vehicle.

(b)
Whenever the motor vehicle is equipped with positive spring-loaded air parking brakes, the vehicle need not be equipped with the safety wheel chocks.
(c)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1966, ch. 74, § 1; P.L. 1979, ch. 112, § 1; P.L. 1984, ch. 295, § 2; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-44. - Approved type of wheel safety chocks — Enforcement of requirements.

§ 31-23-44. Approved type of wheel safety chocks — Enforcement of requirements.
All wheel safety chock blocks described in § 31-23-43 must be a type approved by the division of motor vehicles, and the division of motor vehicles shall establish specifications and requirements for approved types of wheel safety chock blocks. The specifications and requirements shall, in general, follow the standards established by the department of revenue. The administrator of the division of motor vehicles shall suspend the registration of any motor vehicle described in § 31-23-43 not equipped with wheel safety chock blocks, until it is made to conform to the requirements of the section.
History of Section.
P.L. 1966, ch. 74, § 1; P.L. 1986, ch. 448, § 1; P.L. 2008, ch. 98, § 19; P.L. 2008, ch. 145, § 19.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-45. - Tire treads.

§ 31-23-45. Tire treads.
(a)
No tire on a vehicle moved on a highway shall have on its periphery less than two thirty-seconds (2/32) of an inch of tread depth. The administrator of the division of motor vehicles is authorized to remove from a highway any vehicle not conforming to this requirement and shall suspend the registration of the motor vehicle until it is made to conform to the requirements of this section.
(b)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1968, ch. 32, § 1; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-46. - Department of environmental management — Vehicles.

§ 31-23-46. Department of environmental management — Vehicles.
All vehicles in use by the department of environmental management shall be equipped with a fire extinguisher. The fire extinguisher shall contain a potassium bicarbonate base dry chemical fire extinguishing agent, have an underwriter’s laboratory rating of six (6) B:C, and a capacity of two and one-half pounds (21/2 lbs.).
History of Section.
P.L. 1968, ch. 120, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-47. - Slow moving vehicle emblems.

§ 31-23-47. Slow moving vehicle emblems.
(a)
Except where otherwise specifically provided in this section, every motor vehicle designed for operation at speeds not in excess of twenty-five miles per hour (25 mph) shall at all times be equipped with a slow moving vehicle emblem mounted on the rear of the vehicle, which emblem shall comply with the current standards and specifications approved by the administrator of the division of motor vehicles.
(b)
Every motor vehicle normally operating at speeds not in excess of twenty-five miles per hour (25 mph) shall at all times be equipped with the emblem in the following manner:
(1)
Where a towed unit is sufficiently large to obscure any slow moving emblem on the rear of a motor vehicle only the towed unit need be equipped with the emblem; and
(2)
Where the slow moving vehicle emblem on the motor vehicle would not be obscured by the towed unit, then either or both may be equipped with the required emblem but it shall be sufficient if either has it.
(3)

Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1969, ch. 6, § 1; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-48. - Police cars — Extinguishers.

§ 31-23-48. Police cars — Extinguishers.
Every state and municipal police vehicle in this state shall carry a fire extinguisher at all times.
History of Section.
P.L. 1969, ch. 25, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-49. - Transportation of gasoline — Penalty.

§ 31-23-49. Transportation of gasoline — Penalty.
(a)
No motor vehicle shall be used to transport gasoline, except those which are duly registered with and approved by the division of motor vehicles. No container of whatever kind may be used to transport gasoline, except under the rules and regulations that may be promulgated and approved by the state fire marshal. The rules and regulations on containers shall, among other facets, regulate the size and kinds of containers that may be used to transport gasoline in the state of Rhode Island. Unless there exists an emergency condition that would require the transportation of gasoline by motor vehicle in a container or otherwise in response to an individual's or the general public's health, safety, or welfare, no person, firm, or corporation shall transport gasoline by motor vehicle, container, or otherwise except as provided in this section. This section shall not be applicable to any vehicle subject to the jurisdiction and regulatory authority of the federal government or any of its agencies.
(b)
Any person, firm, or corporation convicted of violating the provisions of this section or the rules and regulations promulgated by the state fire marshal or the division of motor vehicles under this section shall, upon conviction, be subject to the fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1974, ch. 215, § 1; P.L. 2002, ch. 58, § 4; P.L. 2008, ch. 100, art. 12, § 10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-5. - Performance ability of brakes.

§ 31-23-5. Performance ability of brakes.
Every motor vehicle or combination of motor-drawn vehicles shall be capable at all times, and under all conditions of loading, of being stopped on a dry, smooth, level road free from loose material, upon application of the service (foot) brake within the distances specified below, or shall be capable of being decelerated at a sustained rate corresponding to these distances:
Feet to stop
Deceleration
from 20 miles
in feet per
per hour
second per
second
Vehicles or combination of vehicles having brakes on all wheels
30
14
Vehicles or combinations of vehicles not having brakes on all wheels
40
10.7
History of Section.
P.L. 1950, ch. 2595, ch. 34, § 30; G.L. 1956, § 31-23-5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-50. - Motorcycle reflectorized plates.

§ 31-23-50. Motorcycle reflectorized plates.
Every motorcycle registered within this state shall be equipped with reflectorized plates which shall be supplied by the administrator of the division of motor vehicles, department of revenue, pursuant to rules and regulations to be determined by the administrator of the division of motor vehicles, department of revenue.

History of Section.
P.L. 1975, ch. 63, § 1; P.L. 1979, ch. 22, § 2; P.L. 2008, ch. 98, § 19; P.L. 2008, ch. 145, § 19.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-51. - Earphones and headsets prohibited.

§ 31-23-51. Earphones and headsets prohibited.
(a)
No person shall operate a bicycle or motor vehicle upon any highway while wearing earphones, a headset, headphone, or other listening device. Any person who violates this section shall be fined: (1) eighty-five dollars ($85.00) for the first offense, (2) ninety-five dollars ($95.00) for the second offense, and (3) one hundred forty dollars ($140) for the third and each subsequent offense.
(b)
This section shall not apply to:
(1)
Any emergency vehicle operator using an integrated intercom system;
(2)
Any person operating a motorcycle who is using a headset installed in a helmet and worn so as to prevent the speakers from making direct contact with the user's ears so that the user can hear surrounding sounds;
(3)
Any person using a headset in conjunction with a cellular telephone that only provides sound through one ear and allows surrounding sounds to be heard with the other ear;
(4)
Any person using a headset in conjunction with the communicating with the central base operation that only provides sound through one ear and allows surrounding sounds to be heard with the other ear;
(5)
Any person using a hearing aid(s) or instrument for the improvement of hearing.
(c)
The department of motor vehicles shall promulgate rules and regulations necessary to implement the provisions of this section.
History of Section.
P.L. 1983, ch. 234, § 1; P.L. 1989, ch. 72, § 1; P.L. 2002, ch. 58, § 4; P.L. 2002, ch. 292, § 127; P.L. 2002, ch. 312, § 1; P.L. 2008, ch. 100, art. 12, § 10; P.L. 2013, ch. 422, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-52. - Removal of catalytic converter prohibited.

§ 31-23-52. Removal of catalytic converter prohibited.
It shall be unlawful for any person to knowingly remove or render inoperative, a catalytic converter installed on or in a motor vehicle or motor vehicle engine in compliance with federal regulations prior to or after its sale and delivery to the ultimate purchaser, except that a defective catalytic converter may be replaced with another device originally manufactured for use as a catalytic converter. Any person who violates this section shall be fined not exceeding five hundred dollars ($500) for each offense.
History of Section.
P.L. 1985, ch. 198, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-53. - School bus public address sound system.

§ 31-23-53. School bus public address sound system.
(a)
Every school bus placed in service shall be equipped with a public address sound system which shall be audible from a distance of not less than fifty feet (50′) and shall have a minimum of one speaker mounted outside the bus and a minimum of one speaker mounted inside the bus. The public address system and the method of installation shall be approved and certified by the division of motor vehicles. This system shall be inspected at all regularly scheduled inspections.
(b)
When the driver of the school bus has picked up students, the bus will remain stopped, with red lights flashing, until all students are seated. Prior to any student being permitted to disembark from the bus, the driver shall look to see that all approaching traffic has stopped and observed the flashing red signal. After students have disembarked from the bus, the driver shall allow ample time for the students to clear the bus area before closing the doors and then, after remaining stopped for approximately ten (10) seconds, the driver shall announce through the public address system that the bus will proceed.
(c)
The department of elementary and secondary education shall require a demonstration of the operation of the public address system at each school. The demonstration shall take place at least two (2) times per year, one of which shall take place during the month of

September.
(d)
The provisions of this section shall not apply to school buses used exclusively for the transportation of students receiving special education pursuant to chapter 24 of title 16; provided, the school buses without the inside and outside speakers may not be used for students not receiving special education, except for transportation before or after normal school hours. This provision shall be limited to secondary education students.
History of Section.
P.L. 1986, ch. 329, § 1; P.L. 1987, ch. 311, § 1; P.L. 1994, ch. 70, art. 23, § 1; P.L. 2000, ch. 109, § 68.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-54. - School buses — Fire extinguishers.

§ 31-23-54. School buses — Fire extinguishers.
Every school bus shall be equipped with at least one pressurized, dry chemical-type fire extinguisher, mounted in the manufacturer's extinguisher bracket and located in the driver's compartment in full view of and readily accessible to the driver. A pressure gauge shall be so mounted on the extinguisher so that it may be easily read without removing the extinguisher from its mounted position. The fire extinguisher shall have a minimum capacity of two and one-half pounds (2
1
/
2
lbs.) and be of a type approved by the Underwriters Laboratories, Inc., with a rating of not less than ten (10) B:C. The operating mechanism shall be sealed with a type of seal that will not interfere with use of the fire extinguisher.
History of Section.
P.L. 1986, ch. 448, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-55. - Speedometer and odometer.

§ 31-23-55. Speedometer and odometer.
Every school bus is required to be equipped with a speedometer and odometer in good working order at all times. The odometer may be installed separate and apart from the odometer normally included in the speedometer head.
History of Section.
P.L. 1986, ch. 448, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-56. - Stop arm required.

§ 31-23-56. Stop arm required.
Every school bus shall be equipped with a stop arm, approved by the department of revenue, which shall be activated whenever school children are being loaded or unloaded.
History of Section.
P.L. 1987, ch. 360, § 1; P.L. 2008, ch. 98, § 19; P.L. 2008, ch. 145, § 19.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-57. - Eye protection for motorcycle operators.

§ 31-23-57. Eye protection for motorcycle operators.
(a)
Every motorcycle operator shall be required to wear protective eyewear while operating on any highway within the state. The eyewear shall include, but not be limited to, safety goggles, safety eyeglasses, or a safety shield.
(b)
Any person who violates the provisions of this section shall be fined twenty-five dollars ($25.00) for the first offense, fifty dollars ($50.00) for the second offense, and one hundred dollars ($100) for the third and each subsequent offense.
History of Section.
P.L. 1988, ch. 537, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-58. - Department of transportation — Vehicles — Backup warning device.

§ 31-23-58. Department of transportation — Vehicles — Backup warning device.
All state trucks in use by the department of transportation shall be equipped with a backup warning device that meets the latest minimum standards as promulgated by either federal occupational health and safety standards or the standards set by the department of transportation.

History of Section.
P.L. 2007, ch. 265, § 1; P.L. 2007, ch. 323, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-6. - Maintenance of brakes.

§ 31-23-6. Maintenance of brakes.
All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle. The brake fluid in hydraulic brakes shall conform to minimum S.A.E. (Society of Automotive Engineers) standards.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 30; G.L. 1956, § 31-23-6; P.L. 1960, ch. 101, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-7. - Brakes on motor-driven cycles.

§ 31-23-7. Brakes on motor-driven cycles.
(a)
The administrator of the division of motor vehicles is authorized to require an inspection of the brake on any motor-driven cycle and to disapprove any brake which he or she finds will not comply with the performance ability standard set forth in § 31-23-5, or which in his or her opinion is not designed or constructed as to insure reasonable and reliable performance in actual use.
(b)
The administrator of the division of motor vehicles may refuse to register or may suspend or revoke the registration of any vehicle referred to in this section when he or she determines that the brake on it does not comply with the provisions of this section.
(c)
No person shall operate on any highway any vehicle referred to in this section in the event the administrator of the division of motor vehicles has disapproved the brake equipment upon the vehicle or type of vehicle.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 31; G.L. 1956, § 31-23-7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-8. - Horn required.

§ 31-23-8. Horn required.
Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet (200′). However, no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his or her horn but shall not otherwise use the horn when upon a highway.
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art 34, § 32; G.L. 1956, § 31-23-8; P.L. 2002, ch. 292, § 120.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-23 - Equipment and Accessories GenerallySection 31-23-9. - Theft alarm signals.

§ 31-23-9. Theft alarm signals.
It is permissible but not required that any vehicle be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 32; G.L. 1956, § 31-23-9; P.L. 1972, ch. 25, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-1. - Times when lights required.

§ 31-24-1. Times when lights required.
(a)
Every vehicle upon a highway within this state at any time from sunset to sunrise and at any other time when windshield wipers are in use, as a result of rain, sleet, snow, hail or other unfavorable atmospheric condition, or at any other time when there is not sufficient light or visibility, because of severe rain or any other condition, to clearly see persons and vehicles on the highway at a distance of five hundred feet (500′) ahead, shall display lighted lamps and illuminating devices as respectively required under this chapter for different classes of vehicles, subject to the exceptions given in this chapter with respect to parked vehicles.
(b)
Violations of this section are subject to fines enumerated in § 31-41.1-4.

History of Section.
P.L. 1950, ch. 2595, art. 34, § 2; G.L. 1956, § 31-24-1; P.L. 1982, ch. 25, § 1; P.L. 1983, ch. 298, § 1; P.L. 1994, ch. 226, § 1; P.L. 1999, ch. 8, § 1; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-10. - Rear reflectors required.

§ 31-24-10. Rear reflectors required.
Every new motor vehicle sold and operated upon a highway, other than a truck tractor, shall carry on the rear, either as a part of the tail lamps or separately, two (2) red reflectors, except that every motorcycle and every motor-driven cycle shall carry at least one reflector, meeting the requirements of § 31-24-11, and except that vehicles of the type mentioned in § 31-24-37 shall be equipped with reflectors. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 6; G.L. 1956, § 31-24-10; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-11. - Specifications for reflectors.

§ 31-24-11. Specifications for reflectors.
Every reflector referred to in § 31-24-10 shall be mounted on the vehicle at a height not less than twenty inches (20") nor more than sixty inches (60") measured as set forth in § 31-24-3, and shall be of such size and characteristics and so mounted as to be visible at night from all distances within three hundred fifty feet (350′) from the vehicle when directly in front of lawful upper beams of head lamps, except that visibility from a greater distance is required by this chapter of reflectors on certain types of vehicles. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 6; G.L. 1956, § 31-24-11; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-12. - Stop lamps required.

§ 31-24-12. Stop lamps required.
It shall be unlawful for any person to sell any new motor vehicle, including any motorcycle or motor-driven cycle, in this state, or for any person to drive a vehicle on the highways, unless it is equipped with a stop lamp meeting the requirements of §§ 31-24-13 and 31-24-14; provided, that all motor vehicles shall be equipped with stop lamps. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 7; P.L. 1952, ch. 2937, § 14; G.L. 1956, § 31-24-12; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-13. - Stop and turn lamps authorized.

§ 31-24-13. Stop and turn lamps authorized.
Any motor vehicle may be equipped with, and when required under this chapter shall be equipped with, the following signal lamps or devices:
(1)
A stop lamp on the rear which shall emit a red or yellow light and which shall be actuated by applying the service (foot) brake and which may but need not be incorporated with a tail lamp;
(2)
A lamp or lamps or mechanical signal device capable of clearly indicating any intention to turn either to the right or to the left and which shall be visible both from the front and rear.
(3)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 18; P.L. 1950 (s. s.), ch. 2639, § 5; G.L. 1956, § 31-24-13; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-14. - Specifications for stop or signal lamps.

§ 31-24-14. Specifications for stop or signal lamps.
A stop lamp shall be plainly visible and understandable from a distance of one hundred feet (100′) to the rear both during normal sunlight and at nighttime, and a signal lamp or lamps indicating intention to turn shall be visible and understandable during daytime and nighttime from a distance of one hundred feet (100′) both to the front and rear. When a vehicle is equipped with a stop lamp or other signal lamps, the lamp or lamps shall at all times be maintained in good working condition. No stop lamp or signal lamp shall

project a glaring or dazzling light. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 18; P.L. 1950 (s. s.), ch. 2639, § 5; G.L. 1956, § 31-24-14; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-15. - Mechanical signal devices self-illuminated.

§ 31-24-15. Mechanical signal devices self-illuminated.
All mechanical signal devices shall be self-illuminated when in use at the times mentioned in § 31-24-1. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 18; P.L. 1950 (s. s.), ch. 2639, § 5; G.L. 1956, § 31-24-15; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-16. - Spot lamps.

§ 31-24-16. Spot lamps.
Any motor vehicle may be equipped with not to exceed two (2) spot lamps and every lighted spot lamp shall be aimed and used upon approaching another vehicle so that no part of the high-intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred feet (100′) ahead of the vehicle. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 17; G.L. 1956, § 31-24-16; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-17. - Road lamps and fog lamps.

§ 31-24-17. Road lamps and fog lamps.
Any motor vehicle may be equipped with not more than two (2) road lamps or fog lamps which shall be rigidly affixed to the motor vehicle below the level of the head lamps, and shall be so aimed and used that no part of the high-intensity portion of the light beam shall rise more than eighteen inches (18") above the ground at a distance of seventy-five feet (75′) or more in front of the vehicle or be directed left of the prolongation of the extreme left side of the vehicle. Fog lamps and road lamps shall not be used in lieu of head lamps. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 17; G.L. 1956, § 31-24-17; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-18. - Side cowl and fender lamps.

§ 31-24-18. Side cowl and fender lamps.
Any motor vehicle may be equipped with not more than two (2) side cowl or fender lamps which shall emit an amber or white light without glare. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 18; P.L. 1950 (s. s.), ch. 2639, § 5; G.L. 1956, § 31-24-18; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-19. - Running board courtesy lamps.

§ 31-24-19. Running board courtesy lamps.
Any motor vehicle may be equipped with not more than one running board courtesy lamp on each side of it which shall emit a white or amber light without glare. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 18; P.L. 1950 (s. s.), ch. 2639, § 5; G.L. 1956, § 31-24-19; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-2. - Means of measuring distance of visibility.

§ 31-24-2. Means of measuring distance of visibility.
Whenever a requirement is declared in this chapter as to the distance from which certain lamps and devices shall render objects visible or within which the lamps or devices shall be visible, the provisions shall apply during the times stated in § 31-24-1 in respect to a vehicle without load when upon a straight, level, unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 3; G.L. 1956, § 31-24-2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-20. - Back up lamps.

§ 31-24-20. Back up lamps.
Any motor vehicle may be equipped without not more than two (2) back-up lamps either separately or in combination with other lamps, but no back-up lamp shall be lighted when the motor vehicle is in forward motion. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 18; P.L. 1950 (s.s.), ch. 2639, § 5; G.L. 1956, § 31-24-20; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-21. - Lighting of farm tractors.

§ 31-24-21. Lighting of farm tractors.
Every farm tractor equipped with an electric lighting system shall at all times mentioned in § 31-24-1 display a red tail lamp and either multiple beam or single beam head lamp equipment meeting the requirements of §§ 31-24-7 — 31-24-9, 31-24-22, and 31-24-24. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 1; G.L. 1956, § 31-24-21; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-22. - Multiple beam lamps required.

§ 31-24-22. Multiple beam lamps required.
Except as provided in this chapter, the head lamps, or the auxiliary driving lamps, or combinations of them, on motor vehicles other than a motorcycle or a motor-driven cycle, shall be arranged so that selection may be made between distributions of light projected to different elevations, subject to the following requirements and limitations:
(1)
There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred fifty feet (350′) ahead for all conditions of loading.
(2)
There shall be a lowermost distribution of light, or composite beam so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least one hundred feet (100′) ahead; and under any condition of loading, none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.
(3)
Every new motor vehicle, other than a motorcycle or motor-driven cycle, registered in this state, which has multiple beam road lighting equipment, shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the head lamps is in use, and shall not otherwise be lighted. The indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of that vehicle.
(4)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 19; P.L. 1954, ch. 3291, § 1; G.L. 1956, § 31-24-22; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-23. - Use of multiple beam lamps.

§ 31-24-23. Use of multiple beam lamps.
Whenever a motor vehicle is being operated on a roadway or on its shoulder during the times specified in § 31-24-1, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:
(1)
Whenever the driver of a vehicle approaches an oncoming vehicle within five hundred feet (500′), the driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light, or composite beam, specified in subdivision (2) of § 31-24-22, shall be deemed to avoid glare at all times, regardless of road contour and loading.
(2)
Whenever the driver of a vehicle follows another vehicle within two hundred feet (200′) to the rear, except when engaged in the act of overtaking and passing, the driver shall use a distribution of light permissible under this chapter other than the upper most distribution of light specified in subdivision (1) of § 31-24-22.
(3)
Violations of this section are subject to fines enumerated in § 31-41.1-4.

History of Section.
P.L. 1950, ch. 2595, art. 34, § 20; P.L. 1954, ch. 3291, § 1; G.L. 1956, § 31-24-23; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-24. - Single beam lamps.

§ 31-24-24. Single beam lamps.
Head lamps arranged to provide a single distribution of light shall be permitted on motor vehicles manufactured and sold prior to November 1, 1951, in lieu of multiple beam road lighting equipment specified in this chapter if the single distribution of light complies with the following requirements and limitations:
(1)
The head lamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall, at a distance of twenty-five feet (25′) ahead, project higher than a level of five inches (5") below the level of the center of the lamp from which it comes, and in no case higher than forty-two inches (42") above the level on which the vehicle stands at a distance of seventy-five feet (75′) ahead.
(2)
The intensity shall be sufficient to reveal persons and vehicles at a distance of at least two hundred feet (200′).
(3)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 21; G.L. 1956, § 31-24-24; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-25. - Specifications for head lamps on motor-driven cycles.

§ 31-24-25. Specifications for head lamps on motor-driven cycles.
The head or head lamps upon every motor-driven cycle may be of the single beam or multiple beam type but in either event shall comply with the requirements and limitations as follows:
(1)
Every head lamp or head lamps on a motor-driven cycle shall be of sufficient intensity to reveal a person or a vehicle at a distance of not less than one hundred feet (100′) when the motor driven cycle is operated at any speed less than twenty-five miles per hour (25 m.p.h.) and at a distance of not less than two hundred feet (200′) when the motor-driven cycle is operated at a speed of twenty-five (25) or more miles per hour, and the motor-driven cycle shall be subject to the speed limitations in § 31-14-10.
(2)
In the event the motor-driven cycle is equipped with multiple beam head lamp or head lamps, the upper beam shall meet the minimum requirements set forth above and shall not exceed the limitations set forth in subdivision (1) of § 31-24-22. The lowermost beam shall meet the requirements applicable to a lowermost distribution of light as set forth in subdivision (2) of § 31-24-22.
(3)
In the event the motor-driven cycle is equipped with a single beam lamp or lamps, the lamp or lamps shall be so aimed that when the vehicle is loaded, none of the high-intensity portion of light, at a distance of twenty-five feet (25′) ahead, shall project higher than the level of the center of the lamp from which it comes.
(4)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 22; G.L. 1956, § 31-24-25; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-26. - Head lamps of slow vehicles.

§ 31-24-26. Head lamps of slow vehicles.
Any motor vehicle may be operated under the conditions specified in § 31-24-1 when equipped with two (2) lighted lamps upon the front of it capable of revealing persons and objects seventy-five feet (75′) ahead in lieu of lamps required in §§ 31-24-22 or 31-24-24; provided, that at no time shall it be operated at a speed in excess of twenty miles per hour (20 m.p.h.). Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 23; G.L. 1956, § 31-24-26; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-27. - Display of lighted lamps required.

§ 31-24-27. Display of lighted lamps required.
At all times specified in § 31-24-1, at least two (2) lighted lamps shall be displayed one on each side at the front of every motor

vehicle other than a motorcycle or motor-driven cycle, except when the vehicle is parked subject to the regulations governing lights on parked vehicles. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 24; G.L. 1956, § 31-24-27; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-28. - Maximum number of lamps lighted.

§ 31-24-28. Maximum number of lamps lighted.
Whenever a motor vehicle equipped with head lamps as required by this chapter is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front of it projecting a beam of an intensity greater than three hundred (300) candle power, not more than a total of four (4) of the lamps on the front of a vehicle shall be lighted at any one time when upon a highway. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 24; G.L. 1956, § 31-24-28; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-29. - Maximum intensity of lights.

§ 31-24-29. Maximum intensity of lights.
Any lighted lamp or illuminating device upon a motor vehicle other than head lamps, spot lamps, auxiliary lamps, or flashing front direction signals which projects a beam of light of an intensity greater than three hundred (300) candle power, shall be directed so that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet (75′) from the vehicle. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 25; G.L. 1956, § 31-24-29; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-3. - Measurement of height of lamps.

§ 31-24-3. Measurement of height of lamps.
Whenever a requirement is declared in this chapter as to the mounted height of lamps or devices, it shall mean from the center of the lamp or device to the level ground upon which the vehicle stands when the vehicle is without a load.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 3; G.L. 1956, § 31-24-3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-30. - Red lights in front prohibited.

§ 31-24-30. Red lights in front prohibited.
No person shall drive or move any vehicle or equipment upon any highway with any lamp or device on it displaying a red light visible from directly in front of the center of it. This section shall not apply to any vehicle upon which a red light visible from the front is expressly authorized or required by chapters 1 — 27 of this title. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 25; G.L. 1956, § 31-24-30; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-31. - Flashing lights — Forward viewing or rotary beam lights.

§ 31-24-31. Flashing lights — Forward viewing or rotary beam lights.
(a)
Flashing lights are prohibited, except on an authorized emergency vehicle, school bus, snow-removal equipment, or on any vehicle as a means for indicating a right or left turn. However, the requirements of § 31-24-33 shall be deemed to be satisfied if the vehicle is equipped with lamps at the front mounted at the same level, displaying simultaneously flashing white or amber lights, and at the rear mounted at the same level, and displaying simultaneously flashing red lights, all of which lights shall be visible from a distance of not less than five hundred feet (500′).
(b)
Forward viewing or rotating beam lights may be installed on and shall be restricted to the following categories of vehicles, and these lights shall be of color designated:
(1)
Emergency response vehicles of any fire, rescue, or ambulance department, fire chiefs, assistant fire chiefs, deputy chiefs, captains; any privately owned vehicle of any authorized volunteer member of a fire, rescue, or ambulance department; emergency

management agency directors, assistant directors, assistant medical examiners and/or forensic pathologists of the office of state medical examiners; rescue vehicles, emergency response vehicles of the department of environmental management and the office of the state fire marshal; school buses; hospital emergency response vehicles; and two (2) American Red Cross disaster vehicles: Red, white and/or alternating flashing white;

(2)

Wrecker trucks, service station trucks, state and town safety and maintenance vehicles; snowplows and tractors; light company trucks, telephone company trucks, water company trucks, oil company trucks, and other utilities' trucks; vehicles of television, radio and press photographers; newspaper motor route carriers; rural mail carriers; all motor-propelled vehicles owned by the Northern Rhode Island REACT (radio emergency associated citizens team); all motor-propelled vehicles owned by or under contract to the Rhode Island department of transportation when on official state business; and vehicles marking the beginning and end of funeral processions: Amber, provided, however, that wrecker and transportation vehicles operated pursuant to a public utilities commission license, and roadside assistance vehicles of any type operated for that purpose by the American Automobile Association shall be permitted to use flashing amber lights at the front and rear of the vehicle, to be activated only in the course of providing assistance to or transportation for a disabled vehicle. A fee of twenty-five dollars ($25) shall be charged for the issuance of a flashing lights permit to every vehicle identified in this subsection, with the exception of flashing lights permits issued to state, town or fire district safety and maintenance vehicles, which shall not be charged a fee.

(3)

Police units, state and local: Center rotating beam lights: Blue or red; Outboard mounted lights: Blue or red.

(4)

Violations of this section are subject to fines enumerated in § 31-41.1-4.

History of Section.

P.L. 1950, ch. 2595, art. 34, § 25; G.L. 1956, § 31-24-31; P.L. 1965, ch. 177, § 1; P.L. 1968, ch. 61, § 1; P.L. 1970, ch. 104, § 1; P.L. 1971, ch. 72, § 1; P.L. 1973, ch. 56, § 1; P.L. 1975, ch. 53, § 1; P.L. 1986, ch. 141, § 1; P.L. 1987, ch. 343, § 1; P.L. 1987, ch. 344, § 1; P.L. 1988, ch. 361, § 3; P.L. 1990, ch. 324, § 8; P.L. 1996, ch. 157, § 1; P.L. 1999, ch. 447, § 3; P.L. 2002, ch. 292, § 121; P.L. 2003, ch. 420, § 1; P.L. 2003, ch. 436, § 1; P.L. 2005, ch. 63, § 1; P.L. 2005, ch. 65, § 1; P.L. 2007, ch. 350, § 1; P.L. 2010, ch. 23, art. 9, § 7; P.L. 2018, ch. 76, § 1; P.L. 2018, ch. 90, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-32. - Vehicles parked on lighted highways.

§ 31-24-32. Vehicles parked on lighted highways.

Whenever a vehicle is lawfully parked upon a street or highway during the hours between one-half (½) hour after sunset and one-half (½) hour before sunrise, and in the event there is sufficient light to reveal any person or object within a distance of five hundred feet (500′) upon the street or highway no lights need be displayed upon the parked vehicle. Violations of this section are subject to fines enumerated in § 31-41.1-4.

History of Section.

P.L. 1950, ch. 2595, art. 34, § 15; G.L. 1956, § 31-24-32; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-33. - Vehicles stopped on unlighted highways.

§ 31-24-33. Vehicles stopped on unlighted highways.

(a)

Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent to it, whether attended or unattended, during the hours between one-half (½) hour after sunset and one-half (½) hour before sunrise, and there is not sufficient light to reveal any person or object within a distance of five hundred feet (500′) upon the highway, the vehicle so parked or stopped shall be equipped with one or more lamps meeting the following requirements:

(1)

At least one lamp shall display a white or amber light visible from a distance of five hundred feet (500′) to the front of the vehicle;

(2)

The same lamp or at least one (1) other lamp shall display a red light visible from a distance of five hundred feet (500′) to the rear of the vehicle; and

(3)

The location of the lamp or lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic.

(b)

The provisions of subsection (a) of this section shall not apply to a motor-driven cycle.

(c)

Violations of this section are subject to fines enumerated in § 31-41.1-4.

History of Section.

P.L. 1950, ch. 2595, art. 34, § 15; G.L. 1956, § 31-24-33; P.L. 1959, ch. 138, § 1; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-34. - Dimming of head lamps on parked vehicles.

§ 31-24-34. Dimming of head lamps on parked vehicles.
Any lighted head lamps upon a parked vehicle shall be depressed or dimmed. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 15; G.L. 1956, § 31-24-34; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-35. - Lamps on animal-drawn, farm, and road vehicles.

§ 31-24-35. Lamps on animal-drawn, farm, and road vehicles.
All vehicles, including animal-drawn vehicles and including those referred to in § 31-23-3 not specifically required by this chapter to be equipped with lamps, shall at the times specified in § 31-24-1 be equipped with at least one lighted lamp or lantern exhibiting a white light visible from a distance of five hundred feet (500′) to the front of the vehicle and with a lamp or lantern exhibiting a red light visible from a distance of five hundred feet (500′) to the rear. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 16; G.L. 1956, § 31-24-35; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-36. - Vehicles requiring special lights and reflectors — Time of lighting.

§ 31-24-36. Vehicles requiring special lights and reflectors — Time of lighting.
Those sections of this chapter which follow immediately, including §§ 31-24-37 — 31-24-44, relating to clearance and marker lamps, reflectors, and stop lights, shall apply as stated in those sections to vehicles of the type enumerated in those sections, namely passenger buses, trucks, truck tractors, and certain trailers, semi-trailers, and pole trailers, respectively, when operated upon any highway. These vehicles shall be equipped as required, and all lamp equipment required shall be lighted at the times mentioned in § 31-24-1, except that clearance and side marker lamps need not be lighted on the vehicle when operated within any municipality where there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred feet (500′). Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 8; G.L. 1956, § 31-24-36; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-37. - Clearance and marker lamps and reflectors.

§ 31-24-37. Clearance and marker lamps and reflectors.
In addition to other equipment required in chapters 1 — 27 of this title, the following vehicles shall be equipped as follows under the conditions stated in § 31-24-36.
(1)
On every bus or truck, whatever its size, there shall be the following:
(i)
On the rear, two (2) reflectors, one at each side; and
(ii)
On the rear, one stop light.
(2)
On every bus or truck eighty inches (80") or more in overall width, in addition to the requirements in subdivision (1) of this section:
(i)
On the front, two (2) clearance lamps, one at each side;
(ii)
On the rear, two (2) clearance lamps, one at each side;
(iii)
On each side, two (2) side marker lamps, one at or near the front and one at or near the rear;
(iv)
On each side, two (2) reflectors, one at or near the front and one at or near the rear.
(3)
On every truck tractor:
(i)
On the front, two (2) clearance lamps, one at each side;
(ii)

On the rear, one stop light.
(4)
On every trailer or semi-trailer having a gross weight in excess of three thousand pounds (3,000 lbs.):
(i)
On the front, two (2) clearance lamps, one at each side;
(ii)
On each side, two (2) side marker lamps, one at or near the front and one at or near the rear;
(iii)
On each side, two (2) reflectors, one at or near the front and one at or near the rear;
(iv)
On the rear, two (2) clearance lamps, one at each side;
(v)
On the rear, two (2) reflectors, one at each side; and
(vi)
On the rear, one stop light.
(5)
On every pole trailer in excess of three thousand pounds (3,000 lbs.) gross weight:
(i)
On each side, one side marker lamp and one clearance lamp which may be in combination, to show to the front, side, and rear.
(ii)
On the rear of the pole trailer or load, two (2) reflectors, one at each side.
(6)
On every trailer, semi-trailer, or pole trailer weighing three thousand pounds (3,000 lbs.) gross or less:
(i)
On the rear, two (2) reflectors, one on each side. If any trailer or semi-trailer is so loaded or is of such dimensions as to obscure the stop light on the towing vehicle, then the vehicle shall also be equipped with one stop light.
(7)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 9; G.L. 1956, § 31-24-37; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-38. - Color of clearance and marker lamps and reflectors.

§ 31-24-38. Color of clearance and marker lamps and reflectors.
(a)
Front clearance lamps and those marker lamps and reflectors mounted on the front or on the side near the front of a vehicle shall display or reflect an amber color.
(b)
Rear clearance lamps and those marker lamps and reflectors mounted on the rear or on the sides near the rear of a vehicle shall display or reflect a red color.
(c)
All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stop light or other signal device, which may be red, amber, or yellow, and except that the light illuminating the license plate or the light emitted by a back up lamp shall be white.
(d)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 10; G.L. 1956, § 31-24-38; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-39. - Mounting of reflectors.

§ 31-24-39. Mounting of reflectors.
(a) Reflectors.
When required by § 31-24-37, reflectors shall be mounted at a height not less than twenty-four inches (24") and not higher than sixty inches (60") above the ground on which the vehicle stands. If the highest part of the permanent structure of the vehicle is less than twenty-four inches (24") the reflector at that point shall be mounted as high as that part of the permanent structure will permit.
(b)
The rear reflectors on a pole trailer may be mounted on each side of the bolster or load.
(c)

Any required red reflector on the rear of a vehicle may be incorporated with the tail lamp, but the reflector shall meet all the other reflector requirements of this chapter.
(d)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 11; G.L. 1956, § 31-24-39; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-4. - Head lamps on vehicles other than cycles.

§ 31-24-4. Head lamps on vehicles other than cycles.
Every motor vehicle other than a motorcycle or motor-driven cycle shall be equipped with at least two (2) head lamps with at least one on each side of the front of the motor vehicle, and the head lamps shall comply with the requirements and limitations of this chapter. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 4; P.L. 1956, ch. 3846, § 1; G.L. 1956, § 31-24-4; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-40. - Mounting of clearance and side marker lamps.

§ 31-24-40. Mounting of clearance and side marker lamps.
Clearance lamps shall be mounted on the permanent structure of the vehicle in such a manner as to indicate its extreme width and as near the top of the vehicle as practicable. Clearance lamps and side marker lamps may be mounted in combination, provided illumination is given as required in this section with reference to both. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 11; G.L. 1956, § 31-24-40; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-41. - Visibility of reflectors.

§ 31-24-41. Visibility of reflectors.
Every reflector upon any vehicle referred to in § 31-24-37 shall be of a size, have characteristics, and be maintained so as to be readily visible at nighttime from all distances from fifty feet (50′) to five hundred feet (500′) from the vehicle when directly in front of lawful upper beams of head lamps. Reflectors required to be mounted on the sides of the vehicle shall reflect the required color of light to the sides, and those mounted on the rear shall reflect a red color to the rear. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 12; G.L. 1956, § 31-24-41; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-42. - Visibility of front and rear clearance lamps.

§ 31-24-42. Visibility of front and rear clearance lamps.
Front and rear clearance lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of five hundred feet (500′) from the front and rear, respectively, of the vehicle. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 12; G.L. 1956, § 31-24-42; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-43. - Visibility of side marker lamps.

§ 31-24-43. Visibility of side marker lamps.
Side marker lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of five hundred feet (500′) from the side of the vehicle on which they are mounted. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 12; G.L. 1956, § 31-24-43; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-44. - Obstructed lights not required.

§ 31-24-44. Obstructed lights not required.

Whenever motor and other vehicles are operated in combination during the time that lights are required, any lamp (except tail lamps) need not be lighted which, by reason of its location on a vehicle of the combination, would be obscured by another vehicle of the combination. This shall not affect the requirement that lighted clearance lamps be displayed on the front of the foremost vehicle required to have clearance lamps, nor that all lights required on the rear of the rearmost vehicle of any combination shall be lighted. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 13; G.L. 1956, § 31-24-44; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-45. - Projecting loads.

§ 31-24-45. Projecting loads.
Whenever the load upon any vehicle extends to the rear or front four feet (4′) or more beyond the bed or body of the vehicle, there shall be displayed at the extreme rear end or front of the load, at the time specified in § 31-24-1, a red light or lantern plainly visible from a distance of at least five hundred feet (500′) to the sides, rear and front. The red light or lantern required under this section shall be in addition to the red rear light required upon every vehicle. At any other time there shall be displayed at the extreme rear or front end of such load a red flag or cloth not less than twelve inches (12") square and so hung that the entire area is visible to the driver of a vehicle approaching from either direction. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 14; P.L. 1952, ch. 2937, § 14; G.L. 1956, § 31-24-45; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-46. - Lights on snow removal equipment.

§ 31-24-46. Lights on snow removal equipment.
(a)
The state traffic commission shall adopt standards and specifications applicable to head lamps, clearance lamps, identification, and other lamps on snow removal equipment when operated on the highways of this state in lieu of the lamps otherwise required on motor vehicles by this chapter. The standards and specifications may permit the use of flashing lights for purposes of identification on snow removal equipment when in service upon the highways.
(b)
It shall be unlawful to operate any snow removal equipment on any highway unless the lamps on it comply with and are lighted when and as required by the standards and specifications adopted as provided in this section.
(c)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 26; G.L. 1956, § 31-24-46; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-47. - Regulation and certification of lighting devices.

§ 31-24-47. Regulation and certification of lighting devices.
(a)
The administrator of the division of motor vehicles is authorized to approve or disapprove lighting devices and to issue and enforce regulations establishing standards and specifications for the approval of such lighting devices, their installation, and aiming. The regulations shall correlate with and, so far as possible, conform to the current standards and specifications of the society of automotive engineers applicable to the equipment.
(b)
The administrator of the division of motor vehicles is required to approve or disapprove any lighting device, of a type on which approval is specifically required in this chapter, within a reasonable time after the device has been submitted.
(c)
The administrator of the division of motor vehicles is authorized to set up the procedure which shall be followed when any device is submitted for approval.
(d)
The administrator of the division of motor vehicles upon approving a lamp or device, shall issue to the applicant a certificate of approval together with any instructions determined by him or her.
(e)
The administrator of the division of motor vehicles shall publish lists of all lamps and devices by name and type which have been approved by him or her.
(f)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.

P.L. 1950, ch. 2595, art. 34, § 28; P.L. 1954, ch. 3291, § 1; G.L. 1956, § 31-24-47; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-48. - Revocation of certification of lighting equipment.

§ 31-24-48. Revocation of certification of lighting equipment.
(a)
When the administrator of the division of motor vehicles has reason to believe that an approved device as being sold commercially does not comply with the requirements of this chapter, he or she may, after giving thirty (30) days' previous notice to the person holding the certificate of approval for the device in this state, conduct a hearing upon the question of compliance of the approved device. After the hearing the administrator of the division of motor vehicles shall determine whether the approved device meets the requirements of this chapter. If the device does not meet the requirements of this chapter, the administrator shall give notice to the person holding the certificate of approval for the device in this state.
(b)
If, at the expiration of ninety (90) days after the notice, the person holding the certificate of approval for the device has failed to satisfy the administrator of the division of motor vehicles that the approved device as thereafter to be sold meets the requirements of this chapter, the administrator of the division of motor vehicles shall suspend or revoke the approval issued for it until or unless the device is resubmitted to and retested by an authorized testing agency and is found to meet the requirements of this chapter, and may require that all the devices sold since the notification following the hearing be replaced with devices that do comply with the requirements of this chapter. The administrator of the division of motor vehicles may at the time of the retest purchase in the open market and submit to the testing agency one or more sets of the approved devices, and if the device upon a retest fails to meet the requirements of this chapter, the administrator of the division of motor vehicles may refuse to renew the certificate of approval of the device.
(c)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 29; G.L. 1956, § 31-24-48; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-49. - Approval of lighting equipment required.

§ 31-24-49. Approval of lighting equipment required.
No person shall have for sale, sell, or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer, or semi-trailer or use upon any such vehicle any head lamp, auxiliary or fog lamp, rear lamp, signal lamp, or reflector which reflector is required by this chapter or parts of any of these which tend to change the original design or performance, unless of a type which has been submitted to and approved by the administrator of the division of motor vehicles. Violations of this section are subject to fines enumerated in § 31-41.1-4.
(b)
The administrator shall approve a flashing amber light configuration for use in funeral processions.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 27; P.L. 1954, ch. 3291, § 1; G.L. 1956, § 31-24-49; P.L. 2002, ch. 292, § 121; P.L. 2003, ch. 420, § 1; P.L. 2003, ch. 436, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-5. - Head lamps on motorcycles and motor-driven cycles.

§ 31-24-5. Head lamps on motorcycles and motor-driven cycles.
Every motor cycle and every motor-driven cycle shall be equipped with at least one and not more than two (2) head lamps which shall comply with the requirements and limitations of this chapter. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 4; P.L. 1956, ch. 3846, § 1; G.L. 1956, § 31-24-5; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-50. - Trademark or name shown on equipment.

§ 31-24-50. Trademark or name shown on equipment.
No person shall have for sale, sell, or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer, or semi-trailer any lamp or device mentioned in § 31-24-49 which has been approved by the administrator of the division of motor vehicles unless the lamp or device bears on it the trademark or name under which it is approved so as to be legible when installed. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.

P.L. 1950, ch. 2595, art. 34, § 27; P.L. 1954, ch. 3291, § 1; G.L. 1956, § 31-24-50; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-51. - Mounting and adjustment of lamps.

§ 31-24-51. Mounting and adjustment of lamps.
No person shall use upon any motor vehicle, trailer, or semi-trailer any lamps mentioned in § 31-24-49 unless the lamps are mounted and adjusted as to focus and aim in accordance with instructions of the administrator of the division of motor vehicles. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 27; P.L. 1954, ch. 3291, § 1; G.L. 1956, § 31-24-51; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-52. - Hazard switch for flashing lights.

§ 31-24-52. Hazard switch for flashing lights.
(a)
All new automobiles and automobiles for hire sold in Rhode Island beginning with the 1969 models shall be provided with a hazard switch so as to produce a constant flashing light when the switch is activated. The switch shall be activated by the operator whenever any vehicle becomes disabled on any street or highway. The switch may be attached to the directional signal apparatus.
(b)
Nothing in this section shall affect regulations of the interstate commerce commission.
(c)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1967, ch. 149, §§ 1, 2; P.L. 2000, ch. 109, § 69; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-53. - Safety lights required on food vending vehicles.

§ 31-24-53. Safety lights required on food vending vehicles.
No person engaged as an itinerant vendor of food items from a motor vehicle operated, or caused to be operated by him or her, upon the public streets or highways of the state of Rhode Island, shall operate the motor vehicle or cause the motor vehicle to be operated for the purpose of vending food items upon the city streets or highways unless the motor vehicle shall have been equipped with two (2) flashing lights, one yellow located on the front bumper and one red on the rear bumper of it, except those vehicles which have flashing warning lights as standard equipment. When the motor vehicle shall have been stopped for the purpose of the intended itinerary business, they shall continue flashing as a warning of its position to all approaching vehicular traffic. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1972, ch. 131, § 1; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-54. - Strobe lights on school buses.

§ 31-24-54. Strobe lights on school buses.
All new school buses, as defined in § 31-1-3, shall at all times be equipped with a rear-viewing, rear-mounted white flashing strobe light, meeting the following requirements:
(1)
A white flashing strobe light will be installed on the roof of a school bus; at a point not to exceed one-third (■) the body length forward from the rear of the roof edge;
(2)
The strobe light will have a single clear lens emitting light three hundred sixty (360) degrees around its vertical axis and may not extend above the roof more than maximum legal height;
(3)
The light will not exceed nine inches (9") in height or nine inches (9") in diameter;
(4)
A manual switch and a pilot light will be included to indicate when light is in operation;
(5)
The strobe light will be wired to activate with the amber alternately flashing signal lamps, continuing through the full loading or unloading cycle, with an override switch. The strobe light shall not be activated while the bus is moving; and
(6)
Violations of this section are subject to fines enumerated in § 31-41.1-4.

History of Section.
P.L. 2000, ch. 487, § 1; P.L. 2002, ch. 292, § 121; P.L. 2004, ch. 6, § 18; P.L. 2005, ch. 410, § 16; P.L. 2005, ch. 426, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-6. - Height of head lamps.

§ 31-24-6. Height of head lamps.
Every head lamp upon every motor vehicle, including every motorcycle and motor-driven cycle, shall be located at a height measured from the center of the head lamp of not more than fifty-four inches (54") nor less than twenty-four inches (24") to be measured as set forth in § 31-24-3. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 4; P.L. 1956, ch. 3846, § 1; G.L. 1956, § 31-24-6; P.L. 1957, ch. 66, § 1; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-7. - Tail lamps required.

§ 31-24-7. Tail lamps required.
Every motor vehicle, trailer, semi-trailer, and pole trailer, and any other vehicle which is being drawn at the end of a train of vehicles, shall be equipped with at least one tail lamp mounted on the rear, which when lighted as required in this chapter, shall emit a red light plainly visible from a distance of five hundred feet (500′) to the rear, provided that in the case of a train of vehicles only the tail lamp on the rearmost vehicle need actually be seen from the distance specified. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 5; G.L. 1956, § 31-24-7; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-8. - Height of tail lamps.

§ 31-24-8. Height of tail lamps.
Every tail lamp upon every vehicle shall be located at a height of not more than seventy-two inches (72") nor less than twenty inches (20") to be measured as set forth in § 31-24-3. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 5; G.L. 1956, § 31-24-8; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-24 - Lighting Equipment and ReflectorsSection 31-24-9. - Illumination of rear registration plate — Wiring of rear lights in connection with head lamps.

§ 31-24-9. Illumination of rear registration plate — Wiring of rear lights in connection with head lamps.
Either a tail lamp or a separate lamp shall be constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of sixty feet (60′) to the rear. Any tail lamp or tail lamps, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the head lamps or auxiliary driving lamps are lighted. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 34, § 5; G.L. 1956, § 31-24-9; P.L. 2002, ch. 292, § 121.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-1. - Compliance with chapter required.

§ 31-25-1. Compliance with chapter required.
(a)(1)
Except in reference to §§ 31-25-16 and 31-25-27 where it shall be considered a violation, it is a civil violation for any carrier to drive or move or to cause or permit to be driven or moved on any highway any vehicle or vehicles of a size or weight exceeding the limitations stated in this chapter or otherwise in violation of this chapter, and the maximum size and weight of vehicles specified in this chapter shall be lawful throughout this state. Local authorities shall have no power or authority to alter the limitations except as express authority may be granted in this chapter.
(2)
“Carrier” includes any company or person who furthers their commercial or private enterprise by use of the vehicle.
(b)
The director of the department of transportation shall promulgate rules and regulations and requirements consistent with this chapter for the application and issuance of permits for overweight and oversize vehicles or loads.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 1; G.L. 1956, § 31-25-1; P.L. 1985, ch. 277, § 1; P.L. 1985, ch. 437, § 1; P.L. 1988, ch. 412, § 1; P.L. 1999, ch. 218, art. 6, § 13; P.L. 2008, ch. 98, § 22; P.L. 2008, ch. 145, § 22.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-10. - Fastening of load and covering.

§ 31-25-10. Fastening of load and covering.

(a)

No person shall operate on any highway any vehicle with any load unless the load and any covering on it is securely fastened so as to prevent the covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.

(b)

No motor truck trailer or semitrailer that is used for the purpose of hauling logs, pulpwood, lumber, or other materials that by their very nature may shift or roll so as to be likely to fall from the vehicle, shall be operated or moved over any highway unless its load is securely fastened to the vehicle by chains, cables, or other approved devices as will effectively prevent the shifting of the load or any part of it falling from the vehicle. The ends of the chains, cables, or other devices and any tire chains shall be tied securely, whether the vehicle is loaded or unloaded, so that loose ends shall not endanger pedestrians or other vehicles encountered on the highway.

(c)

This section shall not be construed to include a truck transporting lumber, wood, or sawmill wastes, when transported in a box type body with solid sides, provided that the truck is not loaded higher than its side-boards.

(d)

A person who violates the provisions of this section shall be fined:

(1)

Not more than one hundred dollars ($100) for the first violation; and

(2)

Not less than one hundred dollars ($100) nor more than five hundred dollars ($500) for any subsequent violations.

(e)

No person shall operate a motor truck or other vehicle carrying or transporting any rubbish, refuse, or other debris or loose material on any highway without first securely fastening a covering on it to prevent the contents from falling to the highway. No person shall operate on any highway any vehicle with any load unless the load and any covering on it is securely fastened so as to prevent that covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway. The covering must remain in place and secured during travel on any highway until the contents have been properly cleaned and purged from the vehicle.

(f)

No person shall operate an open motor truck or other similar vehicle while carrying or transporting any child under sixteen (16) years of age without securely fastening the child to prevent them from becoming loose or detached in any manner.

History of Section.

P.L. 1950, ch. 2595, art. 35, § 5; G.L. 1956, § 31-25-10; P.L. 1966, ch. 270, § 1; P.L. 1973, ch. 119, § 1; P.L. 1974, ch. 31, § 1; P.L. 1975, ch. 17, § 1; P.L. 1986, ch. 271, § 1; P.L. 1988, ch. 410, § 1; P.L. 2024, ch. 77, § 1, effective June 12, 2024; P.L. 2024, ch. 78, § 1, effective June 12, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-11. - Connections between coupled vehicles.

§ 31-25-11. Connections between coupled vehicles.

When one vehicle is towing another the drawbar or other connection shall be of sufficient strength to pull all weight towed by it and the drawbar or other connection shall not exceed fifteen feet (15′) from one vehicle to the other, except the connection between any two (2) vehicles transporting poles, pipe, machinery, or other objects of structural nature which cannot readily be dismembered. Violations of this section are subject to fines enumerated in § 31-41.1-4.

History of Section.

P.L. 1950, ch. 2595, art. 35, § 6; G.L. 1956, § 31-25-11; P.L. 2002, ch. 292, § 122.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-12.1. - Vehicles to be towed in right lane.

§ 31-25-12.1. Vehicles to be towed in right lane.

(a)

When a tow truck or other vehicle is towing another vehicle, except those vehicles designed to be in combination, in this state upon any public highway divided into two (2) or more clearly marked lanes for travel in the same direction, it shall be unlawful to tow except in the right lane of travel on a two (2) line highway, and in the two (2) right lanes of travel on a highway with three (3) or more lanes.

(b)

Any person who violates the provisions of this section shall, upon conviction, be fined in accordance with the penalties provided in § 31-41.1-4.

History of Section.

P.L. 1983, ch. 231, § 1; P.L. 1996, ch. 348, § 1; P.L. 2002, ch. 292, § 122; P.L. 2008, ch. 100, art. 12, § 11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-12. - Flags on tow chains.

§ 31-25-12. Flags on tow chains.
When one vehicle is towing another and the connection consists of a chain, rope, or cable, there shall be displayed upon the connection a white flag or cloth not less than twelve inches (12") square. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 6; G.L. 1956, § 31-25-12; P.L. 2002, ch. 292, § 122.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-13. - Axle load limit.

§ 31-25-13. Axle load limit.
(a)
The gross weight imposed on the highway by the wheels of any one axle of a vehicle shall not exceed twenty-two thousand four hundred pounds (22,400 lbs.).
(b)
For the purposes of this chapter, “axle load” is defined as the total load transmitted to the road by all wheels whose centers are included between two (2) parallel transverse vertical planes forty inches (40″) apart, extending across the full width of the vehicle.
(c)
Violations of this section are subject to fines enumerated in § 31-25-14.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 7; G.L. 1956, § 31-25-13; P.L. 2001, ch. 86, § 86; P.L. 2002, ch. 292, § 122; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-14. - Maximum weight and tandem axles.

§ 31-25-14. Maximum weight and tandem axles.
(a)
It shall be unlawful to transport or operate over or upon any public highway in this state any vehicle equipped with tandem axles, should the gross weight of the axles exceed thirty-six thousand pounds (36,000 lbs.) if the axle spacing does not exceed eight feet (8′).
(b)
With respect to all public highways, the overall gross weight on a group of two (2) or more consecutive axles of a vehicle or combination of vehicles, shall be determined by the following bridge gross weight formula:
$W = 500 [(LN /(N-1)) + 12N + 36]$
where W = the overall gross weight on any group of two or more consecutive axles to the nearest five hundred pounds (500 lbs.); L = the distance in feet between the extremes of any group of two (2) or more consecutive axles; and N = the number of axles in the group under consideration. This overall gross weight of any vehicle or combination of vehicles may not exceed eighty thousand pounds (80,000 lbs.) except as specified in §§ 31-25-1, 31-25-2, and 31-25-21.
(c)
In any calculation using the formula in subsection (b) of this section in which the tandem axle limit is less than thirty-six thousand pounds (36,000 lbs.), thirty-six thousand pounds (36,000 lbs.) shall be considered the legal limit. Single axle limits shall be as defined in § 31-25-13. Nothing in this chapter shall be construed to abrogate any of the “grandfather rights” in existence as of April 1, 1989.
(d) Penalties.
(1)
Any carrier or persons operating a vehicle or combination of vehicles that exceeds the weight limits of tandem-axle vehicles, as defined in this section, shall be fined one hundred twenty-five dollars ($125) per one hundred pounds (100 lbs.) overweight or portion of it.
(2)
Any carrier or persons operating a vehicle or combination of vehicles that exceeds the weight limits of twenty-two thousand four hundred pounds (22,400 lbs.) single axle limits as cited in § 31-25-13, shall be fined one hundred twenty-five dollars ($125) per one hundred pounds (100 lbs.) overweight or portion of it.
(3)
Any carrier or persons operating a vehicle or combination of vehicles that exceeds the bridge gross weight formula, as defined in this section, are subject to fines enumerated in § 31-25-16(c)(2) through (c)(4).
History of Section.

P.L. 1950, ch. 2595, art. 35, § 8; P.L. 1950 (s.s.), ch. 2639, § 6; G.L. 1956, § 31-25-14; P.L. 1984, ch. 429, § 1; P.L. 1988, ch. 195, § 1; P.L. 1990, ch. 170, § 1; P.L. 1992, ch. 345, § 1; P.L. 2001, ch. 86, § 86; P.L. 2002, ch. 58, § 5; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-15. - Investigations as to safety of buses, trucks, and trailers.

§ 31-25-15. Investigations as to safety of buses, trucks, and trailers.
The administrator of the division of motor vehicles upon registering any truck, truck tractor, or semi-trailer under the laws of this state, or any bus for the transportation of ten (10) or more persons, may require any information and may make any investigation or test as necessary to enable him or her to determine whether the vehicle may safely be operated upon the highways in compliance with all the provisions of chapters 1 — 27 of this title. The administrator shall register the vehicle for a permissible gross weight not exceeding the limitations set forth in chapters 1 — 27 of this title.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 9; G.L. 1956, § 31-25-15.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-16. - Authorized weight shown in registration — Exceeding limit.

§ 31-25-16. Authorized weight shown in registration — Exceeding limit.
(a)
The administrator of the division of motor vehicles shall insert in the registration card issued for a vehicle the gross weight for which it is registered. If it is a truck tractor to be used for propelling semi-trailers, he or she shall separately insert the total permissible gross weight of the truck tractor and semi-trailers to be propelled by it. It shall be unlawful for any carrier to operate or permit to be operated any vehicle or combination of vehicles of a gross weight in excess of that registered by the administrator of the division of motor vehicles, permitted by the department of transportation, or in excess of the limitations set forth in this chapter.
(b)
For the purposes of this chapter, “carrier” means and includes any company or person who furthers their commercial or private enterprise by use of the vehicle.
(c)(1)
Penalties for violations of this section will be calculated on the legal weight in comparison to the actual weight and shall be heard and adjudicated at the traffic tribunal.
(2)
The overweight penalties for vehicles with ten thousand pounds (10,000 lbs.) gross vehicle weight or less shall be eighty-five dollars ($85.00) per thousand pounds overweight or portion of it.
(3)
The overweight penalties for vehicles exceeding ten thousand pounds (10,000 lbs.) gross vehicle weight shall be one hundred twenty-five dollars ($125.00) per five hundred pounds (500 lbs.) overweight or portion of it.
(4)
The overweight penalty for vehicles being operated in excess of one hundred four thousand, eight hundred pounds (104,800 lbs.) gross vehicle weight shall be one thousand twenty-five dollars ($1,025) in addition to the penalties enumerated in subsection (c)(3) of this section.
(5)
The overweight penalty for vehicles being operated in excess of one hundred thirty thousand pounds (130,000 lbs.) gross vehicle weight shall be two thousand five hundred dollars ($2,500) in addition to the penalties enumerated in subsection (c)(3) of this section.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 9; G.L. 1956, § 31-25-16; P.L. 1983, ch. 213, § 1; P.L. 1985, ch. 437, § 1; P.L. 1985, ch. 445, § 1; P.L. 1991, ch. 287, § 1; P.L. 1995, ch. 126, § 1; P.L. 1999, ch. 218, art. 6, § 13; P.L. 2002, ch. 58, § 5; P.L. 2008, ch. 100, art. 12, § 11; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-17. - Identification of trucks and truck-tractors.

§ 31-25-17. Identification of trucks and truck-tractors.
(a)
Every motor truck and every truck-tractor exceeding a gross vehicle weight or gross combination weight of ten thousand pounds (10,000 lbs.) shall be identified with the name, trade name, or company identifying logo and the city and state of the owner and operating carrier, or individual transporting property, when that transportation is for the furtherance of any commercial enterprise. However, in lieu of the city and state, one of the following may be displayed on the vehicle:
(1)
The interstate commerce commission number if a regulated interstate carrier; or

(2)
An identifying number issued by an official state agency.
(b)
The display of identification prescribed by this section shall be in letters in sharp color contrast to the background and be of such size, shape, and color as to be readily legible, during daylight hours, from a distance of fifty feet (50′) while the vehicle is not in motion. The display of identification may be accomplished through the use of a removable device so prepared as to otherwise meet the identification requirements and legibility requirements of this section, if the vehicle is operated by any company or carrier. Nothing in this section shall prohibit the display of additional identification as may be required by other laws of this state or any other state, or agency or department of the federal government.
(c)
Penalties for violations of this section shall be handled by the traffic tribunal and the fines shall be as provided for in § 31-41.1-4.
History of Section.
P.L. 1984, ch. 161, § 2; P.L. 2002, ch. 58, § 5; P.L. 2008, ch. 100, art. 12, § 11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-18. - Weighing of suspected overweight vehicles.

§ 31-25-18. Weighing of suspected overweight vehicles.
Any proper officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing of the vehicle and load by means of either portable or stationary scales, and may require that the vehicle be driven to the nearest available stationary scales. Any carrier or persons found to be operating in excess of their registered, permitted, and/or legal weight limits may be fined and released, required to reduce weight or dimensions to legal, and/or required to pursue a legal permit at the officer's discretion. Any carrier or persons found to have pending motor vehicle fines in excess of ten thousand dollars ($10,000) may have their permit privileges suspended until pending fines are paid.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 10; G.L. 1956, § 31-25-18; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-19. - Removal of excess from overweight vehicles.

§ 31-25-19. Removal of excess from overweight vehicles.
Whenever a proper officer upon weighing a vehicle and load, as provided in § 31-25-18, determines that the weight is unlawful, the officer may require the driver to stop the vehicle in a suitable place and remain standing until the portion of the load is removed as may be necessary to reduce the gross weight of the vehicle to such a limit as permitted under this chapter. All material so unloaded shall be cared for by the owner or operator of the vehicle at the risk of the owner or operator.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 10; G.L. 1956, § 31-25-19.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-2. - Vehicles exempt from limitations.

§ 31-25-2. Vehicles exempt from limitations.
(a)
The provisions of this chapter governing size, weight, and load shall not apply to:
(1)
Road machinery;
(2)
Farm vehicles, including farm tractors, temporarily moved upon a highway;
(3)
Any vehicle owned and operated by the Rhode Island public transit authority that is designed for carrying passengers and is comprised of two (2) sections permanently joined by a hinge mechanism or an articulated joint that allows vertical and horizontal movement and a passage for riders moving from one section to the other;
(4)
A vehicle operated under the terms of a special permit issued as provided in this chapter;
(5)
Covered heavy-duty tow and recovery vehicles;
(6)
Emergency vehicles with a weight limit of up to a maximum gross vehicle weight of eighty-six thousand pounds (86,000 lbs.) or less than twenty-four thousand pounds (24,000 lbs.) on a single steering axle; thirty-three thousand five hundred pounds (33,500 lbs.) on a single-drive axle; sixty-two thousand pounds (62,000 lbs.) on a tandem axle; or fifty-two thousand pounds (52,000 lbs.) on a tandem rear drive steer axle; or

(7)
Natural gas vehicles up to a maximum gross vehicle weight of eighty-two thousand pounds (82,000 lbs.) by an amount that is equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle; and the weight of a comparable diesel tank and fueling system.
(b)
The provisions of this chapter governing size, weight, and load shall not apply to fire apparatus acquired by a city or town within this state prior to July 1, 1999.
(c)
Nothing in this section shall permit these vehicles to travel over any structure, highway, or portion of highway that is weight restricted for the vehicle load.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 2; G.L. 1956, § 31-25-2; P.L. 1983, ch. 236, § 1; P.L. 1999, ch. 209, § 1; P.L. 2018, ch. 39, § 2; P.L. 2018, ch. 45, § 2; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-20. - Refusal to submit to weighing or removal of excess load.

§ 31-25-20. Refusal to submit to weighing or removal of excess load.
Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing, or who fails or refuses when directed by a proper officer upon a weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of §§ 31-25-18 and 31-25-19, shall, upon conviction, be fined not less than one hundred dollars ($100) and not more than two hundred-fifty dollars ($250).
History of Section.
P.L. 1950, ch. 2595, art. 35, § 10; G.L. 1956, § 31-25-20; P.L. 1986, ch. 282, § 2; P.L. 1988, ch. 284, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-21. - Power to permit excess size or weight of loads.

§ 31-25-21. Power to permit excess size or weight of loads.
(a)
The department of transportation, with respect to highways under its jurisdiction, may, in its discretion, upon application in writing and good cause being shown for it, approve the issuance of a special permit in writing authorizing the applicant to operate or move a vehicle, or combination of vehicles, of a size or weight of vehicle or load exceeding eighty thousand pounds (80,000 lbs.) or otherwise not in conformity with the provisions of chapters 1 — 27 of this title upon any highway under the jurisdiction of the party granting the permit and for the maintenance of which the party is responsible. Permits that have been issued for a full year shall not be required to be renewed for the period of time for which payment has been made and the application and other required documentation has been completed and filed. Provided, that neither the department of transportation nor the local authorities may approve the issuance of permits for divisible loads weighing in excess of the limits set by the director of the department of transportation by and through the rules and regulations promulgated by the department of transportation entitled “rules and regulations regarding overweight and oversize vehicle permits”.
(1)
Provided, however, that for milk products, any vehicle carrying fluid milk products shall be considered a load that cannot be easily dismantled or divided.
(b)
The director of the department of transportation may enter into agreements with other states, the District of Columbia, and Canadian provinces providing for the reciprocal enforcement of the overweight or over-dimensional vehicle permit laws of those jurisdictions entering into the agreement.
(c) Single trip non-divisible permit fee.
A fee of forty dollars ($40.00) shall be paid to the department of transportation for the issuance of each non-divisible single trip permit. Upon approval of the application, the department of transportation shall provide the approved permit. The driver must possess the permit and documentation as required by the permit at all times.
(d) Annual construction equipment blanket permit fee.
An annual fee of four hundred dollars ($400) paid to the department of transportation shall exempt the payor from the necessity of paying single trip permit fees for non-divisible construction equipment loads of less than one hundred thirty thousand pounds (130,000 lbs.) as found in subsection (c). However, payment of the fee shall not be deemed to authorize noncompliance with the rules and regulations promulgated by the department of transportation entitled “rules and regulations regarding overweight and oversize vehicle permits”.
(e)
Blanket construction equipment permits may be issued, as determined by the department of transportation, for intrastate movement of non-divisible construction equipment loads upon payment of the fee set forth in subsection (d). If used in conjunction with an annual divisible load permit, the limits and requirements of the blanket construction equipment permit shall supersede the

requirements of the divisible load permit. The driver must possess both permits and all required documentation. The duration of the blanket permit may not exceed one year. The construction equipment permit load shall be limited to a minimum overall length of fifty-five feet (55′), a maximum overall length of eighty feet (80′), a maximum width of twelve feet four inches (12′ 4″), a maximum gross weight of one hundred thirty thousand pounds (130,000 lbs.), and a maximum axle weight of twenty-five thousand pounds (25,000 lbs.); provided, that the department of transportation, with respect to highways under its jurisdiction, may, in its discretion and upon application and for good cause shown, approve the issuance of a single trip non-divisible permit authorizing the applicant to exceed one hundred thirty thousand pounds (130,000 lbs.) for non-divisible loads. A flashing amber light shall be in operation above the highest point of the vehicle and shall be visible from both the front and rear of the vehicle; and signs and red warning flags shall be affixed to all extremities. All blanket permits issued in accordance with this section shall be effective during daylight and night-time hours for all over-dimensional moves made and travel shall be allowed on state highways.

(f)

Permission to travel is always subject to weather and road conditions. The following restrictions on travel times shall apply to all vehicles over eight feet six inches (8′ 6″) wide, over eighty feet (80′) long, or over one hundred thirty thousand pounds (130,000 lbs.):

(1) Freeways and arterial roadways.

No travel will be allowed between the hours of 7:00 a.m. and 9:00 a.m. or between 3:00 p.m. and 7:00 p.m., Monday through Friday.

(2)

[Deleted by P.L. 2022, ch. 178, § 1 and P.L. 2022, ch. 179, § 1.]

(3) Holidays.

Memorial Day, Victory Day, Labor Day, Dr. Martin Luther King Jr. Day, and Columbus Day — No Saturday, Sunday, or Monday day or night travel.

Thanksgiving Day — No travel on Wednesday through Sunday of Thanksgiving week in any calendar year.

Independence Day, Veterans Day, Christmas Day, New Year's Day — No day or night travel and no travel the previous night.

Easter Sunday. No Saturday night or Sunday travel.

(4)

Violations of this section are subject to fines enumerated in § 31-25-24.

(g)

Construction equipment blanket permits shall not be granted for travel over the following bridges:

Blackstone River Viaduct 750 carrying I-295 northbound and southbound over the Blackstone River;

Kingston Road Bridge No. 403 carrying I-95 northbound and southbound over Kingston Road.

(h)

Travel of blanket permitted construction equipment through zones with reductions in lane width such as construction zones will not be allowed. Prior to travel, blanket permit holders are responsible to verify the location of construction zones and lane width reductions. Locations of lane width reduction zones are available through the state department of transportation's construction office.

(i)

Upon approval of the annual construction equipment blanket permit application, the department of transportation shall provide the approved permit. The driver must possess the permit and documentation as required by the permit at all times.

(j)

Any carrier or persons found to be operating without a required permit, or in excess of their permit limits, three (3) times within a one-year period shall be revoked of their ability to use and receive permits within the state for up to thirty (30) days. Additional violations shall result in revocation of up to ninety (90) days.

(k)

Operation of any vehicle in excess of the requirements of any permit shall void that permit and result in the imposition of fines as provided in this chapter.

History of Section.

P.L. 1950, ch. 2595, art. 35, § 11; G.L. 1956, § 31-25-21; P.L. 1983, ch. 213, § 1; P.L. 1987, ch. 456, § 1; P.L. 1993, ch. 138, art. 85, § 1; P.L. 1996, ch. 346, § 1; P.L. 2008, ch. 98, § 22; P.L. 2008, ch. 145, § 22; P.L. 2008, ch. 230, § 1; P.L. 2008, ch. 410, § 1; P.L. 2018, ch. 39, § 2; P.L. 2018, ch. 45, § 2; P.L. 2019, ch. 88, art. 8, § 1; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-22. - Application for excess load permit.

§ 31-25-22. Application for excess load permit.

(a)

The application for an annual divisible load permit pursuant to § 31-25-21 shall specifically describe the vehicle or vehicles and load to be operated or moved, and the particular highways for which the permit to operate is requested.

(b)

For divisible load permits, the specifically described vehicle must be certified originally by the manufacturer to possess the braking and carrying capacity for the weight specified on the application.
(c)
Upon approval of the application or renewal of divisible load permits, the department of transportation shall provide the approved permit. The driver must possess the permit and documentation as required by the permit at all times.
(d)
[Deleted by P.L. 2022, ch. 178, § 1 and P.L. 2022, ch. 179, § 1.]
(e)
Divisible load permit fees for Rhode Island registered vehicles are reflected in the registration fee as enumerated in § 31-6-1(a)(2).
(f)
Divisible load permit fees for out-of-state registered vehicles are as follows:
Trailers $100 flat fee.
Single-unit axle trucks $50.00 per 1,000 pounds over legal limit; maximum $1,500.
Maximum permittable loads for single unit trucks:
2 axle — legal weight only per § 31-25-14(b), (c).
3+ axle — 76,650 lbs.
Not to exceed Manufacturer GVWR.
Tractors $50.00 per 1,000 pounds over legal limit; maximum $1,250.
Tractors may acquire a permit for up to 104,800 lbs.; however the allowable gross weight depends on the total number of axles of the tractor/semi-trailer/trailer configuration being used at the time. Gross weight limits for tractor/semi-trailer/trailer configurations are as follows:
3 axle — 62,000 lbs.
4 axle — 87,000 lbs.
5+ axle — 104,800 lbs.
Transfer fee $10.00.
(g)
For the purpose of this section, the “legal limit” is defined as the maximum weight as calculated by the Bridge Formula.
(h)
Annual divisible load permits are issued for overweight only and not over-dimensional.
(i)
If the annual divisible load permit is used in conjunction with an annual construction equipment blanket permit, the limits and requirements of the blanket construction equipment permit shall supersede the requirements of the divisible load permit. The driver must possess both permits and all required documentation. This shall only apply when divisible load and trailered construction equipment are carried simultaneously.
(j)
Violations of this section are subject to fines enumerated in § 31-25-16.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 11; G.L. 1956, § 31-25-22; P.L. 1983, ch. 213, § 1; P.L. 1992, ch. 147, § 1; P.L. 1993, ch. 138, art. 85, § 1; P.L. 2008, ch. 98, § 22; P.L. 2008, ch. 145, § 22; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-23. - Conditions and restrictions on excess load permits.

§ 31-25-23. Conditions and restrictions on excess load permits.
(a)
The department of transportation or local authority is authorized to issue or withhold a permit at its discretion, or if the permit is issued, to limit the number of trips, or to establish seasonal or other time limitations within which the described vehicles may be operated on the indicated highways, or otherwise to limit or prescribe conditions of operation of the vehicle or vehicles, when necessary to assure against undue damage to the road foundations, surfaces, or structures, and may require any undertaking or other security that may be deemed necessary to compensate for any injury to any roadway or road structure.
(b)
Whenever a permit is issued by the department of transportation or local authority for continuous operation, the permit shall not be issued for a period in excess of the registration date of the subject vehicle.
(c)
Upon re-registration of the subject vehicle, permits shall be issued by the department of transportation or local authority, upon the re-certification of the braking and carrying capacity of the subject vehicle as specified on the expired permit.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 11; G.L. 1956, § 31-25-23; P.L. 1983, ch. 213, § 1; P.L. 2008, ch. 98, § 22; P.L. 2008, ch. 145, § 22; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-24. - Carrying and inspection of permits.

§ 31-25-24. Carrying and inspection of permits.
Every permit, including all documentation required by that permit, issued under §§ 31-25- 21 — 31-25-23 shall be carried in the vehicle to which it refers and shall be open to inspection by any proper officer or authorized agent of any authority granting the permit. No person shall violate any of the terms or conditions of the special permit. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 11; G.L. 1956, § 31-25-24; P.L. 2002, ch. 292, § 122; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-25. - Seasonal weight restrictions by local authorities.

§ 31-25-25. Seasonal weight restrictions by local authorities.
(a)
Local authorities with respect to highways under their jurisdiction may by ordinance or resolution prohibit the operation of vehicles upon a highway or impose restrictions as to the weight of vehicles to be operated upon a highway, for a total period of not to exceed ninety (90) days in any one calendar year, whenever the highway by reason of deterioration, rain, snow, or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles on it is prohibited or the permissible weights of them is reduced.
(b)
The local authority enacting the ordinance or resolution shall erect or cause to be erected and maintained signs designating the provisions of the ordinance or resolution at each end of that portion of any highway affected by it, and the ordinance or resolution shall not be effective unless and until the signs are erected and maintained.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 12; G.L. 1956, § 31-25-25.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-26. - Prohibition of commercial vehicles by local authorities.

§ 31-25-26. Prohibition of commercial vehicles by local authorities.
Local authorities with respect to highways under their jurisdiction may, by ordinance or resolution, prohibit the operation of trucks or other commercial vehicles, or may impose limitations as to the weight of those vehicles on designated highways, which prohibitions and limitations shall be designated by appropriate signs placed on the highways. For the purposes of this section, a suburban vehicle, as defined in § 31-1-3, shall not be deemed to be a truck or commercial vehicle.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 12; G.L. 1956, § 31-25-26; P.L. 1964, ch. 214, § 2; P.L. 1966, ch. 128, § 1; P.L. 2004, ch. 6, § 19; P.L. 2005, ch. 410, § 17.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-27.1. - Weight restrictions on the Veterans Memorial Parkway — East Providence.

§ 31-25-27.1. Weight restrictions on the Veterans Memorial Parkway — East Providence.
(a)
No motor vehicle with a gross weight exceeding two (2) tons except those listed in this section shall be allowed to travel the Veterans Memorial Parkway in the city of East Providence.
(b)
The director of the department of revenue is directed to post signs to limit access as prescribed in subsection (a) of this section.
(c)
The following vehicles shall be exempt from the provisions of this section: vehicles of a fire department, police vehicles, corrections vehicles, ambulances, emergency vehicles, state vehicles, municipal vehicles, vehicles of the Rhode Island public transit authority, marked school administration vehicles, and delivery vehicles whose destination is addressed on the parkway.
(d)
The department of revenue or local authority is authorized in accordance with the provisions of § 31-25-23 to issue or withhold permits to all vehicles other than those enumerated in this section.
History of Section.
P.L. 1988, ch. 484, § 1; P.L. 2008, ch. 98, § 22; P.L. 2008, ch. 145, § 22.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-27.10. - Weight restrictions on Forest Avenue and Turner Road — Middletown.

§ 31-25-27.10. Weight restrictions on Forest Avenue and Turner Road — Middletown.

(a)
The operation of through commercial vehicles on Forest Avenue and Turner Road is prohibited.
(b)
For purposes of this section, a commercial vehicle is defined as a motor vehicle or combination of vehicles used to transport passengers or property if the motor vehicle:
(1)
Has a gross combination weight rating of twenty-six thousand one pounds (26,001 lbs.) or more, or a towed unit with a gross vehicle rating of more than ten thousand pounds (10,000 lbs.) or more, or has a gross vehicle weight rating of twenty-six thousand one pounds (26,001 lbs.) or more; or
(2)
Is designed to transport sixteen (16) or more passengers including the driver; or
(3)
Is transporting hazardous materials and is required to be placarded in accordance with 49 C.F.R. Part 172, Subpart F, as it may be revised from time to time.
(c)
Nothing contained in this section shall affect the use of such streets or highways by:
(1)
Any fire truck, town public works department truck, police vehicle, ambulance, school bus, bus serving the area, or other motor truck using such streets or highways in any emergency or engaged in delivering goods, wares, merchandising or materials to or from any residence, building or lot within the town bordering on such streets or highways; or
(2)
Any farm vehicle as defined in § 31-1-8, which is registered with farm plates pursuant to § 31-3-31.
(d)
In all instances where motor vehicle traffic is restricted or prohibited under this section, the town administrator is directed to cause signs to be erected on such streets or highways giving notice of such, in accordance with the manual on uniform traffic control devices.
(e)
Any driver who operates a commercial vehicle in contravention of this section shall be subject to a fine of not less than twenty-five dollars ($25.00) for a first violation, fifty dollars ($50.00) for a second violation, and not less than one hundred twenty-five dollars ($125), but no more than five hundred dollars ($500) for each subsequent violation.
History of Section.
P.L. 2018, ch. 306, § 1; P.L. 2018, ch. 333, § 1; P.L. 2021, ch. 192, § 1, effective July 8, 2021; P.L. 2021, ch. 193, § 1, effective July 8, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-27.11. - Weight restrictions on Limerock Road — Smithfield and Lincoln.

§ 31-25-27.11. Weight restrictions on Limerock Road — Smithfield and Lincoln.
(a)
The operation of through commercial vehicles on Limerock Road between Douglas Pike in Smithfield and Jenckes Hill Road in Lincoln is prohibited.
(b)
For purposes of this section, a commercial vehicle is defined as a motor vehicle or combination of vehicles used to transport passengers or property if the motor vehicle:
(1)
Has a gross combination weight rating of thirty-five thousand one pounds (35,001 lbs.) or more, or a towed unit with a gross vehicle rating of more than ten thousand pounds (10,000 lbs.) or more, or has a gross vehicle weight rating of twenty-six thousand one pounds (26,001 lbs.) or more; or
(2)
Is designed to transport sixteen (16) or more passengers including the driver; or
(3)
Is transporting hazardous materials and is required to be placarded in accordance with 49 C.F.R. Part 172, Subpart F, as it may be revised from time to time.
(c)
Nothing contained in this section shall affect the use of such street or roadway by:
(1)
Any fire truck, town public works department truck, state department of transportation truck, police vehicle, ambulance, school bus, bus serving the area, or other motor truck using such streets or highways in any emergency or engaged in delivering goods, wares, merchandising, or materials to or from any residence, building, or lot within the towns bordering on such streets or highways; or
(2)

Any farm vehicle as defined in § 31-1-8, which is registered with farm plates pursuant to § 31-3-31.
(d)
Any driver who operates a commercial vehicle in contravention of this section shall be subject to a fine of fifty-five dollars ($55.00) for a first violation and one hundred ten dollars ($110) for each subsequent violation.
History of Section.
P.L. 2020, ch. 31, § 1; P.L. 2020, ch. 55, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-27.12. - Commercial vehicles prohibited on Chases Lane in Middletown.

§ 31-25-27.12. Commercial vehicles prohibited on Chases Lane in Middletown.
(a)
The operation of commercial vehicles is prohibited on Chases Lane in Middletown.
(b)
For purposes of this section, a "commercial vehicle" is defined as a motor vehicle or combination of vehicles used to transport passengers or property if the motor vehicle:
(1)
Has a gross combination weight rating of twenty-six thousand one pounds (26,001 lbs.) or more, or a towed unit with a gross vehicle rating of more than ten thousand pounds (10,000 lbs.) or more, or has a gross vehicle weight rating of twenty-six thousand one pounds (26,001 lbs.) or more; or
(2)
Is designed to transport sixteen (16) or more passengers including the driver; or
(3)
Is transporting hazardous materials and is required to be placarded in accordance with 49 C.F.R. Part 172, Subpart F, as it may be revised from time to time.
(c)
Nothing contained in this section shall affect the use of Chases Lane by:
(1)
Any fire truck, town public works department truck, police vehicle, ambulance, school bus, bus serving the area, or other motor truck using such streets or highways in any emergency or engaged in delivering public utilities, goods, wares, merchandising, or materials to or from any residence, residential building, or residential lot within the town bordering on such street; provided further, that the use of Chases Lane for the delivery of goods, wares, merchandising, or materials to or from any commercial business or building, or any commercial lot within the town bordering on such street is specifically prohibited; or
(2)
Any farm vehicle as defined in § 31-1-8, which is registered with farm vehicle plates pursuant to § 31-3-31.
(d)
In all instances where motor vehicle traffic is restricted or prohibited under this section, the town administrator is directed to cause signs to be erected on such streets or highways giving notice of such, in accordance with the Manual on Uniform Traffic Control Devices.
(e)
Any driver who operates a commercial vehicle in violation of this section shall be subject to a fine of not less than twenty-five dollars ($25.00) for a first violation, fifty dollars ($50.00) for a second violation, and not less than one hundred twenty-five dollars ($125), but no more than five hundred dollars ($500) for each subsequent violation.
History of Section.
P.L. 2022, ch. 19, § 1, effective May 11, 2022; P.L. 2022, ch. 21, § 1, effective May 11, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-27.2. - Weight restrictions on Route 114 — Bristol.

§ 31-25-27.2. Weight restrictions on Route 114 — Bristol.
(a)
No commercial motor truck or tractor with a gross weight exceeding four (4) tons, except those listed in this section, shall be allowed to travel on Route 114 (Hope Street and Ferry Road) between Gooding Avenue and Route 136.
(b)
The director of the department of transportation is directed to post signs to limit access as prescribed in subsection (a) of this section.
(c)
The following vehicles shall be exempt from the provisions of this section: any commercial vehicle whose destination is anywhere, either on or off the routes stated in subsection (a) of this section; any and all emergency vehicles, state vehicles, municipal vehicles, public transit vehicles, marked school administration vehicles, and vehicles participating in the annual 4th of July parade or other civic parades.
(d)

Any commercial registered motor truck or tractor with a gross weight exceeding four (4) tons, shall be prohibited from traveling the routes stated in subsection (a) as a through route. Signs will be posted by the department of transportation stating “Local Deliveries Only — No Through Trucking — 4 Ton Weight Limit.”
(e)
Violations of this section shall be a fine of fifty dollars ($50.00) for the first offense, not to exceed one hundred dollars ($100) for each and every subsequent offense.
History of Section.
P.L. 2003, ch. 351, § 1; P.L. 2003, ch. 381, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-27.3. - Weight restrictions on Route 114 — Johnston.

§ 31-25-27.3. Weight restrictions on Route 114 — Johnston.
(a)
No commercial motor truck or tractor with a gross weight exceeding four (4) tons, except those listed in this section, shall be allowed to travel on Hopkins Avenue.
(b)
The director of the department of transportation is directed to post signs to limit access as prescribed in subsection (a) of this section.
(c)
The following vehicles shall be exempt from the provisions of this section: any commercial vehicle whose destination is anywhere, either on or off the routes stated in subsection (a) of this section; any and all emergency vehicles, state vehicles, municipal vehicles, public transit vehicles, and marked school transportation vehicles.
(d)
Any commercial registered motor truck or tractor with a gross weight exceeding four (4) tons, shall be prohibited from traveling the routes stated in subsection (a) as a through route. Signs will be posted by the department of transportation stating “Local Deliveries Only — No Through Trucking — 4 Ton Weight Limit.”
(e)
Violations of this section shall be a fine of fifty dollars ($50.00) for the first offense, not to exceed one hundred dollars ($100) for each and every subsequent offense.
History of Section.
P.L. 2004, ch. 407, § 1; P.L. 2004, ch. 533, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-27.4. - Weight restrictions on South Main Street — Coventry.

§ 31-25-27.4. Weight restrictions on South Main Street — Coventry.
(a)
No commercial motor truck or tractor with a gross weight exceeding four (4) tons, except those listed in this section, shall be allowed to travel on South Main Street.
(b)
The director of the department of transportation is directed to post signs to limit access as prescribed in subsection (a) of this section.
(c)
The following vehicles shall be exempt from the provisions of this section: any commercial vehicle whose destination is anywhere, either on or off the routes stated in subsection (a) of this section; any and all emergency vehicles, state vehicles, municipal vehicles, public transit vehicles, and marked school administration vehicles.
(d)
Any commercial registered motor truck or tractor with a gross weight exceeding four (4) tons, shall be prohibited from traveling the routes stated in subsection (a) as a through route. Signs will be posted by the department of transportation stating “Local Deliveries Only — No Through Trucking — 4 Ton Weight Limit.”
(e)
Violations of this section shall be a fine of fifty dollars ($50.00) for the first offense, not to exceed one hundred dollars ($100) for each and every subsequent offense.
History of Section.
P.L. 2006, ch. 305, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-27.5. - Weight restrictions on state roadways — East Providence.

§ 31-25-27.5. Weight restrictions on state roadways — East Providence.
(a)
No commercial motor vehicle with a gross weight exceeding five (5) tons, except those listed in this section, shall be allowed to park on any state roadway in the city of East Providence in excess of two (2) hours.

(b)
The director of the department of transportation is directed to post signs to limit parking of commercial vehicles as prescribed in subsection (a) of this section.
(c)
Any and all emergency vehicles, state vehicles, municipal vehicles, public transit vehicles, any construction vehicles performing work on said roadways, and marked school transportation vehicles shall be exempt from the provisions of this section.
(d)
Violations of this section shall be punishable by a fine of fifty dollars ($50.00) for the first offense, not to exceed one hundred dollars ($100) for each and every subsequent offense.
History of Section.
P.L. 2008, ch. 213, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-27.6. - Weight restrictions on Route 15 — Armistice Boulevard — Pawtucket.

§ 31-25-27.6. Weight restrictions on Route 15 — Armistice Boulevard — Pawtucket.
(a)
No commercial motor truck or tractor with a gross weight exceeding four (4) tons, except those listed in this section, shall be allowed to travel on Route 15 (Armistice Boulevard from Newport Avenue easterly to the Rhode Island state line).
(b)
The director of the department of transportation is directed to post signs to limit access as prescribed in subsection (a) of this section.
(c)
The following vehicles shall be exempt from the provisions of this section: any commercial vehicle whose designation is anywhere, either on or off the roads stated in subsection (a) of this section, any and all emergency vehicles, state vehicles, marked school administration vehicles and delivery vehicles whose destination is addressed on the parkway.
(d)
Any commercial registered motor truck or tractor with a gross weight exceeding four (4) tons, shall be prohibited from traveling the routes stated in subsection (a) as a through route. Signs will be posted by the department of transportation stating “Local Deliveries Only — No Through Trucking — Four (4) Ton Weight Limit.”
(e)
Violations of this section shall be a fine of fifty dollars ($50.00) for the first offense, not to exceed one hundred dollars ($100) for each and every subsequent offense.
History of Section.
P.L. 2010, ch. 314, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-27.7. - Weight restrictions on route 114 — Warren.

§ 31-25-27.7. Weight restrictions on route 114 — Warren.
(a)
No commercial motor truck or tractor with a gross weight exceeding four (4) tons, except those listed in this section, shall be allowed to travel on route 114 in the town of Warren.
(b)
The director of the department of transportation is directed to post signs to limit access as prescribed in subsection (a) of this section.
(c)
The following vehicles shall be exempt from the provisions of this section: any commercial vehicle whose destination is anywhere, either on or off the routes stated in subsection (a) of this section; any and all emergency vehicles, state vehicles, municipal vehicles, public transit vehicles, marked school administration vehicles, and vehicles participating in the annual 4th of July parade or other civic parades.
(d)
Any commercial registered motor truck or tractor with a gross weight exceeding four (4) tons, shall be prohibited from traveling the routes stated in subsection (a), provided, however, commercial registered motor trucks, tractors, and equipment exceeding four (4) tons, including tractor trailer trucks, shall be allowed to travel north of Child Street (Route 103) on Main Street to get to and from Barrington. Signs will be posted by the department of transportation stating “Local Deliveries Only — No Through Trucking — 4 Ton Weight Limit.”
(e)
Violations of this section shall be a fine of fifty dollars ($50.00) for the first offense, not to exceed one hundred dollars ($100) for each and every subsequent offense.
History of Section.
P.L. 2012, ch. 405, § 1; P.L. 2012, ch. 416, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-27.8. - Weight restrictions within North Smithfield town hall area.

§ 31-25-27.8. Weight restrictions within North Smithfield town hall area.

(a)

No commercial motor truck or tractor with more than four (4) axles, except those listed in this section, shall be allowed to travel on Main Street, North Main Street, School Street, and Green Street, within .3 miles of the North Smithfield town hall in the town of North Smithfield. Such vehicles shall also be prohibited from crossing the historic stone arch bridge in the area of Railroad Street and Providence Pike (Route 5) in North Smithfield while construction and repair on such bridge is being undertaken.

(b)

The director of the department of transportation is directed to post signs to limit access as prescribed in subsection (a) of this section. Signs will be posted by the department of transportation stating "Local Deliveries Only — No Through Trucking — 4 Axle Limit."

(c)

The following vehicles shall be exempt from the provisions of the travel restrictions set forth in this section, except as to the prohibition against crossing the historic stone arch bridge: any commercial vehicle whose destination is anywhere either on or off the routes stated in subsection (a) of this section; any and all emergency vehicles, state, municipal vehicles, public transit vehicles, marked school administration vehicles; and vehicles participating in a civic parade. As to the historic stone arch bridge, only emergency vehicles, public transit vehicles, and marked school administration vehicles shall be exempt from the prohibition against crossing said bridge while construction and repair on said bridge is being undertaken.

(d)

Violations of this section shall be a fine of fifty dollars ($50.00) for the first offense, not to exceed one hundred dollars ($100) for each and every subsequent offense.

History of Section.

P.L. 2014, ch. 96, § 1; P.L. 2014, ch. 120, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-27.9. - Weight restrictions on Smith Avenue in Smithfield.

§ 31-25-27.9. Weight restrictions on Smith Avenue in Smithfield.

(a)

No tractor or truck tractor, as defined in 23 C.F.R. 658.5, pulling a trailer or trailers, shall be allowed to travel on that portion of Route 116 between Route 44 and West Greenville Road known as Smith Avenue in the town of Smithfield.

(b)

The director of the department of transportation is directed to post signs to limit access as prescribed in subsection (a).

(c)

Violations of this section shall be punishable by a fine of fifty dollars ($50.00) for the first offense, and not to exceed one hundred dollars ($100) for each and every subsequent offense.

History of Section.

P.L. 2016, ch. 514, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-27. - Weight restrictions.

§ 31-25-27. Weight restrictions.

(a)

State highways.

The state traffic commission shall likewise have authority, as granted to local authorities in this chapter, to determine by resolution and to impose restrictions as to the weight of vehicles operated upon any highway under the jurisdiction of the commission, and the restrictions shall be effective when signs giving notice of them are erected upon the highway or portion of any highway affected by the resolution.

(b)

Penalties for posted bridge weight violations shall be based on the fine schedule imposed within the provisions of § 31-25-16.

(c)

Bridges.

The department of transportation, through the state traffic commission, shall have the authority with respect to any state, local, or privately-owned bridge, excluding those owned or controlled by the Rhode Island turnpike and bridge authority, to impose a weight restriction or close a bridge, based on deficiencies documented in a bridge inspection or load rating for the purpose of public safety. Rhode Island turnpike and bridge authority shall have the authority for bridges owned or controlled by Rhode Island turnpike and bridge authority to impose a weight restriction or close a bridge, based on deficiencies documented in a bridge inspection or load rating for the purpose of public safety.

History of Section.

P.L. 1950, ch. 2595, art. 35, § 12; G.L. 1956, § 31-25-27; P.L. 1986, ch. 282, § 2; P.L. 2021, ch. 367, § 1, effective July 8, 2021; P.L. 2021, ch. 368, § 1, effective July 8, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-28. - Liability for damages from oversize or overweight.

§ 31-25-28. Liability for damages from oversize or overweight.

(a)

Any person driving any vehicle, object, or contrivance upon any highway or highway structure shall be liable for all damage which the highway or structure may sustain as a result of any illegal operation, driving, or moving of the vehicle, object, or contrivance, or as a result of operating, driving, or moving any vehicle, object, or contrivance weighing in excess of the maximum weight, or over the maximum dimensions in this chapter but authorized by a special permit issued as provided in this chapter.

(b)

Whenever the driver is not the owner of a vehicle, object, or contrivance, but is so operating, driving, or moving it with the express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for the damage.

(c)

Damage may be recovered in a civil action brought by the authorities in control of the highway or highway structure.

History of Section.

P.L. 1950, ch. 2595, art. 35, § 13; G.L. 1956, § 31-25-28; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-29. - Refuse-hauling vehicles — Exemption from permit.

§ 31-25-29. Refuse-hauling vehicles — Exemption from permit.

Notwithstanding any contrary provisions of this chapter, a motor vehicle designed and used for the hauling of refuse shall not be subject to state axle weight restrictions when hauling refuse. Nothing in this provision shall waive or modify existing state gross weight restrictions for refuse vehicles or other size and weight restrictions. To the extent that application of this section to highways which are part of the national system of interstate and defense highways would cause this state to be deprived of any federal funds for highway purposes, this section shall not be applicable to highways which are part of the system. Nothing in this section shall permit these vehicles to travel over any structure, highway, or portion of highway that is weight restricted for the vehicle load.

History of Section.

P.L. 1982, ch. 438, § 1; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-3. - Maximum width.

§ 31-25-3. Maximum width.

(a)

The total outside width of any vehicle or the load on it shall not exceed one hundred two inches (102″) excluding any safety and noncargo carrying appurtenances on either motorized campers or camping recreational vehicles.

(b)

Any carrier or persons operating a vehicle that exceeds the maximum width, as permitted or as defined in this section, shall be fined one hundred dollars ($100) per inch over width or portion of it.

History of Section.

P.L. 1950, ch. 2595, art. 35, § 2; G.L. 1956, § 31-25-3; P.L. 2002, ch. 292, § 122; P.L. 2004, ch. 308, § 2; P.L. 2004, ch. 380, § 2; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-4. - Maximum height.

§ 31-25-4. Maximum height.

(a)

No vehicle including any load on it shall exceed a height of one hundred sixty-two inches (162″).

(b)

Any carrier or persons operating a vehicle that exceeds the maximum height, as permitted or as defined in this section, shall be fined five hundred dollars ($500) per inch over height or portion of it.

History of Section.

P.L. 1950, ch. 2595, art. 35, § 3; G.L. 1956, § 31-25-4; P.L. 1965, ch. 52, § 1; P.L. 2002, ch. 292, § 122; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-5. - Maximum length of single vehicle and load.

§ 31-25-5. Maximum length of single vehicle and load.
(a)
No vehicle, including any load on it, except Rhode Island public transit authority articulated buses, shall exceed a length of forty feet (40′) extreme overall dimension inclusive of front and rear bumpers, or in the case of a motor bus, motorized camper or camping recreational vehicle forty-five feet (45′).
(b)
Any carrier or persons operating a vehicle that exceeds the maximum length, as permitted or as defined in this section, shall be fined two hundred dollars ($200) per foot over length or portion of it.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 3; G.L. 1956, § 31-25-5; P.L. 1983, ch. 213, § 1; P.L. 1999, ch. 500, § 1; P.L. 2004, ch. 308, § 2; P.L. 2004, ch. 380, § 2; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-6. - Maximum number and length of coupled vehicles.

§ 31-25-6. Maximum number and length of coupled vehicles.
(a)
No combination of vehicles coupled together shall consist of more than three (3) units, a truck-tractor, semi-trailer, and trailer. The combination of vehicles shall not be restricted in overall length, except that when a truck-tractor, semi-trailer, and a trailer are used in combination, the trailer or semi-trailer each shall not exceed twenty-eight and one-half feet (28′ 6″), excluding bumpers and accessories. Provided, however, that combinations of vehicles consisting of three (3) units shall be permitted to operate only on the interstate highway system and on those highways, streets, and roads designated by the director of the department of transportation.
(b)
Combinations of vehicles consisting of truck-tractor and semi-trailer coupled together shall not be restricted in overall length, and semi-trailers shall not exceed fifty-three feet (53′) in length, excluding bumpers and accessories. Towaway trailer transporter combinations shall not be restricted to an overall length limitation of less than eighty-two feet (82′). Semi-trailers exceeding forty-eight and one-half feet (48′ 6″) shall be permitted to operate only on the interstate highway system and on those highways, streets, and roads designated by the director of the department of transportation. Exceptions to the requirements of this section include the use of a pole trailer and combinations designed to transport motor vehicles and/or automobiles as authorized in §§ 31-25-7 and 31-25-8. The provision that no combination of vehicles coupled together shall consist of more than three (3) units shall not apply to vehicles coupled together by a saddle mount device used to transport motor vehicles in a drive-away service when no more than three (3) saddle mounts are used, and equipment used in the combination is approved by Part 393.71 of the federal motor carrier safety regulations, 49 C.F.R. § 393.71, and safety regulations of the division of motor vehicles of the department of revenue of the state of Rhode Island as this federal and/or state legislation may be amended or revised from time to time. Any owner or operator found deviating from the approved permitted routes shall be fined a minimum mandatory fine of five hundred dollars ($500), but not more than one thousand dollars ($1,000).
(c)
The distance from the kingpin of the trailer to the center of the rear axle may not exceed forty-one feet (41′).
(d)
Fifty-three foot (53′) trailers shall be equipped with a rear-end protection device of substantial construction consisting of a continuous lateral beam extending to within four inches (4″) of the lateral extremities of the trailer, and located not more than twenty-two inches (22″) from the surface of the road as measured with the vehicle empty and on level surface.
(e)
Any carrier or persons operating a vehicle or combination of vehicles that exceeds the maximum number or length of coupled vehicles, as permitted or as defined in this section, shall be fined two hundred dollars ($200) per foot over length or portion of it.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 3; G.L. 1956, § 31-25-6; P.L. 1965, ch. 52, § 2; P.L. 1981, ch. 27, § 1; P.L. 1983, ch. 213, § 1; P.L. 1994, ch. 391, § 1; P.L. 1995, ch. 127, § 1; P.L. 2001, ch. 86, § 86; P.L. 2002, ch. 292, § 122; P.L. 2005, ch. 77, § 6; P.L. 2005, ch. 82, § 6; P.L. 2008, ch. 98, § 22; P.L. 2008, ch. 145, § 22; P.L. 2018, ch. 39, § 2; P.L. 2018, ch. 45, § 2; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-7. - Front and rear extensions of load.

§ 31-25-7. Front and rear extensions of load.
(a)
Subject to the provisions of this chapter limiting the length of vehicles and loads, the load upon any vehicle, operated alone or the load upon the front vehicle of a combination of vehicles, shall not extend more than three feet (3′) beyond the foremost part of the vehicle, and the load upon any vehicle, operated alone or the load upon the rear vehicle of a combination of vehicles, shall not extend more than six feet (6′) beyond the rear of the bed or body of the vehicle.
(b)

Any carrier or persons operating a vehicle that exceeds the maximum extensions of load, as permitted or as defined in this section, shall be fined two hundred dollars ($200) per foot over length or portion of it.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 4; G.L. 1956, § 31-25-7; P.L. 2002, ch. 292, § 122; P.L. 2022, ch. 178, § 1, effective June 27, 2022; P.L. 2022, ch. 179, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-8. - Pole trailers.

§ 31-25-8. Pole trailers.
The limitations as to the length of vehicles and loads stated in §§ 31-25-5 and 31-25-6 shall not apply to any load upon a pole trailer as defined in § 31-1-5 when transporting poles or pipes or structural material which cannot be dismembered, provided that no pole or pipe or other material exceeding eighty feet (80′) in length shall be so transported unless a permit has first been obtained as authorized in § 31-25-21.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 4; G.L. 1956, § 31-25-8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-25 - Size, Weight, and Load LimitsSection 31-25-9. - Prevention of leakage of load.

§ 31-25-9. Prevention of leakage of load.
No vehicles shall be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping from it. However, sand may be dropped for the purpose of securing traction, or water or another substance may be sprinkled on a roadway in cleaning or maintaining the roadway. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 35, § 5; G.L. 1956, § 31-25-9; P.L. 2002, ch. 292, § 122.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-1. - Duty to stop in accidents resulting in personal injury.

§ 31-26-1. Duty to stop in accidents resulting in personal injury.
(a)
The driver of any vehicle knowingly involved in an accident resulting in injury to, serious bodily injury to, or death of any person shall immediately stop the vehicle at the scene of the accident or as close to it as possible, but shall then immediately return to and in every event shall remain at the scene of the accident until he or she has fulfilled the requirements of § 31-26-3. A stop shall be made without obstructing traffic more than is necessary.
(b)
Any person knowingly failing to stop or to comply with the requirements under circumstances which result in injury to any person shall upon conviction be punished by a mandatory loss of license for at least one year and not more than five (5) years and imprisonment for not more than five (5) years and/or fined up to five thousand dollars ($5,000).
(c)(1)
Any person knowingly failing to stop or to comply with the requirements under circumstances which result in serious bodily injury to any person shall upon conviction be punished as follows:
(i)
Every person convicted of a first violation shall be punished by imprisonment for not less than one year and for not more than ten (10) years and by a fine of not less than one thousand dollars ($1,000), nor more than five thousand dollars ($5,000). The sentencing judge shall have the discretion to sentence the person to any unit of the adult correctional institutions. Additionally, the license of the person shall be revoked for a period of up to two (2) years. The license privilege shall not be reinstated until evidence satisfactory to the administrator of the division of motor vehicles establishes that no grounds exist which would authorize refusal to issue a license and until the person gives proof of financial responsibility pursuant to chapter 32 of this title.
(ii)
For a second or subsequent conviction under this subsection within a five (5) year period, a person shall be punished by imprisonment for not less than two (2) years nor more than fifteen (15) years and by a fine of not less than three thousand dollars ($3,000) nor more than ten thousand dollars ($10,000). The sentencing judge shall have the discretion to sentence the person to any unit of the adult correctional institutions. Additionally, the license of the person shall be revoked for a period of up to four (4) years. The license privilege shall not be reinstated until evidence satisfactory to the administrator of the division of motor vehicles establishes that no grounds exist which would authorize refusal to issue a license and until the person gives proof of financial responsibility pursuant to chapter 32 of this title.
(2)
As used in this subsection, “serious bodily injury” means physical injury that creates a substantial risk of death or causes serious physical disfigurement or protracted loss or impairment of the function of any bodily member or organ.

(d)
Any person knowingly failing to stop or to comply with the requirements under circumstances which result in the death of any person, shall upon conviction be punished pursuant to the provisions of this subsection as follows:
(1)
Every person convicted of a first violation of this subsection shall be punished by imprisonment in the state prison for not less than two (2) years and for not more than fifteen (15) years, in any unit of the adult correctional institutions in the discretion of the sentencing judge, by a fine of not less than five thousand dollars ($5,000) nor more than ten thousand dollars ($10,000), and his or her license to operate a motor vehicle shall be revoked for a period of three (3) years. The license privilege shall not be reinstated until evidence satisfactory to the administrator of the division of motor vehicles establishes that no grounds exist which would authorize the refusal to issue a license, and until the person gives proof of financial responsibility pursuant to chapter 32 of this title.
(2)
Every person convicted of a second or subsequent violation of this subsection within a five (5) year period shall be punished by imprisonment in the state prison for not less than five (5) years and for not more than twenty (20) years, in any unit of the adult correctional institutions in the discretion of the sentencing judge, by a fine of not less than ten thousand dollars ($10,000) nor more than twenty thousand dollars ($20,000) and his or her license to operate a motor vehicle shall be revoked for a period of five (5) years. The license privilege shall not be reinstated until evidence satisfactory to the administrator of the division of motor vehicles establishes that no grounds exist which would authorize the refusal to issue a license, and until the person gives proof of financial responsibility pursuant to chapter 32 of this title.
(e)
This section shall apply in its entirety to any driver of a motor vehicle knowingly involved in an accident with a person riding a bicycle.
History of Section.
P.L. 1950, ch. 2595, art. 23, § 1; P.L. 1950 (s.s.), ch. 2639, § 2; G.L. 1956, § 31-26-1; P.L. 1978, ch. 208, § 1; P.L. 1981, ch. 305, § 1; P.L. 1995, ch. 138, § 1; P.L. 2006, ch. 585, § 1; P.L. 2012, ch. 309, § 1; P.L. 2012, ch. 354, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-10. - Accident report forms — Contents.

§ 31-26-10. Accident report forms — Contents.
The division of motor vehicles shall prepare and upon request supply to police departments and other suitable agencies or individuals, forms for accident reports required by this chapter, appropriate with respect to the persons required to make those reports and the purposes to be served. The written reports to be made by persons involved in accidents and by investigating officers shall call for sufficiently detailed information to disclose with reference to a traffic accident the cause, conditions then existing, and the persons and vehicle involved.
History of Section.
P.L. 1950, ch. 2595, art. 23, § 8; G.L. 1956, § 31-26-10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-11. - Penalties for failure to report.

§ 31-26-11. Penalties for failure to report.
The administrator of the division of motor vehicles shall suspend the license or permit to drive, and any nonresident operating privileges, of any person failing to report an accident as provided in this chapter until the report has been filed. Any person convicted of failing to make a report as required in this chapter shall be punished as provided in § 31-27-13.
History of Section.
P.L. 1950, ch. 2595, art. 23, § 9; P.L. 1950 (s.s), ch. 2639, § 2; G.L. 1956, § 31-26-11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-12. - Garage reports of bullet damage.

§ 31-26-12. Garage reports of bullet damage.
The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been struck by any bullet, shall report to the nearest local or state police after the motor vehicle is received, giving the engine number, registration number, and the name and address of the owner or operator of the vehicle.
History of Section.
P.L. 1950, ch. 2595, art. 23, § 10; G.L. 1956, § 31-26-12.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-13. - Reports confidential — Use as evidence.

§ 31-26-13. Reports confidential — Use as evidence.
(a)

All motorist accident reports made by persons involved in accidents, pursuant to § 31-26-6, or by garages, pursuant to § 31-26-12, shall be without prejudice to the individual so reporting and shall be for the confidential use of the division of motor vehicles or other state or municipal agencies having use for the records for accident prevention purposes or for the administration of the laws of this state relating to the deposit of security and proof of financial responsibility by persons driving or the owners of motor vehicles.
(b)
The division of motor vehicles may disclose the identity of a person involved in an accident when the identity is not otherwise known or when the person denies his or her presence at the accident, and except that the reports, as well as police reports, may be used by the division of motor vehicles, together with any other evidence that the division of motor vehicles may deem appropriate, to make determinations as to the reasonable possibility of a judgment being rendered for purposes of requiring security after an accident involving one or more uninsured motorists.
(c)
No report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the division of motor vehicles shall furnish upon demand of any person who has, or claims to have, made a report or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the division of motor vehicles solely to prove a compliance or a failure to comply with the requirement that a report be made to the division. Provided, that in the event an accident report has not been filed, then the failure to file the report shall be considered to be prima facie evidence that the operator and/or the registered owner of the motor vehicle involved was uninsured at the time of the accident.
History of Section.
P.L. 1950, ch. 2595, art. 23, § 11; G.L. 1956, § 31-26-13; P.L. 1971, ch. 133, § 1; P.L. 1981, ch. 141, § 1; P.L. 2021, ch. 418, § 1, effective July 14, 2021; P.L. 2021, ch. 419, § 1, effective July 14, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-14. - Tabulation and publication of statistical information.

§ 31-26-14. Tabulation and publication of statistical information.
The division of motor vehicles shall tabulate and may analyze all accident reports and shall publish annually, or at more frequent intervals, statistical information based on the reports as to the number and circumstances of traffic accidents.
History of Section.
P.L. 1950, ch. 2595, art. 23, § 12; G.L. 1956, § 31-26-14.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-15. - Reports required by municipalities.

§ 31-26-15. Reports required by municipalities.
Any incorporated city, town, village, or other municipality may by ordinance require that the driver of a vehicle involved in an accident shall also file with a designated city or town department a report of the accident or a copy of any report that is required to be filed with the division of motor vehicles. All the reports shall be for the confidential use of the city or town department and subject to the provisions of § 31-26-13.
History of Section.
P.L. 1950, ch. 2595, art. 23, § 13; G.L. 1956, § 31-26-15.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-16. - Uniform statewide motor vehicle accident police report.

§ 31-26-16. Uniform statewide motor vehicle accident police report.
(a)
There is established a uniform statewide motor vehicle accident police report which shall be used by the Rhode Island state police and all other state or municipal police departments.
(b)
This report shall include any information that the superintendent of the Rhode Island state police in consultation with the Municipal Police Chiefs Association shall deem appropriate.
(c)
The failure of a police department to use the uniform report form when taking a report shall not be used:
(1)
By a defendant in a criminal prosecution or violation hearing as grounds for challenge to, or dismissal of, any charges or citations arising out of the motor vehicle accident; or
(2)
As a basis to challenge the admissibility of a police report in any administrative or judicial proceeding, civil or criminal.
History of Section.
P.L. 1993, ch. 183, § 1; P.L. 2001, ch. 166, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident

ReportsSection 31-26-2. - Duty to stop in accidents resulting in damage to vehicle.

§ 31-26-2. Duty to stop in accidents resulting in damage to vehicle.
The driver of any vehicle knowingly involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop the vehicle at the scene of the accident or as close to it as possible, but shall immediately return to and in every event shall remain at the scene of the accident until he or she has fulfilled the requirements of § 31-26-3. A stop shall be made without obstructing traffic more than is necessary. Any person failing to stop or comply with these requirements under the circumstances shall be guilty of a misdemeanor and shall be punished by a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000), and/or his or her driver's license or operating privilege in the state may be suspended for a period up to six (6) months, and/or he or she may be imprisoned for a period not to exceed 6 months.
History of Section.
P.L. 1950, ch. 2595, art. 23, § 2; P.L. 1950 (s.s.), ch. 2639, § 2; G.L. 1956, § 31-26-2; P.L. 1992, ch. 441, § 1; P.L. 2009, ch. 329, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-3.1. - Duty to stop in accidents resulting in death or injury to domesticated animals.

§ 31-26-3.1. Duty to stop in accidents resulting in death or injury to domesticated animals.
(a)
The driver of any vehicle knowingly involved in an accident resulting in death or injury to a domesticated animal, shall immediately stop the vehicle at the scene of the accident or as close to it as possible, but shall immediately return to and in every event shall remain at the scene of the accident until the driver shall render all possible assistance to the injured animal. The driver shall immediately, by the quickest means of communication known to the driver or which should have reasonably been known to be available to the driver to be available in the locality, give notice of the accident to the owner of the animal if known to the driver or to a nearby office of local or state police. In the event the office so notified does not have jurisdiction of the locale of the accident, it shall be the duty of the officer receiving the notice to give notice immediately of the accident to the office having jurisdiction.
(b)
Any person failing to stop or comply with the requirements of this section shall upon conviction be punished by a fine of not more than fifty dollars ($50.00).
History of Section.
G.L. 1956, § 31-26-3; P.L. 1959, ch. 175, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-3.2. - Immediate notice of accident.

§ 31-26-3.2. Immediate notice of accident.
The driver of a vehicle involved in an accident resulting in injury to or death of any person, or any vehicle other than a vehicle moved by human power becoming so disabled as to prevent its normal and safe operation, shall immediately by the quickest means of communication give notice of the accident to the nearest office of a duly authorized police authority.
History of Section.
P.L. 1976, ch. 58, § 7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-3.3. - Duty to stop in accidents involving motor vehicles and bicycles not resulting in serious bodily injury or death — Duty to give information and render aid — Penalty.

§ 31-26-3.3. Duty to stop in accidents involving motor vehicles and bicycles not resulting in serious bodily injury or death — Duty to give information and render aid — Penalty.
(a)
The driver of any vehicle knowingly involved in an accident with a person riding a bicycle shall immediately stop the vehicle at the scene of the accident or as close to it as possible, and shall immediately return to and in every event shall remain at the scene of the accident. The driver shall render to any person injured or struck in an accident reasonable assistance, and shall immediately, by the quickest means of communication known to the driver or which should have reasonably been known to the driver to be available in the locality, give notice of the accident to a nearby office of local or state police. In the event the office so notified does not have jurisdiction of the locale of the accident, it shall be the duty of the officer receiving the notice to immediately give notice of the accident to the office having jurisdiction.
(b)
The officer receiving the notice set forth in subsection (a) of this section shall, if the circumstances reasonably require, immediately dispatch an ambulance or emergency medical service to the scene of the accident. Any police or fire department responding to a call for emergency medical service or assistance to a person injured in an accident shall continue to the locale of the accident even though it is outside the jurisdiction of the department and shall render any emergency service that is reasonably necessary.
(c)

The driver of the vehicle shall, upon request, give his or her name, address, and registration number of the vehicle the driver is driving and shall exhibit his/her operator's or chauffeur's license to the person struck, but in any event shall remain at the scene of the accident until he/she has fulfilled the requirements of § 31-26-3.
(d)
Any person failing to stop or comply with these requirements under the circumstances shall be guilty of a misdemeanor and shall be punished by a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000), and may have his or her driver's license or operating privilege in this state suspended for up to six (6) months.
History of Section.
P.L. 2006, ch. 585, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-3. - Duty to give information and render aid.

§ 31-26-3. Duty to give information and render aid.
(a)
The driver of any vehicle involved in an accident resulting in the striking of, the injury to, or death of any person or damage to any vehicle which is driven or attended by any person shall, upon request, give his or her name, address, and the registration number of the vehicle the driver is driving and shall exhibit his or her operator's or chauffeur's license to the person struck, or to the driver or occupant, or to the person attending any vehicle collided with. The driver shall render to any person injured or struck in an accident reasonable assistance, and shall immediately, by the quickest means of communication known to the driver or which should have reasonably been known to the driver to be available in the locality, give notice of the accident to a nearby office of local or state police. In the event the office so notified does not have jurisdiction of the locale of the accident, it shall be the duty of the officer receiving the notice to immediately give notice of the accident to the office having jurisdiction.
(b)
The officer receiving the notice set forth in subsection (a) of this section shall, if the circumstances reasonably require, immediately dispatch an ambulance or emergency medical service to the scene of the accident. Any police or fire department responding to a call for emergency medical service or assistance to a person injured in an accident shall continue to the locale of the accident even though it is outside the jurisdiction of the department and shall render any emergency service that is reasonably necessary.
History of Section.
P.L. 1950, ch. 2595, art. 23, § 3; P.L. 1951, ch. 2826, § 17; G.L. 1956, § 31-26-3; P.L. 1968, ch. 107, § 1; P.L. 1980, ch. 297, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-4. - Duty on collision with unattended vehicle.

§ 31-26-4. Duty on collision with unattended vehicle.
The driver of any vehicle which collides with another vehicle which is unattended and damage results to either vehicle shall immediately stop and shall then and there either locate and notify the operator or owner of the unattended vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle or shall leave in a conspicuous place in or upon the unattended vehicle a notice written in the English language giving the name and address of the driver and of the owner of the vehicle doing the striking and a statement of the circumstances of the collision, and shall immediately give notice of the accident to a nearby office of local or state police. In the event the office so notified does not have jurisdiction of the locale of the accident, it shall be the duty of the officer receiving the notice to immediately give notice of the accident to the office having jurisdiction.
History of Section.
P.L. 1950, ch. 2595, art. 23, § 4; P.L. 1951, ch. 2826, § 18; G.L. 1956, § 31-26-4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-5. - Duty in accident resulting in damage to highway fixtures.

§ 31-26-5. Duty in accident resulting in damage to highway fixtures.
The driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of the property of the fact and of his or her name and address and of the registration number of the vehicle the driver is driving. The driver shall upon request exhibit his or her operator's or chauffeur's license and shall immediately give notice of the accident to a nearby office of local or state police. In the event the office so notified does not have jurisdiction of the locale of the accident, it shall be the duty of the officer receiving the notice to immediately give notice of the accident to the office having jurisdiction.
History of Section.
P.L. 1950, ch. 2595, art. 23, § 5; P.L. 1951, ch. 2826, § 19; G.L. 1956, § 31-26-5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-6. - Drivers required to make written reports.

§ 31-26-6. Drivers required to make written reports.

The driver of a vehicle involved in an accident resulting in injury to or death of any person or in which the damage to property of any one person, including himself or herself, in excess of one thousand dollars ($1000) is sustained, shall, within twenty-one (21) days after the accident, forward a written report of the accident to the division of motor vehicles, on forms provided by the division of motor vehicles.

History of Section.

P.L. 1950, ch. 2595, art. 23, § 6; G.L. 1956, § 31-26-6; P.L. 1966, ch. 128, § 1; P.L. 1968, ch. 185, § 2; P.L. 1974, ch. 142, § 1; P.L. 1975, ch. 64, § 1; P.L. 1982, ch. 40, § 1; P.L. 1987, ch. 48, § 1; P.L. 1995, ch. 124, § 1; P.L. 2002, ch. 253, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-7. - Supplemental reports.

§ 31-26-7. Supplemental reports.

The division of motor vehicles may require any driver of a vehicle involved in an accident of which a report must be made as provided in § 31-26-6 to file supplemental reports whenever the original report is insufficient in the opinion of the division of motor vehicles.

History of Section.

P.L. 1950, ch. 2595, art. 23, § 6; G.L. 1956, § 31-26-7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-8. - Reports by owner when driver incapable.

§ 31-26-8. Reports by owner when driver incapable.

Whenever the driver is physically incapable of making a written report of an accident as required in § 31-26-6 and the driver is not the owner of the vehicle, then the owner of the vehicle involved in the accident shall within twenty one (21) days after learning of the accident make the report not made by the driver.

History of Section.

P.L. 1950, ch. 2595, art. 23, § 7; G.L. 1956, § 31-26-8; P.L. 1969, ch. 136, § 1; P.L. 1998, ch. 428, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-26 - Accidents and Accident ReportsSection 31-26-9. - Reports by law enforcement officers.

§ 31-26-9. Reports by law enforcement officers.

(a)

Every law enforcement officer who, in the regular course of duty, investigates a motor vehicle accident of which a report must be made as required and in accordance with subsections (a), (b), (d) and (e) of this section, either at the time of and at the scene of the accident or thereafter by interviewing participants or witnesses shall, effective January 1, 2003, submit all investigated and reportable accident reports to the department of transportation electronically. The form utilized shall be the newly revised accident form developed by the department of transportation in cooperation with the division of motor vehicles. The electronic accident report shall be transferred using the Rhode Island Accident Data Export Manager over the Rhode Island Law Enforcement Telecommunication System (RILETS) to the department of transportation.

(b)

The law enforcement agency or its contracted agent shall transmit an electronic accident report to the department of transportation within fourteen (14) days of the investigation or preparing of the report and may maintain a copy locally.

(c)

The driver of a vehicle that is involved in an accident shall submit the motorist accident report form to the division of motor vehicles within twenty-one (21) days of the accident, pursuant to § 31-26-6.

(d)

Any accident occurring on a highway or upon premises open to the public resulting in injury or death to any person or damage to property equal to or in excess of one thousand dollars ($1,000) is subject to the reporting requirements. In addition, the division of motor vehicles will take action on reported accidents in excess of five hundred dollars ($500) for compliance with the state financial responsibility law pursuant to § 31-26-6.

(e)

The department of transportation shall serve as the accident data repository agency for the electronic accident reports submitted by the law enforcement agencies in the state, and the division of motor vehicles shall remain as the repository agency for all motorist accident reports. “Personal information,” as defined in § 11-49.3-3, and associated with accident reports submitted pursuant to this section shall remain privileged except that the information may be provided to an involved party to the accident or their legal representative, an insurance company, or insurance-support organization or in accordance with Rhode Island general laws.

History of Section.

P.L. 1950, ch. 2595, art. 23, § 6; G.L. 1956, § 31-26-9; P.L. 2001, ch. 166, § 1; P.L. 2021, ch. 418, § 1, effective July 14, 2021; P.L. 2021, ch. 419, § 1, effective July 14, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27.1 - Aggressive DrivingSection 31-27.1-1.

- Legislative findings.

§ 31-27.1-1. Legislative findings.
The National Highway Traffic Safety Administration (NHTSA) estimates that aggressive driving causes two-thirds (■) of fatal accidents and one-third (■) of all accidents. The general assembly finds that aggressive driving has become a significant public safety concern in recent years and specific legislation designed to severely curtail this problem driving behavior is in the public interest.
History of Section.
P.L. 2000, ch. 254, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27.1 - Aggressive DrivingSection 31-27.1-2. - Short title.

§ 31-27.1-2. Short title.
This chapter may be cited as the "Aggressive Driving Act."
History of Section.
P.L. 2000, ch. 254, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27.1 - Aggressive DrivingSection 31-27.1-3. - "Aggressive driving" defined.

§ 31-27.1-3. "Aggressive driving" defined.
"Aggressive driving" means that an individual, coincident to operating a motor vehicle in violation of chapter 14 of this title, engages in conduct which violates two (2) or more of the following sections of law:
(1)
Obedience to traffic control devices, § 31-13-4;
(2)
Overtaking on the right, § 31-15-5;
(3)
Driving within a traffic lane, § 31-15-1;
(4)
Following too closely — interval between vehicles, § 31-15-12;
(5)
Yielding right of way, §§ 31-15-12.1, 31-17-1, 31-17-2, 31-17-4, 31-17-6, 31-17-7 and 31-17-8;
(6)
Entering the roadway, §§ 31-15-14, 31-17-3 and 31-17-5;
(7)
Use of turn signals, §§ 31-16-5, 31-16-6, 31-16-8 and 31-16-9;
(8)
Relating to school buses, special stops, stop signs and yield signs, chapter 20 of this title; and
(9)
Use of emergency break-down lane for travel, § 31-15-16.
History of Section.
P.L. 2000, ch. 254, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27.1 - Aggressive DrivingSection 31-27.1-4. - Penalties.

§ 31-27.1-4. Penalties.
(a)
Whoever violates this chapter shall be fined not less than two hundred sixty dollars ($260) nor more than five hundred dollars ($500). In addition, any person convicted of a first offense of aggressive driving may be required to attend an educational program approved by the division of motor vehicles designed to improve the safety and habits of drivers and may be subject to a minimum thirty (30) days suspension of his or her driver's license.
(b)
The lesser included offenses which, in total, may constitute aggressive driving, may be prosecuted separately.
(c)
All violations of this chapter shall be heard and determined by the traffic tribunal pursuant to the regulations promulgated by the chief magistrate.
History of Section.
P.L. 2000, ch. 254, § 1; P.L. 2008, ch. 1, § 11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-1.1. - Driving so as to endanger, resulting in serious personal injury.

§ 31-27-1.1. Driving so as to endanger, resulting in serious personal injury.
(a)
When the serious bodily injury of any person ensues as a proximate result of the operation of any vehicle in reckless disregard of the safety of others, including violations of § 31-27-22, the person so operating the vehicle shall be guilty of "driving so as to endanger, resulting in serious bodily injury".
(b)
"Serious bodily injury" means physical injury that creates a substantial risk of death or causes serious permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.
(c)
Any person charged with a violation of this section shall upon conviction be imprisoned for not more than five (5) years and have his or her license to operate a motor vehicle suspended for no more than three (3) years.
History of Section.
P.L. 1983, ch. 184, § 1; P.L. 2007, ch. 121, § 2; P.L. 2007, ch. 193, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-1.2. - Driving so as to endanger, resulting in physical injury.

§ 31-27-1.2. Driving so as to endanger, resulting in physical injury.
(a)
When the physical injury of any person ensues as a proximate result of the operation of any vehicle in reckless disregard of the safety of others, including violations of § 31-27-22, the person so operating the vehicle shall be guilty of "driving so as to endanger, resulting in physical injury".
(b)
Any person charged with a violation of this section shall upon conviction be imprisoned for not more than two (2) years and have his or her license to operate a motor vehicle be suspended for no more than one year.
History of Section.
P.L. 2007, ch. 121, § 1; P.L. 2007, ch. 193, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-1. - Driving so as to endanger, resulting in death.

§ 31-27-1. Driving so as to endanger, resulting in death.
(a)
When the death of any person ensues as a proximate result of an injury received by the operation of any vehicle in reckless disregard of the safety of others, including violations of § 31-27-22, the person so operating the vehicle shall be guilty of "driving so as to endanger, resulting in death".
(b)
Any person charged with the commission of this offense shall upon conviction be imprisoned for not more than ten (10) years and have his or her license to operate a motor vehicle suspended for no more than five (5) years.
History of Section.
P.L. 1950, ch. 2595, art. 24, § 1; P.L. 1950 (s. s.), ch. 2639, § 3; G.L. 1956, § 31-27-1; P.L. 1978, ch. 208, § 2; P.L. 2007, ch. 121, § 2; P.L. 2007, ch. 193, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-10. - Offenses by persons directing drivers.

§ 31-27-10. Offenses by persons directing drivers.
It is unlawful for the owner, or any other person, employing or otherwise directing the driver of any vehicle to require or knowingly to permit the operation of a vehicle upon a highway in any manner contrary to law.
History of Section.
P.L. 1950, ch. 2595, art. 36, § 2; G.L. 19 31-27-10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-11. - Vehicle used as bail.

§ 31-27-11. Vehicle used as bail.
Any person arrested for violating any of the provisions of this title may tender as bail a motor vehicle of which he or she is the owner, and, if the person's interest in the vehicle is of sufficient value, it may be accepted as security for the person's appearance in lieu of any other bail.
History of Section.

P.L. 1916, ch. 1354, § 30; G.L. 1923, ch. 98, § 29; G.L. 1938, ch. 104, § 3; G.L. 1956, § 31-27-11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-12.1. - Preparation of summons and related records — Content and form.

§ 31-27-12.1. Preparation of summons and related records — Content and form.
(a)
The summonses and related records shall be in a form approved by the chief magistrate of the traffic tribunal and subject to the approval of the supreme court. Summonses and related records shall be numbered consecutively with each summons and its related records bearing the same number, and each summons and its related records shall consist of five (5) parts:
(1)
The summons to be given the alleged offender;
(2)
A copy of the summons to be retained by the issuing police officer;
(3)
A request for complaint which shall be a copy of the original and which, when completed and signed shall direct the application for a complaint to the appropriate court or to a justice of the peace authorized to issue complaints;
(4)
A division of motor vehicles record which shall be a copy of the request for complaint and which shall also include an abstract of the court record;
(5)
The police record which shall also provide space for the recording of the disposition of the charge and which will be retained by the issuing police department or organization.
(b)
The summons and related record shall include, when completed, the signature of the officer observing the alleged violation, the name and address of the alleged offender, the number of his or her license, if any, to operate a motor vehicle, the registration number of the vehicle involved, the time and place of the alleged violation, and the substance of the offense charged.
(c)
The administrative clerk of the judicial department, upon the approval of the content and form of the summonses and related records by the chief magistrate of the traffic tribunal and subject to the approval of the supreme court, shall provide for the printing of them in books or pads, each of which shall contain an original and copy of a summary sheet to be used, providing space for a record of the use of the consecutively numbered summonses and related records contained in the book or pad.
History of Section.
P.L. 1970, ch. 66, § 2; P.L. 2008, ch. 1, § 10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-12.2. - Distribution of books or pads.

§ 31-27-12.2. Distribution of books or pads.
The books or pads as provided in § 31-27-12.1(c) shall be distributed as follows:
(1)
The administrative clerk of the judicial department shall distribute books or pads containing the summonses and related records to all courts having jurisdiction over the violation of any statute or ordinance relating to the operation, control, or maintenance of a motor vehicle, and shall keep a record of the distribution including a receipt signed by the clerk of each court for each book or pad distributed to the court.
(2)
Each court through its clerk shall distribute the books and pads to the chief administrative officer of every police department or state police barracks within its jurisdiction, and the clerk shall keep a record of the distribution, including a receipt signed by each chief administrative officer for each book or pad distributed to the clerk.
(3)
The chief administrative officers shall be responsible for the issuance of the books or pads to all police officers within their department or organization and shall keep a record of the distribution including a receipt signed by each police officer for each book or pad issued to that officer.
History of Section.
P.L. 1970, ch. 66, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-12.3. - Preparation and disposition of records.

§ 31-27-12.3. Preparation and disposition of records.
(a)(1) Responsibility of individual officer.
At or before the completion of his or her tour of duty, every police officer who has issued a summons from his or her book or pad

shall retain a copy of the summons and shall deliver to the chief administrative officer of his or her department or organization or to the person duly authorized by the chief administrative officer the request for complaint, the division of motor vehicles record and police record all duly signed by the police officer together with all summonses spoiled, mutilated, or voided during the tour of duty, endorsed with a full explanation of each.
(2)
Each officer shall, upon using all summonses in a pad or book, return it to the chief administrative officer of his or her department or state police barracks or person duly authorized by him or her.
(b) Responsibility of chief administrative officer of police department or state police barracks.
Every chief administrative officer of a police department or state police barracks, or person duly authorized by him or her, shall, upon their receipt from a police officer who has issued a summons, deposit the completed copy, request for complaint, and the division of motor vehicles' record with the court having jurisdiction of the alleged violation no later than two (2) days after the date of the issuance of the summons, Sundays and legal holidays excepted. The chief administrative officer shall retain for department records the form designated police record. The chief administrative officer shall also cause to be completed, in duplicate, the summary sheet for each pad or book noting on it the date of issuance of all summonses contained in the book, including the mutilation or destruction of any summonses contained in it together with the court complaint number issued and the disposition, if known, within ten (10) days after receipt of the used book or pad from the police officer and shall, within that time, deposit the original summary sheet signed by the chief administrative officer or person duly authorized by him or her to the clerk of the court which distributed the book or pad, retaining the copy for department records.
(c)(1) Responsibility of courts.
A full record shall be kept by every court in this state of every case in which a person is charged with a violation of any provision of this title, or any act relative to motor vehicles, or to the operation of the vehicles. An abstract of that record shall be sent by the court to the division of motor vehicles within ten (10) days of the time when the case is disposed of.
(2)
In any case in which the charge is a violation of that portion of § 31-27-2(a) relating to a person operating under the influence of intoxicating liquor, the case shall not be construed as disposed of, if sentence is imposed to attend a special course as provided in that section, until action has been taken by the court having jurisdiction of the charge upon completion of the course or upon a failure to complete it.
(3)
If a case was commenced by a summons as provided in § 31-27-12, the abstract shall be made on the division of motor vehicles record provided in § 31-27-12.1, and otherwise the abstract shall be made upon forms prepared by the division of motor vehicles. Every abstract shall include all necessary information as to the parties to the cause, the nature of the offense, the date of the hearing, the plea, the decision, the judgment and the result, and in case an operator or chauffeur shall plead guilty or nolo contendere or be found guilty of a violation of § 31-14-1, the number of miles per hour by which the operator or chauffeur exceeded the reasonable and prudent speed, and every abstract shall be certified by the clerk of the court. The division of motor vehicles shall keep records and they shall be open to the public inspection during the business hours of the division of motor vehicles. The judge of any court in the state may, upon his or her own initiative, or upon the request of the division of motor vehicles or its agents, furnish to the division of motor vehicles the details of all particularly flagrant cases which may be heard before the judge and may make any recommendations to the division of motor vehicles as to the suspension of the license of the persons defendant in the case that the judge may deem necessary.
(4)
The clerk of every court which has issued pads or books of summonses and related records provided in § 31-27-12.1 shall be the initial custodian of all summary sheets returned to the court as provided in subsection (b) of this section. The clerk shall determine that all required information is included on the summary sheets and shall annually, during the month of July, deliver all summary sheets returned to his or her custody during the preceding twelve (12) months to the administrative clerk in the judicial department. The clerk shall also, during the month of July, determine the location of all pads or books and summonses distributed by him or her more than one year prior to the month, and the summary sheet for which has not been returned and shall, within the month, report his or her finding to the administrative clerk of the judicial department.
(d) Responsibility of administrative clerk of judicial department.
Upon receipt of the summary sheets and reports of clerks as provided by subsection (c) of this section, the administrative clerk of the judicial department shall be the custodian of them and shall keep the sheets and reports for a period of not less than three (3) years, and they shall be open to the public inspection during the hours when the office of the administrative clerk of the judicial department is open.
History of Section.
P.L. 1970, ch. 66, § 2; P.L. 1974, ch. 120, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-12.4. - Disposition of complaint only by court.

§ 31-27-12.4. Disposition of complaint only by court.
Upon the deposit of the complaint and the division of motor vehicle record of a violation with the court having jurisdiction of the

alleged violations, the complaint of the violation shall be disposed of only by trial in the court or by other official action by a judge of the court.
History of Section.
P.L. 1970, ch. 66, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-12. - Service of notice — Summons.

§ 31-27-12. Service of notice — Summons.
(a)
Any police officer observing the violation of any statute or ordinance relating to the operation, control, or maintenance of a motor vehicle or a violation of subparagraphs 21-28-4.01(c)(2)(iii) and 21-28-4.01(c)(2)(iv), shall at the time or place of the violation or, if it is not possible to halt the alleged offender, as soon as possible after observing the violation, issue a written notice, of a form and content provided for in § 31-27-12.1, signed by the police officer and constituting a summons to appear before the court having jurisdiction at a time and place designated in the notice.
(b)
Nothing in this chapter shall preclude a police officer from exercising in the alternative his or her statutory powers of arrest, nor shall anything contained in this chapter preclude the making of additional complaints against the alleged offender arising out of the violation of any statute or ordinance relating to the operation, control, or maintenance of a motor vehicle observed by the police officer. Nothing in this chapter shall prevent a person other than a police officer from applying for a criminal complaint for the violation of any statute or ordinance relating to the operation, control, or maintenance of a motor vehicle, and the person need not show that the alleged offender has been issued a summons in connection with the alleged violation.
History of Section.
P.L. 1950, ch. 2595, art. 36, § 4; redesignated art. 36, § 3 by P.L. 1951, ch. 2826, § 20; G.L. 1956, § 31-27-12; P.L. 1959 (s. s.), ch. 190, § 7; P.L. 1970, ch. 66, § 1; P.L. 2012, ch. 221, § 3; P.L. 2012, ch. 233, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-13. - Nature of offenses — Penalty.

§ 31-27-13. Nature of offenses — Penalty.
(a)
It is a civil violation for any person to violate any of the provisions of chapters 1 — 27 or chapter 34 of this title, unless the violation is by these chapters or other law of this state declared to be a felony or a misdemeanor, or unless the offense is punishable by a fine of more than five hundred dollars ($500) or by imprisonment.
(b)
Unless another penalty is provided by chapters 1 — 27 or chapter 34 of this title, or by the laws of this state, every person convicted of a civil violation of the chapters shall be punished by a fine of not more than five hundred dollars ($500).
(c)
Unless another penalty is provided by chapters 1 — 27 or chapter 34 of this title or by the laws of this state, every person convicted of a misdemeanor violation of these chapters shall be punished by a fine of not more than five hundred dollars ($500), or by imprisonment for not more than one year, or by both fine and imprisonment.
History of Section.
P.L. 1950, ch. 2595, art. 17, § 8; art. 37, § 1; G.L. 1956, § 31-27-13; P.L. 1999, ch. 218, art. 6, § 14; P.L. 2002, ch. 58, § 6.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-14. - Penalty for felonies.

§ 31-27-14. Penalty for felonies.
Any person who is convicted of a violation of any provision of chapters 1 — 27 of this title, by this chapter or by the laws of this state declared to constitute a felony, shall be punished by imprisonment for not less than one year nor more than five (5) years, or by a fine of not more than five thousand dollars ($5,000), or by both fine and imprisonment.
History of Section.
P.L. 1950, ch. 2595, art. 37, § 2; G.L. 1956, § 31-27-14.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-15. - Disposition of fines and forfeitures.

§ 31-27-15. Disposition of fines and forfeitures.
(a)
All fines and forfeitures collected upon conviction or upon forfeiture of bail of any person charged with a violation of any of the provisions of chapters 1 — 46 of this title shall be deposited in the treasury of the state.
(b)

Provided, a city or town police department, enforcing any motor vehicle violation contained in this title, which results in a conviction, shall receive five dollars ($5.00) from any fine imposed in accordance with the provisions of § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 38, § 1; G.L. 1956, § 31-27-15; P.L. 1978, ch. 217, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-17. - Permitting juvenile to operate an unregistered motorcycle.

§ 31-27-17. Permitting juvenile to operate an unregistered motorcycle.
Any person eighteen (18) years of age or older who shall knowingly permit a person under the age of eighteen (18) years to operate a motorcycle as defined in § 31-3-1(h) when either the person under the age of eighteen (18) years of age is not licensed in accordance with the provisions of chapter 10.1 of this title, or where the motorcycle is not registered in accordance with the provisions of chapter 3 of this title, shall upon conviction be fined not more than five hundred dollars ($500).
History of Section.
P.L. 1982, ch. 253, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-18. - Emergency medical services — Special assessment.

§ 31-27-18. Emergency medical services — Special assessment.
The court and/or the traffic tribunal shall collect, in addition to any fine set forth in this title for a motor vehicle violation, and at the time of the assessment of the fine, an additional assessment of one dollar ($1.00) for each motor vehicle violation of this title. The one dollar ($1.00) assessment shall be paid over and accounted for in the manner provided in §§ 31-27-15 and 31-41.1-4, and shall be deposited as general revenues of the state.
History of Section.
P.L. 1982, ch. 282, § 1; P.L. 1995, ch. 370, art. 40, § 104.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-19. - Operating a motor vehicle on a bicycle lane, trail or path.

§ 31-27-19. Operating a motor vehicle on a bicycle lane, trail or path.
(a)
Except as provided in § 31-15-17, no person shall operate any motor vehicle on a bicycle lane, trail or path, as defined in § 31-1-23(a).
(b)
Any person who operates a motor vehicle upon any bicycle lane, trail or path shall be punishable by a fine of one hundred dollars ($100).
(c)
The division of motor vehicles, upon receiving a record of the conviction of any person upon a charge of operating a motor vehicle on a bicycle lane, trail or path, shall suspend the person’s operator’s license for a period of six (6) months.
(d)
Emergency vehicle and employees of federal, state, and local government shall be exempt from the provisions when acting in the scope of their official duties.
History of Section.
P.L. 1982, ch. 302, § 2; P.L. 1992, ch. 324, § 16; P.L. 2005, ch. 64, § 7; P.L. 2005, ch. 67, § 7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-2.1. - Refusal to submit to chemical test. [Effective until July 1, 2025.]

§ 31-27-2.1. Refusal to submit to chemical test. [Effective until July 1, 2025.]
(a)
Any person who operates a motor vehicle within this state shall be deemed to have given his or her consent to chemical tests of his or her breath, blood, saliva and/or urine for the purpose of determining the chemical content of his or her body fluids or breath. No more than two (2) complete tests, one for the presence of intoxicating liquor and one for the presence of toluene or any controlled substance, as defined in § 21-28-1.02, shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving a motor vehicle within this state while under the influence of intoxicating liquor, toluene, or any controlled substance, as defined in chapter 28 of title 21, or any combination of these. The director of the department of health is empowered to make and file, with the secretary of state, regulations that prescribe the techniques and methods of chemical analysis of the person’s body fluids or breath and the qualifications and certification of individuals authorized to administer the testing and analysis.
(b)
If a person, for religious or medical reasons, cannot be subjected to blood tests, the person may file an affidavit with the division of

motor vehicles stating the reasons why he or she cannot be required to take blood tests and a notation to this effect shall be made on his or her license. If that person is asked to submit to chemical tests as provided under this chapter, the person shall only be required to submit to chemical tests of his or her breath, saliva or urine. When a person is requested to submit to blood tests, only a physician or registered nurse, or a medical technician certified under regulations promulgated by the director of the department of health, may withdraw blood for the purpose of determining the alcoholic content in it. This limitation shall not apply to the taking of breath, saliva or urine specimens. The person tested shall be permitted to have a physician of his or her own choosing, and at his or her own expense, administer chemical tests of his or her breath, blood, saliva and/or urine in addition to the tests administered at the direction of a law enforcement officer. If a person, having been placed under arrest, refuses upon the request of a law enforcement officer to submit to the tests, as provided in § 31-27-2, none shall be given.

(1)

At the initial traffic tribunal appearance, the magistrate shall review the incident, action, and/or arrest reports submitted by the law enforcement officer to determine if there exists reasonable grounds to believe that the person had been driving a motor vehicle while under the influence of intoxicating liquor, toluene, or any controlled substance as defined in chapter 28 of title 21, or any combination thereof. The magistrate shall also determine if the person had been informed of the penalties incurred as a result of failing to submit to a chemical test as provided in this section and that the person had been informed of the implied consent notice contained in subsection (c)(10) of this section. For the purpose of this subsection only, “driving a motor vehicle while under the influence of any controlled substance as defined in chapter 28 of title 21” shall be indicated by the presence or aroma of a controlled substance on or about the person or vehicle of the individual refusing the chemical test or other reliable indicia or articulable conditions that the person was impaired due to their intake of a controlled substance.

(2)

If the magistrate determines that subsection (b)(1) of this section has been satisfied they shall promptly order that the person’s operator’s license or privilege to operate a motor vehicle in this state be immediately suspended. Said suspension shall be subject to the hardship provisions enumerated in § 31-27-2.8.

(c)

A traffic tribunal judge or magistrate, or a district court judge or magistrate, pursuant to the terms of subsection (d) of this section, shall order as follows:

(1)

Impose, for the first violation, a fine in the amount of two hundred dollars ($200) to five hundred dollars ($500) and shall order the person to perform ten (10) to sixty (60) hours of public community restitution. The person’s driving license in this state shall be suspended for a period of six (6) months to one year. The traffic tribunal judge or magistrate shall require attendance at a special course on driving while intoxicated or under the influence of a controlled substance and/or alcohol or drug treatment for the individual. The traffic tribunal judge or magistrate may prohibit that person from operating a motor vehicle that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(2)

Every person convicted of a second violation within a five-year (5) period, except with respect to cases of refusal to submit to a blood test, shall be guilty of a misdemeanor; shall be imprisoned for not more than six (6) months; shall pay a fine in the amount of six hundred dollars ($600) to one thousand dollars ($1,000); perform sixty (60) to one hundred (100) hours of public community restitution; and the person’s driving license in this state shall be suspended for a period of one year to two (2) years. The judge or magistrate shall require alcohol and/or drug treatment for the individual. The sentencing judge or magistrate shall prohibit that person from operating a motor vehicle that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(3)

Every person convicted for a third or subsequent violation within a five-year (5) period, except with respect to cases of refusal to submit to a blood test, shall be guilty of a misdemeanor; and shall be imprisoned for not more than one year; fined eight hundred dollars ($800) to one thousand dollars ($1,000); shall perform not less than one hundred (100) hours of public community restitution; and the person’s operator’s license in this state shall be suspended for a period of two (2) years to five (5) years. The sentencing judge or magistrate shall prohibit that person from operating a motor vehicle that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8. The judge or magistrate shall require alcohol or drug treatment for the individual. Provided, that prior to the reinstatement of a license to a person charged with a third or subsequent violation within a three-year (3) period, a hearing shall be held before a judge or magistrate. At the hearing, the judge or magistrate shall review the person’s driving record, his or her employment history, family background, and any other pertinent factors that would indicate that the person has demonstrated behavior that warrants the reinstatement of his or her license.

(4)

For a second violation within a five-year (5) period with respect to a case of a refusal to submit to a blood test, a fine in the amount of six hundred dollars ($600) to one thousand dollars ($1,000); the person shall perform sixty (60) to one hundred (100) hours of public community restitution; and the person’s driving license in this state shall be suspended for a period of two (2) years. The judicial officer shall require alcohol and/or drug treatment for the individual. The sentencing judicial officer shall prohibit that person from operating a motor vehicle that is not equipped with an ignition interlock system as provided in § 31-27-2.8. Such a violation with respect to refusal to submit to a chemical blood test shall be a civil offense.

(5)
For a third or subsequent violation within a five-year (5) period with respect to a case of a refusal to submit to a blood test, a fine in the amount of eight hundred dollars ($800) to one thousand dollars ($1,000); the person shall perform not less than one hundred (100) hours of public community restitution; and the person's driving license in this state shall be suspended for a period of two (2) to five (5) years. The sentencing judicial officer shall prohibit that person from operating a motor vehicle that is not equipped with an ignition interlock system as provided in § 31-27-2.8. The judicial officer shall require alcohol and/or drug treatment for the individual. Such a violation with respect to refusal to submit to a chemical test of blood shall be a civil offense. Provided, that prior to the reinstatement of a license to a person charged with a third or subsequent violation within a three-year (3) period, a hearing shall be held before a judicial officer. At the hearing, the judicial officer shall review the person's driving record, his or her employment history, family background, and any other pertinent factors that would indicate that the person has demonstrated behavior that warrants the reinstatement of their license.
(6)
For purposes of determining the period of license suspension, a prior violation shall constitute any charge brought and sustained under the provisions of this section or § 31-27-2.
(7)
In addition to any other fines, a highway safety assessment of five hundred dollars ($500) shall be paid by any person found in violation of this section, the assessment to be deposited into the general fund. The assessment provided for by this subsection shall be collected from a violator before any other fines authorized by this section.
(8)
In addition to any other fines and highway safety assessments, a two-hundred-dollar ($200) assessment shall be paid by any person found in violation of this section to support the department of health's chemical testing programs outlined in §§ 31-27-2(f) and 31-27-2(g), that shall be deposited as general revenues, not restricted receipts.
(9)
No fines, suspensions, assessments, alcohol or drug treatment programs, course on driving while intoxicated or under the influence of a controlled substance, or public community restitution provided for under this section can be suspended.
(10)
Implied consent notice for persons eighteen (18) years of age or older: "Rhode Island law requires you to submit to a chemical test of your blood, breath, or urine for the purpose of determining the chemical content of your body fluids or breath. If you refuse this testing, certain penalties can be imposed and include the following: for a first offense, your Rhode Island driver's license or privilege to operate a motor vehicle in this state can be suspended for six (6) months to one year or modified to permit operation in connection with an ignition interlock device for a period specified by law; a fine from two hundred dollars ($200) to five hundred dollars ($500) can be imposed; and you can be ordered to perform ten (10) to sixty (60) hours of community service and attend a special course on driving while intoxicated or under the influence of a controlled substance and/or alcohol or drug treatment. If you have had one or more previous offenses within the past five (5) years, your refusal to submit to a chemical test of breath or urine at this time can have criminal penalties, including incarceration up to six (6) months for a second offense and up to one year for a third or subsequent offense, and can carry increased license suspension or ignition interlock period, fines, and community service. All violators shall pay a five hundred dollar ($500) highway safety assessment fee, a two hundred dollar ($200) department of health chemical testing programs assessment fee, and a license reinstatement fee. Refusal to submit to a chemical test of blood shall not subject you to criminal penalties for the refusal itself, but if you have one or more previous offenses other civil penalties may increase. You have the right to be examined at your own expense by a physician selected by you. If you submit to a chemical test at this time, you have the right to have an additional chemical test performed at your own expense. You will be afforded a reasonable opportunity to exercise these rights. Access to a telephone will be made available for you to make those arrangements. You may now use a telephone."
Use of this implied consent notice shall serve as evidence that a person's consent to a chemical test is valid in a prosecution involving driving under the influence of liquor, controlled substances, and/or drugs.
(d)
Upon suspending or refusing to issue a license or permit as provided in subsection (a), the traffic tribunal or district court shall immediately notify the person involved in writing, and upon his or her request, within fifteen (15) days, afford the person an opportunity for a hearing as early as practical upon receipt of a request in writing. Upon a hearing, the judge may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers. If the judge finds after the hearing that:
(1)
The law enforcement officer making the sworn report had reasonable grounds to believe that the arrested person had been driving a motor vehicle within this state while under the influence of intoxicating liquor, toluene, or any controlled substance, as defined in chapter 28 of title 21, or any combination of these;
(2)
The person, while under arrest, refused to submit to the tests upon the request of a law enforcement officer;
(3)
The person had been informed of his or her rights in accordance with § 31-27-3; and

(4)
The person had been informed of the penalties incurred as a result of noncompliance with this section, the judge shall sustain the violation. The judge shall then impose the penalties set forth in subsection (c) of this section. Action by the judge must be taken within seven (7) days after the hearing or it shall be presumed that the judge has refused to issue his or her order of suspension.
(e)
For the purposes of this section, any test of a sample of blood, breath, or urine for the presence of alcohol that relies, in whole or in part, upon the principle of infrared light absorption is considered a chemical test.
(f)
If any provision of this section, or the application of any provision, shall, for any reason, be judged invalid, the judgment shall not affect, impair, or invalidate the remainder of the section, but shall be confined in this effect to the provisions or application directly involved in the controversy giving rise to the judgment.
History of Section.
G.L. 1956, § 31-27-2.1; P.L. 1966, ch. 215, § 1; P.L. 1973, ch. 213, § 1; P.L. 1974, ch. 209, § 1; P.L. 1978, ch. 174, § 1; P.L. 1980, ch. 322, § 1; P.L. 1982, ch. 177, § 1; P.L. 1983, ch. 228, § 1; P.L. 1985, ch. 291, § 1; P.L. 1986, ch. 433, § 1; P.L. 1986, ch. 508, § 1; P.L. 1990, ch. 329, § 1; P.L. 1994, ch. 70, art. 35, § 7; P.L. 2006, ch. 232, § 1; P.L. 2006, ch. 235, § 1; P.L. 2006, ch. 246, art. 10, § 1; P.L. 2014, ch. 230, § 1; P.L. 2014, ch. 326, § 1; P.L. 2016, ch. 127, § 1; P.L. 2016, ch. 141, § 1; P.L. 2017, ch. 435, § 1; P.L. 2018, ch. 346, § 24; P.L. 2021, ch. 170, § 1; P.L. 2021, ch. 171, § 1; P.L. 2022, ch. 31, § 12, effective May 25, 2022; P.L. 2022, ch. 32, § 12, effective May 25, 2022.
§ 31-27-2.1. Refusal to submit to chemical test. [Effective July 1, 2025.]
(a)
Any person who operates a motor vehicle within this state shall be deemed to have given his or her consent to chemical tests of his or her breath, blood, saliva and/or urine for the purpose of determining the chemical content of his or her body fluids or breath. No more than two (2) complete tests, one for the presence of intoxicating liquor and one for the presence of toluene or any controlled substance, as defined in § 21-28-1.02, shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving a motor vehicle within this state while under the influence of intoxicating liquor, toluene, or any controlled substance, as defined in chapter 28 of title 21, or any combination of these. The director of the department of health is empowered to make and file, with the secretary of state, regulations that prescribe the techniques and methods of chemical analysis of the person's body fluids or breath and the qualifications and certification of individuals authorized to administer the testing and analysis.
(b)
If a person, for religious or medical reasons, cannot be subjected to blood tests, the person may file an affidavit with the division of motor vehicles stating the reasons why he or she cannot be required to take blood tests and a notation to this effect shall be made on his or her license. If that person is asked to submit to chemical tests as provided under this chapter, the person shall only be required to submit to chemical tests of his or her breath, saliva or urine. When a person is requested to submit to blood tests, only a physician or registered nurse, or a medical technician certified under regulations promulgated by the director of the department of health, may withdraw blood for the purpose of determining the alcoholic content in it. This limitation shall not apply to the taking of breath, saliva or urine specimens. The person tested shall be permitted to have a physician of his or her own choosing, and at his or her own expense, administer chemical tests of his or her breath, blood, saliva and/or urine in addition to the tests administered at the direction of a law enforcement officer. If a person, having been placed under arrest, refuses upon the request of a law enforcement officer to submit to the tests, as provided in § 31-27-2, none shall be given.
(1)
At the initial traffic tribunal appearance, the magistrate shall review the incident, action, and/or arrest reports submitted by the law enforcement officer to determine if there exists reasonable grounds to believe that the person had been driving a motor vehicle while under the influence of intoxicating liquor, toluene, or any controlled substance as defined in chapter 28 of title 21, or any combination thereof. The magistrate shall also determine if the person had been informed of the penalties incurred as a result of failing to submit to a chemical test as provided in this section and that the person had been informed of the implied consent notice contained in subsection (c)(10) of this section. For the purpose of this subsection only, "driving a motor vehicle while under the influence of any controlled substance as defined in chapter 28 of title 21" shall be indicated by the presence or aroma of a controlled substance on or about the person or vehicle of the individual refusing the chemical test or other reliable indicia or articulable conditions that the person was impaired due to their intake of a controlled substance.
(2)
If the magistrate determines that subsection (b)(1) of this section has been satisfied they shall promptly order that the person's operator's license or privilege to operate a motor vehicle in this state be immediately suspended. Said suspension shall be subject to the hardship provisions enumerated in § 31-27-2.8.
(c)
A traffic tribunal judge or magistrate, or a district court judge or magistrate, pursuant to the terms of subsection (d) of this section, shall order as follows:
(1)
Impose, for the first violation, a fine in the amount of two hundred dollars ($200) to five hundred dollars ($500) and shall order the

person to perform ten (10) to sixty (60) hours of public community restitution. The person's driving license in this state shall be suspended for a period of six (6) months to one year. The traffic tribunal judge or magistrate shall require attendance at a special course on driving while intoxicated or under the influence of a controlled substance and/or alcohol or drug treatment for the individual. The traffic tribunal judge or magistrate may prohibit that person from operating a motor vehicle that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(2)

Every person convicted of a second violation within a ten-year (10) period, except with respect to cases of refusal to submit to a blood test, shall be guilty of a misdemeanor; shall be imprisoned for not more than six (6) months; shall pay a fine in the amount of six hundred dollars ($600) to one thousand dollars ($1,000); perform sixty (60) to one hundred (100) hours of public community restitution; and the person's driving license in this state shall be suspended for a period of one year to two (2) years. The judge or magistrate shall require alcohol and/or drug treatment for the individual. The sentencing judge or magistrate shall prohibit that person from operating a motor vehicle that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(3)

Every person convicted for a third or subsequent violation within a ten-year (10) period, except with respect to cases of refusal to submit to a blood test, shall be guilty of a misdemeanor; and shall be imprisoned for not more than one year; fined eight hundred dollars ($800) to one thousand dollars ($1,000); shall perform not less than one hundred (100) hours of public community restitution; and the person's operator's license in this state shall be suspended for a period of two (2) years to five (5) years. The sentencing judge or magistrate shall prohibit that person from operating a motor vehicle that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8. The judge or magistrate shall require alcohol or drug treatment for the individual. Provided, that prior to the reinstatement of a license to a person charged with a third or subsequent violation within a three-year (3) period, a hearing shall be held before a judge or magistrate. At the hearing, the judge or magistrate shall review the person's driving record, his or her employment history, family background, and any other pertinent factors that would indicate that the person has demonstrated behavior that warrants the reinstatement of his or her license.

(4)

For a second violation within a ten-year (10) period with respect to a case of a refusal to submit to a blood test, a fine in the amount of six hundred dollars ($600) to one thousand dollars ($1,000); the person shall perform sixty (60) to one hundred (100) hours of public community restitution; and the person's driving license in this state shall be suspended for a period of two (2) years. The judicial officer shall require alcohol and/or drug treatment for the individual. The sentencing judicial officer shall prohibit that person from operating a motor vehicle that is not equipped with an ignition interlock system as provided in § 31-27-2.8. Such a violation with respect to refusal to submit to a chemical blood test shall be a civil offense.

(5)

For a third or subsequent violation within a ten-year (10) period with respect to a case of a refusal to submit to a blood test, a fine in the amount of eight hundred dollars ($800) to one thousand dollars ($1,000); the person shall perform not less than one hundred (100) hours of public community restitution; and the person's driving license in this state shall be suspended for a period of two (2) to five (5) years. The sentencing judicial officer shall prohibit that person from operating a motor vehicle that is not equipped with an ignition interlock system as provided in § 31-27-2.8. The judicial officer shall require alcohol and/or drug treatment for the individual. Such a violation with respect to refusal to submit to a chemical test of blood shall be a civil offense. Provided, that prior to the reinstatement of a license to a person charged with a third or subsequent violation within a three-year (3) period, a hearing shall be held before a judicial officer. At the hearing, the judicial officer shall review the person's driving record, his or her employment history, family background, and any other pertinent factors that would indicate that the person has demonstrated behavior that warrants the reinstatement of their license.

(6)

For purposes of determining the period of license suspension, a prior violation shall constitute any charge brought and sustained under the provisions of this section or § 31-27-2.

(7)

In addition to any other fines, a highway safety assessment of five hundred dollars ($500) shall be paid by any person found in violation of this section, the assessment to be deposited into the general fund. The assessment provided for by this subsection shall be collected from a violator before any other fines authorized by this section.

(8)

In addition to any other fines and highway safety assessments, a two-hundred-dollar ($200) assessment shall be paid by any person found in violation of this section to support the department of health's chemical testing programs outlined in §§ 31-27-2(f) and 31-27-2(g), that shall be deposited as general revenues, not restricted receipts.

(9)

No fines, suspensions, assessments, alcohol or drug treatment programs, course on driving while intoxicated or under the influence of a controlled substance, or public community restitution provided for under this section can be suspended.

(10)

Implied consent notice for persons eighteen (18) years of age or older: "Rhode Island law requires you to submit to a chemical test of your blood, breath, saliva, or urine for the purpose of determining the chemical content of your body fluids or breath. If you

refuse this testing, certain penalties can be imposed and include the following: for a first offense, your Rhode Island driver's license or privilege to operate a motor vehicle in this state can be suspended for six (6) months to one year or modified to permit operation in connection with an ignition interlock device and/or blood and urine testing for a period specified by law; a fine from two hundred dollars ($200) to five hundred dollars ($500) can be imposed; and you can be ordered to perform ten (10) to sixty (60) hours of community service and attend a special course on driving while intoxicated or under the influence of a controlled substance and/or alcohol or drug treatment. If you have had one or more previous offenses within the past ten (10) years, your refusal to submit to a chemical test of breath or urine at this time can have criminal penalties, including incarceration up to six (6) months for a second offense and up to one year for a third or subsequent offense, and can carry increased license suspension or ignition interlock and/or blood and urine testing periods, fines, and community service. All violators shall pay a five hundred dollar ($500) highway safety assessment fee, a two hundred dollar ($200) department of health chemical testing programs assessment fee, and a license reinstatement fee. Refusal to submit to a chemical test of blood shall not subject you to criminal penalties for the refusal itself, but if you have one or more previous offenses other civil penalties may increase. You have the right to be examined at your own expense by a physician selected by you. If you submit to a chemical test at this time, you have the right to have an additional chemical test performed at your own expense. You will be afforded a reasonable opportunity to exercise these rights. Access to a telephone will be made available for you to make those arrangements. You may now use a telephone."

Use of this implied consent notice shall serve as evidence that a person's consent to a chemical test is valid in a prosecution involving driving under the influence of liquor, controlled substances, and/or drugs.

(d)

Upon suspending or refusing to issue a license or permit as provided in subsection (a), the traffic tribunal or district court shall immediately notify the person involved in writing, and upon his or her request, within fifteen (15) days, afford the person an opportunity for a hearing as early as practical upon receipt of a request in writing. Upon a hearing, the judge may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers. If the judge finds after the hearing that:

(1)

The law enforcement officer making the sworn report had reasonable grounds to believe that the arrested person had been driving a motor vehicle within this state while under the influence of intoxicating liquor, toluene, or any controlled substance, as defined in chapter 28 of title 21, or any combination of these;

(2)

The person, while under arrest, refused to submit to the tests upon the request of a law enforcement officer;

(3)

The person had been informed of his or her rights in accordance with § 31-27-3; and

(4)

The person had been informed of the penalties contained in the implied consent notice set forth in subsection (c)(10) of this section, the judge shall sustain the violation. The judge shall then impose the penalties set forth in subsection (c) of this section. Action by the judge must be taken within seven (7) days after the hearing or it shall be presumed that the judge has refused to issue his or her order of suspension.

(e)

For the purposes of this section, any test of a sample of blood, breath, or urine for the presence of alcohol that relies, in whole or in part, upon the principle of infrared light absorption is considered a chemical test.

(f)

If any provision of this section, or the application of any provision, shall, for any reason, be judged invalid, the judgment shall not affect, impair, or invalidate the remainder of the section, but shall be confined in this effect to the provisions or application directly involved in the controversy giving rise to the judgment.

History of Section.

G.L. 1956, § 31-27-2.1; P.L. 1966, ch. 215, § 1; P.L. 1973, ch. 213, § 1; P.L. 1974, ch. 209, § 1; P.L. 1978, ch. 174, § 1; P.L. 1980, ch. 322, § 1; P.L. 1982, ch. 177, § 1; P.L. 1983, ch. 228, § 1; P.L. 1985, ch. 291, § 1; P.L. 1986, ch. 433, § 1; P.L. 1986, ch. 508, § 1; P.L. 1990, ch. 329, § 1; P.L. 1994, ch. 70, art. 35, § 7; P.L. 2006, ch. 232, § 1; P.L. 2006, ch. 235, § 1; P.L. 2006, ch. 246, art. 10, § 1; P.L. 2014, ch. 230, § 1; P.L. 2014, ch. 326, § 1; P.L. 2016, ch. 127, § 1; P.L. 2016, ch. 141, § 1; P.L. 2017, ch. 435, § 1; P.L. 2018, ch. 346, § 24; P.L. 2021, ch. 170, § 1; P.L. 2021, ch. 171, § 1; P.L. 2022, ch. 31, § 12, effective May 25, 2022; P.L. 2022, ch. 32, § 12, effective May 25, 2022; P.L. 2024, ch. 217, § 1, effective July 1, 2025; P.L. 2024, ch. 218, § 1, effective July 1, 2025.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-2.2. - Driving under the influence of liquor or drugs, resulting in death.

§ 31-27-2.2. Driving under the influence of liquor or drugs, resulting in death.

(a)

When the death of any person other than the operator ensues as a proximate result of an injury received by the operation of any vehicle, the operator of which is under the influence of any intoxicating liquor, toluene, or any controlled substance as defined in chapter 28 of title 21, or any combination of these, the person so operating the vehicle shall be guilty of "driving under the influence of liquor or drugs, resulting in death".

(b)
Any person charged with the commission of the offense set forth in subsection (a) of this section shall, upon conviction, be punished as follows:
(1)(i)
Every person convicted of a first violation shall be punished by imprisonment in the state prison for not less than five (5) years and for not more than fifteen (15) years, in any unit of the adult correctional institutions in the discretion of the sentencing judge, by a fine of not less than five thousand dollars ($5,000) nor more than ten thousand dollars ($10,000) and his or her license to operate a motor vehicle shall be revoked for a period of five (5) years. The license privilege shall not be reinstated until evidence satisfactory to the administrator of the division of motor vehicles establishes that no grounds exist which would authorize the refusal to issue a license, and until the person gives proof of financial responsibility pursuant to chapter 32 of this title.
(ii)
In addition, the person convicted may be required to successfully complete alcohol or drug treatment in a program of their choice, at their own expense, as authorized by a judge of the superior court, and may successfully complete the program before any license to operate a motor vehicle is renewed.
(2)
Every person convicted of a second or subsequent violation within a five (5) year period in this state or any other state, provided the out-of-state conviction was based on the same blood-alcohol concentration as set forth in § 31-27-2 shall be punished by imprisonment in the state prison for not less than ten (10) years and for not more than twenty (20) years, in any unit of the adult correctional institutions in the discretion of the sentencing judge, by a fine of not less than ten thousand dollars ($10,000) nor more than twenty thousand dollars ($20,000) and his or her license to operate a motor vehicle shall be revoked for a period of five (5) years. In addition, the person convicted may be required to successfully complete alcohol or drug treatment, at their own expense, in a program established by the director of the department of corrections. The license privilege shall not be reinstated whether the convictions occurred in this or any other state until evidence satisfactory to the superior court, following a hearing establishes that no grounds exist which would authorize the refusal to issue a license, and until the person gives proof of financial responsibility pursuant to chapter 32 of this title.
History of Section.
P.L. 1982, ch. 175, § 1; P.L. 1983, ch. 43, § 1; P.L. 1992, ch. 363, § 1; P.L. 1995, ch. 130, § 1; P.L. 1996, ch. 38, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-2.3. - Revocation of license upon refusal to submit to preliminary breath test.

§ 31-27-2.3. Revocation of license upon refusal to submit to preliminary breath test.
(a)
When a law enforcement officer has reason to believe that a person is driving or in actual physical control of any motor vehicle in this state while under the influence of alcohol, the law enforcement officer may require the person to submit to a preliminary breath analysis for the purpose of determining the person’s blood alcohol content. The breath analysis must be administered immediately upon the law enforcement officer’s formulation of a reasonable belief that the person is driving or in actual control of a motor vehicle while under the influence of alcohol, or immediately upon the stop of the person, whichever is later in time. Any chemical breath analysis required under this section must be administered with a device and in a manner approved by the director of the department of health for that purpose. The result of a preliminary chemical breath analysis may be used for the purpose of guiding the officer in deciding whether an arrest should be made. When a driver is arrested following a preliminary breath analysis, tests may be taken pursuant to § 31-27-2.1. The results of a preliminary breath test may not be used as evidence in any administrative or court proceeding involving driving while intoxicated or refusing to take a breathalyzer test, except as evidence of probable cause in making the initial arrest.
(b)
If a person refuses, upon a lawful request of a law enforcement officer, to submit to a test under subsection (a) of this section, that person shall be guilty of an infraction and shall be subject to the penalty provided in § 31-41.1-4. However, it shall be a defense to a charge of refusing a validly requested preliminary breath analysis that the medical condition of a person precluded the giving of any such test.
History of Section.
P.L. 1982, ch. 326, § 1; P.L. 2002, ch. 292, § 123.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-2.4. - Driving while in possession of controlled substances.

§ 31-27-2.4. Driving while in possession of controlled substances.
(a)
In addition to any other penalty prescribed by law, whoever operates any motor vehicle while knowingly having in the motor vehicle or in his or her possession, a controlled substance, as defined in § 21-28-1.02, except for possession of up to one ounce (1 oz.) of marijuana, shall have his or her license suspended for a period of six (6) months.
(b)

This section shall not apply to any person who lawfully possesses a controlled substance, as defined in § 21-28-1.02, as a direct result and pursuant to a valid prescription from a licensed medical practitioner, or as otherwise authorized by chapter 28 of title 21.
History of Section.
P.L. 1990, ch. 334, § 1; P.L. 2012, ch. 221, § 3; P.L. 2012, ch. 233, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-2.5. - Chemical tests to persons under eighteen (18) years of age — Refusal — License suspension.

§ 31-27-2.5. Chemical tests to persons under eighteen (18) years of age — Refusal — License suspension.
(a)
Any person under eighteen (18) years of age who shall refuse to submit to a chemical test as provided in § 31-27-2 shall have imposed all the penalties provided by § 31-27-2.1, but shall have his or her license suspended on a first violation for six (6) months, subject to the terms of subsection (e) of this section.
(b)
Jurisdiction for violations of this section is given to the family court.
(c)
If a person as set forth in subsection (a) of this section refuses, upon the request of a law enforcement officer, to submit to a test as provided in § 31-27-2.1, none shall be given, but a judge of the family court, upon receipt of a report or testimony of a law enforcement officer: that he or she had probable cause to stop the arrested person and reasonable grounds to believe the arrested person had been driving a motor vehicle within this state while impaired by intoxicating liquor, toluene, or any controlled substance, as defined in chapter 28 of title 21, or any combination of these; that the person had been informed of his or her rights in accordance with § 31-27-3; that the person had been informed of the implied consent notice contained in subsection (h) of this section; and that the person had refused to submit to the test upon the request of a law enforcement officer; shall promptly order a hearing on whether the person's operator's license or privilege to operate a motor vehicle in this state shall be suspended. Upon suspension, the judge shall order the license of the person to be surrendered to the department of administration, division of motor vehicles, within three (3) days.
(d)
If the person takes a test, as provided in § 31-27-2 and the test determines the person's blood alcohol concentration to be at least two-hundredths of one percent (.02%) but less than one-tenth of one percent (.1%) by weight, the person shall be determined to have been driving while impaired. A judge of the family court shall, pursuant to the terms of subsection (e) of this section, order as follows:
(1)
A highway safety assessment of one hundred fifty dollars ($150), or community restitution in lieu of highway safety assessment shall be paid by any person found in violation of this section. The assessment shall be deposited into the general fund.
(2)
The person's driving license shall be suspended for six (6) months on a first violation, and may be suspended for a period of up to twelve (12) months, provided the person also shall attend a special course on driving while intoxicated and provided that the person shall also attend an alcohol and/or drug treatment program if ordered by the family court judge. Failure or refusal of the person to attend the course and/or alcohol or drug treatment program shall result in the person's driving license being suspended until the course or treatment program has been completed.
(3)
On a second violation of this section, the person's driving license shall be suspended until he or she is twenty-one (21) years of age. The sentencing judge shall require alcohol and/or drug treatment for the individual.
(4)
On a third or subsequent violation, the person's driving license shall be suspended for an additional period of two (2) years and the sentencing judge shall require alcohol and/or drug treatment for the individual.
(5)
No suspensions, assessments, driving while intoxicated school, or alcohol and/or drug treatment programs under this section can be suspended, shortened, altered, or changed.
(e)
Upon suspending a license or permit as provided in subsection (a), (c), or (d) of this section, the family court shall immediately notify the person involved, in writing, as well as the custodial parent if the person is under the age of eighteen (18) years.
(f)
The police department which charges any person under eighteen (18) years of age with refusal to submit to a chemical test, driving while impaired by intoxicating liquors or drugs, or driving while under the influence of liquor or drugs, shall ascertain the name and address of the custodial parent of the person and shall notify the parent in writing within ten (10) days of the charge.
(g)
The department of administration, upon issuing a first license to a person sixteen (16) or seventeen (17) years of age, shall provide a written notice of the penalties provided by this section. Any violation of this section shall not be considered a criminal offense.
(h)

Implied consent notice for persons under eighteen (18) years of age:
"Rhode Island law requires you to submit to a chemical test of your blood, breath, or urine for the purpose of determining the chemical content of your body fluids or breath. If you refuse this testing, certain penalties can be imposed. These penalties include the following: your Rhode Island driver's license or privilege to operate a motor vehicle in this state can be suspended for six (6) months or modified to permit operation in connection with an ignition interlock device for a period specified by law; a fine from two hundred dollars ($200) to five hundred dollars ($500) can be imposed; and you can be ordered to perform ten (10) to sixty (60) hours of community service and attend a special course on driving while intoxicated or under the influence of a controlled substance and/or alcohol or drug treatment. If you have had one or more previous offenses within the past five (5) years, your loss or modification of license, fine, and community service sanctions can increase over those provided for a first offense. All violators shall pay a five hundred dollar ($500) highway safety assessment fee, a two hundred dollar ($200) department of health chemical testing programs fee, and a license reinstatement fee. If you refuse to submit to a chemical test, you will be required to maintain proof of financial responsibility for three (3) years. Refusal to submit to a chemical test shall not be considered a criminal offense. You have the right to be examined at your own expense by a physician selected by you. If you submit to a chemical test at this time, you have the right to have an additional chemical test performed at your own expense. You will be afforded a reasonable opportunity to exercise these rights. Access to a telephone will be made available for you to make those arrangements. You may now use the telephone."
Use of this implied consent notice shall serve as evidence that a person's consent to a chemical test is valid in a trial for driving under the influence of liquor, controlled substances, and/or drugs.
History of Section.
P.L. 1986, ch. 420, § 1; P.L. 1990, ch. 496, § 1; P.L. 1994, ch. 70, art. 35, § 7; P.L. 1995, ch. 164, § 1; P.L. 1995, ch. 217, § 1; P.L. 2021, ch. 170, § 1; P.L. 2021, ch. 171, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-2.6. - Driving under the influence of liquor or drugs, resulting in serious bodily injury.

§ 31-27-2.6. Driving under the influence of liquor or drugs, resulting in serious bodily injury.
(a)
When serious bodily injury of any person other than the operator is caused by the operation of any motor vehicle, the operator of which is under the influence of any intoxicating liquor, toluene, or any controlled substance as defined in chapter 28 of title 21 or any combination of these, the person so operating the vehicle shall be guilty of driving under the influence of liquor or drugs, resulting in serious bodily injury.
(b)
As used in this section, "serious bodily injury" means physical injury that creates a substantial risk of death or causes serious physical disfigurement or protracted loss or impairment of the function of any bodily member or organ.
(c)
Any person charged with the commission of the offense set forth in subsection (a) of this section shall, upon conviction, be punished by imprisonment for not less than one year and for not more than ten (10) years and by a fine of not less than one thousand dollars ($1,000) nor more than five thousand dollars ($5,000). The sentencing judge shall have the discretion to sentence the person to any unit of the adult correctional institutions. The license of the person may be revoked for a period of up to two (2) years. The license privilege shall not be reinstated until evidence satisfactory to the administrator of the division of motor vehicles establishes that no grounds exist which would authorize refusal to issue a license and until the person gives proof of financial responsibility pursuant to chapter 32 of this title. In addition, the person convicted may be required to successfully complete alcohol or drug treatment, at their own expense, in a program established by the director of the department of corrections.
(d)
For a second or subsequent conviction under this section within a five (5) year period, a person shall be punished by imprisonment for not less than two (2) years nor more than fifteen (15) years and by a fine of not less than three thousand dollars ($3,000) nor more than ten thousand dollars ($10,000). The sentencing judge shall have the discretion to sentence the person to any unit of the adult correctional institutions. In addition, the person convicted may be required to successfully complete alcohol or drug treatment, at their own expense, in a program established by the director of the department of corrections. The license of the person may be revoked for a period of up to four (4) years. The license privilege shall not thereafter be reinstated until evidence satisfactory to the administrator of the division of motor vehicles establishes that no grounds exist which would authorize refusal to issue a license and until the person gives proof of financial responsibility pursuant to chapter 32 of this title.
History of Section.
P.L. 1987, ch. 571, § 1; P.L. 1992, ch. 363, § 1; P.L. 1995, ch. 130, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-2.7. - Driving while impaired.

§ 31-27-2.7. Driving while impaired.
(a)
A person under the age of twenty-one (21) but at least eighteen (18) years of age who takes a test, as provided for in § 31-27-2, at

the request of a law enforcement officer who believes the person to be driving under the influence of alcohol, shall be determined to have been driving while impaired if the test determines the person's blood alcohol concentration to be at least two-hundredths of one percent (.02%) but less than eight one hundredths of one percent (.08%) by weight.
(b)
Should, after a hearing in district court, it be determined that: the results of the test are admissible in that it meets all of the conditions, as set forth in § 31-27-2; and the person has been afforded his or her rights as set forth in § 31-27-2; then the judge shall order as follows:
(1)
A fine of not more than two hundred and fifty dollars ($250) and thirty (30) hours of community restitution. The fine shall be deposited in the general fund.
(2)
The person's driving license shall be suspended for not less than one nor more than three (3) months on a first violation, provided the person also shall attend a special course in driving while intoxicated and provided that the person shall also attend an alcohol and/or drug treatment program if ordered by the district court judge. Failure or refusal of the person to attend the course and/or alcohol or drug treatment program shall result in the person's driving license being suspended until such time as the course and/or treatment program has been completed.
(3)
On a second and subsequent violation of the section, the person shall be fined not more than two hundred and fifty dollars ($250) together with a highway safety assessment of three hundred dollars ($300) and shall be required to perform up to sixty (60) hours of community restitution. The person's driving license shall be suspended for not less than three (3) months nor more than six (6) months. The sentencing judge shall also require the person to attend a special course in driving while intoxicated and also attend an alcohol and/or drug treatment program.
(c)
No suspension, assessments, driving while intoxicated school, or alcohol and/or drug treatment programs under this section can be suspended, shortened, altered, or changed.
(d)
Any violation of the section shall not be considered a criminal offense.
History of Section.
P.L. 1990, ch. 329, § 2; P.L. 1994, ch. 70, art. 35, § 7; P.L. 1995, ch. 164, § 1; P.L. 1995, ch. 217, § 1; P.L. 2013, ch. 317, § 1; P.L. 2013, ch. 390, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-2.8. - Ignition interlock system and/or blood and urine testing imposed as a part of sentence — Requirements.

§ 31-27-2.8. Ignition interlock system and/or blood and urine testing imposed as a part of sentence — Requirements.
(a)
Any person subject to suspension pursuant to §§ 31-27-2.1(b)(1) and 31-27-2.1(b)(2) or convicted under the provisions of § 31-27-2(d)(1), § 31-27-2(d)(2), § 31-27-2(d)(3)(i), or § 31-27-2(d)(3)(ii), or whose violation is sustained under the provisions of §§ 31-27-2.1(b)(1) and 31- 27-2.1(b)(2), may be prohibited by the sentencing judge or magistrate from operating a motor vehicle that is not equipped with an ignition interlock system, and/or blood and urine testing by a licensed physician with knowledge and clinical experience in the diagnosis and treatment of drug-related disorders, a licensed or certified psychologist, social worker, or EAP professional with like knowledge, or a substance abuse counselor certified by the National Association of Alcohol and Drug Abuse Counselors (all of whom shall be licensed in Rhode Island), pursuant to this section.
(1)
Notwithstanding any other sentencing and disposition provisions contained in this chapter, if a Rhode Island traffic tribunal magistrate makes a finding that a motorist was operating a vehicle in the state while under the influence of drugs, toluene, or any controlled substance as evidenced by the presence of controlled substances on or about the person or vehicle, or other reliable indicia or articulable conditions thereof, but not intoxicating liquor based on a preliminary breath test, results from a breathalyzer that indicates no blood alcohol concentration or both, the magistrate may exercise his or her discretion and eliminate the requirement of an ignition interlock system; provided, that blood and/or urine testing is mandated as a condition to operating a motor vehicle as provided in this section.
(2)
Notwithstanding any other sentencing and disposition provisions contained in this chapter, if a Rhode Island traffic tribunal magistrate makes a finding that a motorist was operating a vehicle in the state while under the influence of drugs, toluene, or any controlled substance as evidenced by the presence of controlled substances on or about the person or vehicle, or other reliable indicia or articulable conditions thereof and intoxicating liquor based on a preliminary breath test, results from a breathalyzer that indicates blood alcohol concentration or both, the magistrate may require an ignition interlock system in addition to blood and/or urine testing as a condition to operating a motor vehicle as provided in this section.
(b)
Notwithstanding any other provisions contained in this chapter, any mandatory period of license suspension shall, upon request, be

reduced by the imposition of an ignition interlock system and/or blood and urine testing ordered by the court or traffic tribunal as follows:

(1)

For a violation of § 31-27-2(d)(1), a person shall be subject to a minimum thirty-day (30) license suspension and an imposition of an ignition interlock system and/or blood and urine testing for three (3) months to one year.

(2)

For a violation of § 31-27-2.1(c)(1), a person shall be subject to a minimum thirty-day (30) license suspension and an imposition of an ignition interlock system and/or blood and urine testing for a period of six (6) months to two (2) years.

(3)

For a violation of § 31-27-2(d)(2), a person shall be subject to a minimum forty-five-day (45) license suspension and an imposition of an ignition interlock system and/or blood and urine testing for a period of six (6) months to two (2) years.

(4)

For a violation of § 31-27-2.1(c)(2), a person shall be subject to a minimum sixty-day (60) license suspension and an imposition of an ignition interlock system and/or blood and urine testing for a period of one to four (4) years.

(5)

For a violation of § 31-27-2(d)(3), a person shall be subject to a minimum sixty-day (60) license suspension and imposition of an ignition interlock system and/or blood and urine testing for a period of one to four (4) years.

(6)

For a violation of § 31-27-2.1(c)(3), a person shall be subject to a minimum ninety-day (90) license suspension and imposition of an ignition interlock system and/or blood and urine testing for a period of two (2) to ten (10) years.

(7)

No license suspension shall be subject to more than a thirty-day (30) license suspension based solely upon the imposition of an ignition interlock system.

(i)

If a conviction pursuant to § 31-27-2(d)(1) or § 31-27-2.1(c)(1) is a first offense, or upon an initial suspension pursuant to § 31-27-2.1(b)(1), where there has been a finding or determination that the motorist was under the influence of intoxicating liquor only, the magistrate shall, upon request, immediately grant a conditional hardship license after a finding of need pursuant to this section and upon proof of the installation of an ignition interlock device.

(ii)

If a conviction pursuant to § 31-27-2(d)(1) or § 31-27-2.1(c)(1) is a first offense, or upon an initial suspension pursuant to § 31-27-2.1(b)(1), where there has been a finding or determination that the motorist was under the influence of drugs, toluene, or a controlled substance, but not intoxicating liquor, the judge or magistrate shall, upon request immediately grant a conditional hardship license after a finding of need pursuant to this section and upon proof of blood and urine testing pursuant to this section.

(iii)

If a conviction pursuant to § 31-27-2(d)(1) or § 31-27-2.1(c)(1) is a first offense, or upon an initial suspension pursuant to § 31-27-2.1(b)(1), where there has been a finding or determination that the motorist was under the influence of intoxicating liquor, toluene, a controlled substance, or any combination thereof, the magistrate shall, upon request immediately grant a conditional hardship license after a finding of need pursuant to this section and upon proof of the installation of an ignition interlock device, subject also to the following testing:

(A)

The testing of either blood or urine is being performed by or monitored by a licensed physician with knowledge and clinical experience in the diagnosis and treatment of drug-related disorders, a licensed or certified psychologist, social worker, or EAP professional with like knowledge, or a substance abuse counselor certified by the National Association of Alcohol and Drug Abuse Counselors (all of whom shall be licensed in Rhode Island).

(B)

The motorist is required to pay for the substance abuse professional, any testing, retesting, monitoring, and reporting costs of the blood and urine testing.

(C)

Samples are to be collected, tested and confirmed by a federally certified laboratory by means of gas chromatography/mass spectrometry or technology recognized as being at least as scientifically accurate.

(D)

Samples are to be taken weekly for the first sixty (60) days, thereafter in accordance with the recommendation of the substance abuse professional. The samples taken thereafter may be ordered randomly, but must be provided by the motorist within twenty-four (24) hours of the request. The substance abuse professional shall report to the department of the attorney general within twenty-four (24) hours any failure by the motorist to comply with a request for a sample.

(E)

A positive test of urine or blood that evidences any controlled substances shall be reported by the substance abuse professional to the motorist and to the department of the attorney general within twenty-four (24) hours of receipt of the results. The motorist may, at his or her own expense, have an opportunity to have the sample retested or reevaluated by an independent testing facility which shall

provide the result directly to the substance abuse professional. The attorney general may request, at any time, a copy of any or all test results from the substance abuse professional, who shall forward the requested results within forty-eight (48) hours.
(F)
Upon completion of the license suspension, conditional hardship, ignition interlock and substance abuse testing periods, a finalized report shall be presented to the department of motor vehicles prior to any license reinstatement.
(G)
If a judge or magistrate determines that a motorist either failed, without good cause, to comply with a sample request or tested positive for any controlled substance, he or she may exercise his or her discretion and revoke the conditional hardship license, extend the time period for the ignition interlock system and/or substance abuse testing for an additional period of up to twelve (12) months and/or impose an additional loss of license for up to twenty-four (24) months.
(H)
A motorist who has failed, without good cause, to comply with a sample request or tested positive for any controlled substance for a second time within twelve (12) months of the first failure and/or positive test determination shall be guilty of a misdemeanor punishable by up to one year imprisonment, or a fine of up to one thousand dollars ($1,000), or both.
(c)
However, in any case where a motorist is convicted of an alcohol-related offense pursuant to the provisions of this chapter, the judge or magistrate may exercise his or her discretion in the granting of the hardship license by imposing up to a ninety (90) day loss of license prior to any imposition of the hardship license. The hardship license shall be valid for twelve (12) continuous hours per day for any valid reason approved in advance by the sentencing judge or magistrate, which shall include employment, medical appointments, job training, schooling, or religious purposes. The hardship license shall not be for less than twelve (12) continuous hours per day. A hardship license shall only be granted in conjunction with the installation of an ignition interlock device and/or blood and urine testing. Any conditional driving privileges must be set by the sentencing judge or magistrate after a hearing in which the motorist must provide proof of employment status and hours of employment, or any other legitimate reasons justifying a hardship license. These shall include, but not be limited to, any unemployment training, schooling, medical appointments, therapy treatments, or any other valid requests set forth by sworn affidavit. Once said hardship period has concluded, the motorist must still be subject to the conditions of the ignition interlock system and/or blood and urine testing as set forth under this section for the period of time as directed by the court. Any individual who violates the requirements of this subsection shall be subject to the penalties enumerated in § 31-11-18.1.
(d)
Any person convicted of an offense of driving under the influence of liquor or drugs resulting in death, § 31-27-2.2; driving under the influence of liquor or drugs resulting in serious bodily injury, § 31-27-2.6; driving to endanger resulting in death, § 31-27-1; or driving to endanger resulting in serious bodily injury, § 31-27-1.1; may, in addition to any other penalties provided by law, be prohibited from operating a motor vehicle that is not equipped with an approved ignition interlock system and/or blood and urine testing for one to five (5) years.
(e)
Any person who operates a motor vehicle with a suspended license during the period of suspension, and the reason for the suspension was due to a conviction of driving under the influence of drugs or alcohol or a sustained violation or conviction of refusal to submit to a chemical test, shall be subject to the further use of the ignition interlock system and/or blood and urine testing for a period of six (6) months subsequent to the penalties enumerated in § 31-11-18.1.
(f)
When the court orders the use of an ignition interlock system, the judge or magistrate shall cause an appropriate notation to be made on the person’s record that clearly sets forth the requirement for, and the period of the use of, the ignition interlock system.
(g)
In addition to the requirements of subsection (f) of this section, the court or traffic tribunal shall:
(1)
Require proof of the installation of the ignition interlock system and periodic reporting by the person for the purpose of verification of the proper operation of the ignition interlock system;
(2)
Require the person to have the ignition interlock system monitored for the proper use and accuracy by a person, firm, corporation, or other association to be approved by the division of motor vehicles at least once every six (6) months, or more frequently as the circumstances may require; and
(3)
Require the person to pay the reasonable cost of leasing or buying, monitoring, and maintenance of the ignition interlock system.
(4)
The requirements under subsection (g) of this section shall be the responsibility of the probation department or justice assistance, if the individual is under their control, or the division of motor vehicles if the individual is not monitored as a condition of the individual’s plea or finding of guilt.
(h)
Any person granted a conditional hardship license upon proof of installation of an ignition interlock device, may operate that motor

vehicle during the entire twelve-hour (12) period of operation granted by the sentencing judge or magistrate including during the scope of the person's employment and/or any other valid reason approved by the sentencing judge or magistrate.
(i)
If a person is required, in the course of the person's employment, to operate a motor vehicle owned or provided by the person's employer, the person may operate that motor vehicle in the course of the person's employment without installation of an ignition interlock system if the court makes specific findings expressly permitting the person to operate, in the course of the person's employment, a motor vehicle that is not equipped with an ignition interlock system.
(j)(1)
Any person subject to an ignition interlock order and/or blood and urine testing who violates such order shall be guilty of a misdemeanor punishable by up to one year imprisonment, or a fine of up to one thousand dollars ($1,000), or both.
(2)
For a second violation within six (6) months from entry of the order, the person violating the order shall be imprisoned for a term of not less than ten (10) days and not more than one year.
(k)
For the purposes of this subsection, a violation of the interlock order, includes, but is not limited to:
(1)
Altering, tampering, or in any way attempting to circumvent the operation of an ignition interlock system that has been installed in the motor vehicle of a person under this section;
(2)
Operating a motor vehicle that is not equipped with an ignition interlock system; or
(3)
Soliciting or attempting to have another person start a motor vehicle equipped with an ignition interlock system for the purpose of providing an operable motor vehicle to a person who is prohibited from operating a motor vehicle that is not equipped with an ignition interlock system.
(l)
Any person who attempts to start, or starts, a motor vehicle equipped with an ignition interlock system, tampers with, or in any way attempts to circumvent, the operation of an ignition interlock system that has been installed in the motor vehicle for the purpose of providing an operable motor vehicle to a person who is prohibited from operating a motor vehicle that is not equipped with an ignition interlock system, shall be guilty of a misdemeanor punishable by up to one year imprisonment or a fine of up to one thousand dollars ($1,000), or both.
History of Section.
P.L. 1990, ch. 405, § 2; P.L. 2014, ch. 230, § 2; P.L. 2014, ch. 326, § 2; P.L. 2016, ch. 127, § 1; P.L. 2016, ch. 141, § 1; P.L. 2021, ch. 170, § 1; P.L. 2021, ch. 171, § 1; P.L. 2022, ch. 234, art. 2, § 12, effective June 28, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-2.9. - Administration of chemical test.

§ 31-27-2.9. Administration of chemical test.
(a)
Notwithstanding any provision of § 31-27-2.1, if an individual refuses to consent to a chemical test as provided in § 31-27-2.1, and a peace officer, as defined in § 12-7-21, has probable cause to believe that the individual has violated one or more of the following sections: 31-27-1, 31-27-1.1, 31-27-2.2, or 31-27-2.6 and that the individual was operating a motor vehicle under the influence of any intoxicating liquor, toluene or any controlled substance as defined in chapter 21-28, or any combination thereof, a chemical test may be administered without the consent of that individual provided that the peace officer first obtains a search warrant authorizing administration of the chemical test. The chemical test shall determine the amount of the alcohol or the presence of a controlled substance in that person's blood, saliva or breath.
(b)
The chemical test shall be administered in accordance with the methods approved by the director of the department of health as provided for in subdivision 31-27-2(c)(4). The individual shall be afforded the opportunity to have an additional chemical test as established in subdivision 31-27-2(c)(6).
(c)
Notwithstanding any other law to the contrary, including, but not limited to, chapter 5-37.3, any health care provider who, as authorized by the search warrant in subsection (a):
(i)
Takes a blood, saliva or breath sample from an individual; or
(ii)
Performs the chemical test; or
(iii)
Provides information to a peace officer pursuant to subsection (a) above and who uses reasonable care and accepted medical practices shall not be liable in any civil or criminal proceeding arising from the taking of the sample, from the performance of the

chemical test or from the disclosure or release of the test results.
(d)
The results of a chemical test performed pursuant to this section shall be admissible as competent evidence in any civil or criminal prosecution provided that evidence is presented in compliance with the conditions set forth in subdivisions 31-27-2(c)(3), 31-27-2(c)(4) and 31-27-2(c)(6).
(e)
All chemical tests administered pursuant to this section shall be audio and video recorded by the law enforcement agency which applied for and was granted the search warrant authorizing the administration of the chemical test.
History of Section.
P.L. 2009, ch. 210, § 2; P.L. 2009, ch. 211, § 2; P.L. 2022, ch. 31, § 12, effective May 25, 2022; P.L. 2022, ch. 32, § 12, effective May 25, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-2. - Driving under influence of liquor or drugs. [Effective until July 1, 2025.]

§ 31-27-2. Driving under influence of liquor or drugs. [Effective until July 1, 2025.]
(a)
Whoever drives or otherwise operates any vehicle in the state while under the influence of any intoxicating liquor, drugs, toluene, or any controlled substance as defined in chapter 28 of title 21, or any combination of these, shall be guilty of a misdemeanor, except as provided in subsection (d)(3), and shall be punished as provided in subsection (d) of this section.
(b)(1)
Any person charged under subsection (a), whose blood alcohol concentration is eight one-hundredths of one percent (.08%) or more by weight, as shown by a chemical analysis of a blood, breath, or urine sample, shall be guilty of violating subsection (a). This provision shall not preclude a conviction based on other admissible evidence, including the testimony of a drug recognition expert or evaluator, certified pursuant to training approved by the Rhode Island department of transportation office on highway safety. Proof of guilt under this section may also be based on evidence that the person charged was under the influence of intoxicating liquor, drugs, toluene, or any controlled substance defined in chapter 28 of title 21, or any combination of these, to a degree that rendered the person incapable of safely operating a vehicle. The fact that any person charged with violating this section is, or has been, legally entitled to use alcohol or a drug shall not constitute a defense against any charge of violating this section.
(2)
[Deleted by P.L. 2021, ch. 170, § 1 and P.L. 2021, ch. 171, § 1.]
(c)
In any criminal prosecution for a violation of subsection (a), evidence as to the amount of intoxicating liquor, toluene, or any controlled substance as defined in chapter 28 of title 21, or any combination of these, in the defendant’s blood at the time alleged as shown by a chemical analysis of the defendant’s breath, blood, saliva or urine or other bodily substance, shall be admissible and competent, provided that evidence is presented that the following conditions have been complied with:
(1)
The defendant has consented to the taking of the test upon which the analysis is made. Evidence that the defendant had refused to submit to the test shall not be admissible unless the defendant elects to testify.
(2)
A true copy of the report of the test result was hand delivered at the location of the test or mailed within seventy-two (72) hours of the taking of the test to the person submitting to a breath test.
(3)
Any person submitting to a chemical test of blood, urine, saliva or other body fluids shall have a true copy of the report of the test result mailed to him or her within thirty (30) days following the taking of the test.
(4)
The test was performed according to methods and with equipment approved by the director of the department of health of the state of Rhode Island and by an authorized individual.
(5)
Equipment used for the conduct of the tests by means of breath analysis had been tested for accuracy within thirty (30) days preceding the test by personnel qualified as hereinbefore provided, and breathalyzer operators shall be qualified and certified by the department of health within three hundred sixty-five (365) days of the test.
(6)
The person arrested and charged with operating a motor vehicle while under the influence of intoxicating liquor, toluene, or any controlled substance as defined in chapter 28 of title 21 or any combination of these in violation of subsection (a), was afforded the opportunity to have an additional chemical test. The officer arresting or so charging the person shall have informed the person of this right and afforded him or her a reasonable opportunity to exercise this right, and a notation to this effect is made in the official records of the case in the police department. Refusal to permit an additional chemical test shall render incompetent and inadmissible in evidence the original report.
(d)(1)(i)

Every person found to have violated subsection (b)(1) shall be sentenced as follows: for a first violation whose blood alcohol concentration is eight one-hundredths of one percent (.08%), but less than one-tenth of one percent (.1%), by weight, or who has a blood presence of any scheduled controlled substance as defined in chapter 28 of title 21, shall be subject to a fine of not less than one hundred dollars ($100), nor more than three hundred dollars ($300); shall be required to perform ten (10) to sixty (60) hours of public community restitution, and/or shall be imprisoned for up to one year. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge and/or shall be required to attend a special course on driving while intoxicated or under the influence of a controlled substance; provided, however, that the court may permit a servicemember or veteran to complete any court-approved counseling program administered or approved by the Veterans' Administration, and his or her driver's license shall be suspended for thirty (30) days up to one hundred eighty (180) days. The sentencing judge or magistrate may prohibit that person from operating a motor vehicle, pursuant to subsection (d)(9) or (d)(10) of this section, that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(ii)

Every person convicted of a first violation whose blood alcohol concentration is one-tenth of one percent (.1%) by weight or above, but less than fifteen hundredths of one percent (.15%), or whose blood alcohol concentration is unknown, shall be subject to a fine of not less than one hundred ($100) dollars, nor more than four hundred dollars ($400), and shall be required to perform ten (10) to sixty (60) hours of public community restitution and/or shall be imprisoned for up to one year. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge. The person's driving license shall be suspended for a period of three (3) months to twelve (12) months. The sentencing judge shall require attendance at a special course on driving while intoxicated or under the influence of a controlled substance and/or alcoholic or drug treatment for the individual; provided, however, that the court may permit a servicemember or veteran to complete any court-approved counseling program administered or approved by the Veterans' Administration. The sentencing judge or magistrate may prohibit that person from operating a motor vehicle that is not equipped with an ignition interlock system as provided in § 31-27-2.8.

(iii)

Every person convicted of a first offense whose blood alcohol concentration is fifteen hundredths of one percent (.15%) or above, or who is under the influence of a drug, toluene, or any controlled substance as defined in subsection (b)(1), shall be subject to a fine of five hundred dollars ($500) and shall be required to perform twenty (20) to sixty (60) hours of public community restitution and/or shall be imprisoned for up to one year. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge. The person's driving license shall be suspended for a period of three (3) months to eighteen (18) months. The sentencing judge shall require attendance at a special course on driving while intoxicated or under the influence of a controlled substance and/or alcohol or drug treatment for the individual; provided, however, that the court may permit a servicemember or veteran to complete any court-approved counseling program administered or approved by the Veterans' Administration. The sentencing judge or magistrate shall prohibit that person from operating a motor vehicle, pursuant to subsection (d)(9) or (d)(10) of this section, that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(2)(i)

Every person convicted of a second violation within a five-year (5) period with a blood alcohol concentration of eight one-hundredths of one percent (.08%) or above, but less than fifteen hundredths of one percent (.15%), or whose blood alcohol concentration is unknown, or who has a blood presence of any controlled substance as defined in chapter 28 of title 21, and every person convicted of a second violation within a five-year (5) period, regardless of whether the prior violation and subsequent conviction was a violation and subsequent conviction under this statute or under the driving under the influence of liquor or drugs statute of any other state, shall be subject to a mandatory fine of four hundred dollars ($400). The person's driving license shall be suspended for a period of one year to two (2) years, and the individual shall be sentenced to not less than ten (10) days, nor more than one year, in jail. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge; however, not less than forty-eight (48) hours of imprisonment shall be served consecutively. The sentencing judge shall require alcohol or drug treatment for the individual; provided, however, that the court may permit a servicemember or veteran to complete any court-approved counseling program administered or approved by the Veterans' Administration and shall prohibit that person from operating a motor vehicle, pursuant to subsection (d)(9) or (d)(10) of this section, that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(ii)

Every person convicted of a second violation within a five-year (5) period whose blood alcohol concentration is fifteen hundredths of one percent (.15%) or above, by weight as shown by a chemical analysis of a blood, breath, or urine sample, or who is under the influence of a drug, toluene, or any controlled substance as defined in subsection (b)(1), shall be subject to mandatory imprisonment of not less than six (6) months, nor more than one year; a mandatory fine of not less than one thousand dollars ($1,000); and a mandatory license suspension for a period of two (2) years from the date of completion of the sentence imposed under this subsection. The sentencing judge shall require alcohol or drug treatment for the individual; provided, however, that the court may permit a servicemember or veteran to complete any court approved counseling program administered or approved by the Veterans' Administration. The sentencing judge or magistrate shall prohibit that person from operating a motor vehicle, pursuant to subsection (d)(9) or (d)(10) of this section, that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(3)(i)

Every person convicted of a third or subsequent violation within a five-year (5) period with a blood alcohol concentration of eight one-hundredths of one percent (.08%) or above, but less than fifteen hundredths of one percent (.15%), or whose blood alcohol concentration is unknown or who has a blood presence of any scheduled controlled substance as defined in chapter 28 of title 21, regardless of whether any prior violation and subsequent conviction was a violation and subsequent conviction under this statute or under the driving under the influence of liquor or drugs statute of any other state, shall be guilty of a felony and be subject to a mandatory fine of four hundred ($400) dollars. The person's driving license shall be suspended for a period of two (2) years to three (3) years, and the individual shall be sentenced to not less than one year and not more than three (3) years in jail. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge; however, not less than forty-eight (48) hours of imprisonment shall be served consecutively. The sentencing judge shall require alcohol or drug treatment for the individual; provided, however, that the court may permit a servicemember or veteran to complete any court-approved counseling program administered or approved by the Veterans' Administration, and shall prohibit that person from operating a motor vehicle, pursuant to subsection (d)(9) or (d)(10) of this section, that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(ii)

Every person convicted of a third or subsequent violation within a ten-year (10) period whose blood alcohol concentration is fifteen hundredths of one percent (.15%) above by weight as shown by a chemical analysis of a blood, breath, or urine sample, or who is under the influence of a drug, toluene, or any controlled substance as defined in subsection (b)(1), shall be subject to mandatory imprisonment of not less than three (3) years, nor more than five (5) years; a mandatory fine of not less than one thousand dollars ($1,000), nor more than five thousand dollars ($5,000); and a mandatory license suspension for a period of three (3) years from the date of completion of the sentence imposed under this subsection. The sentencing judge shall require alcohol or drug treatment for the individual. The sentencing judge or magistrate shall prohibit that person from operating a motor vehicle, pursuant to subsection (d)(9) or (d)(10) of this section, that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(iii)

In addition to the foregoing penalties, every person convicted of a third or subsequent violation within a five-year (5) period, regardless of whether any prior violation and subsequent conviction was a violation and subsequent conviction under this statute or under the driving under the influence of liquor or drugs statute of any other state, shall be subject, in the discretion of the sentencing judge, to having the vehicle owned and operated by the violator seized and sold by the state of Rhode Island, with all funds obtained by the sale to be transferred to the general fund.

(4)

Whoever drives or otherwise operates any vehicle in the state while under the influence of any intoxicating liquor, drugs, toluene, or any controlled substance as defined in chapter 28 of title 21, or any combination of these, when his or her license to operate is suspended, revoked, or cancelled for operating under the influence of a narcotic drug or intoxicating liquor, shall be guilty of a felony punishable by imprisonment for not more than three (3) years and by a fine of not more than three thousand dollars ($3,000). The court shall require alcohol and/or drug treatment for the individual; provided, the penalties provided for in this subsection (d)(4) shall not apply to an individual who has surrendered his or her license and served the court-ordered period of suspension, but who, for any reason, has not had his or her license reinstated after the period of suspension, revocation, or suspension has expired; provided, further, the individual shall be subject to the provisions of subsection (d)(2)(i), (d)(2)(ii), (d)(3)(i), (d)(3)(ii), or (d)(3)(iii) regarding subsequent offenses, and any other applicable provision of this section.

(5)(i)

For purposes of determining the period of license suspension, a prior violation shall constitute any charge brought and sustained under the provisions of this section or § 31-27-2.1.

(ii)

Any person over the age of eighteen (18) who is convicted under this section for operating a motor vehicle while under the influence of alcohol, other drugs, or a combination of these, while a child under the age of thirteen (13) years was present as a passenger in the motor vehicle when the offense was committed shall be subject to immediate license suspension pending prosecution. Any person convicted of violating this section shall be guilty of a misdemeanor for a first offense and may be sentenced to a term of imprisonment of not more than one year and a fine not to exceed one thousand dollars ($1,000). Any person convicted of a second or subsequent offense shall be guilty of a felony offense and may be sentenced to a term of imprisonment of not more than five (5) years and a fine not to exceed five thousand dollars ($5,000). The sentencing judge shall also order a license suspension of up to two (2) years, require attendance at a special course on driving while intoxicated or under the influence of a controlled substance, and alcohol or drug education and/or treatment. The individual may also be required to pay a highway assessment fee of no more than five hundred dollars ($500) and the assessment shall be deposited in the general fund.

(6)(i)

Any person convicted of a violation under this section shall pay a highway assessment fine of five hundred dollars ($500) that shall be deposited into the general fund. The assessment provided for by this subsection shall be collected from a violator before any other fines authorized by this section.

(ii)

Any person convicted of a violation under this section shall be assessed a fee of eighty-six dollars ($86).

(7)(i)
If the person convicted of violating this section is under the age of eighteen (18) years, for the first violation he or she shall be required to perform ten (10) to sixty (60) hours of public community restitution and the juvenile's driving license shall be suspended for a period of six (6) months, and may be suspended for a period up to eighteen (18) months. The sentencing judge shall also require attendance at a special course on driving while intoxicated or under the influence of a controlled substance and alcohol or drug education and/or treatment for the juvenile. The juvenile may also be required to pay a highway assessment fine of no more than five hundred dollars ($500) and the assessment imposed shall be deposited into the general fund.
(ii)
If the person convicted of violating this section is under the age of eighteen (18) years, for a second or subsequent violation regardless of whether any prior violation and subsequent conviction was a violation and subsequent conviction under this statute or under the driving under the influence of liquor or drugs statute of any other state, he or she shall be subject to a mandatory suspension of his or her driving license until such time as he or she is twenty-one (21) years of age and may, in the discretion of the sentencing judge, also be sentenced to the Rhode Island training school for a period of not more than one year and/or a fine of not more than five hundred dollars ($500).
(8)
Any person convicted of a violation under this section may undergo a clinical assessment at the community college of Rhode Island's center for workforce and community education. Should this clinical assessment determine problems of alcohol, drug abuse, or psychological problems associated with alcoholic or drug abuse, this person shall be referred to an appropriate facility, licensed or approved by the department of behavioral healthcare, developmental disabilities and hospitals, for treatment placement, case management, and monitoring. In the case of a servicemember or veteran, the court may order that the person be evaluated through the Veterans' Administration. Should the clinical assessment determine problems of alcohol, drug abuse, or psychological problems associated with alcohol or drug abuse, the person may have their treatment, case management, and monitoring administered or approved by the Veterans' Administration.
(9)
Notwithstanding any other sentencing and disposition provisions contained in this chapter, if the judge or magistrate makes a finding beyond a reasonable doubt that a motorist was operating a vehicle in the state while under the influence of drugs, toluene, or any controlled substance as evidenced by the presence of controlled substances on or about the person or vehicle, or other reliable indicia or articulable conditions thereof, but not intoxicating liquor based on a preliminary breath test, results from a breathalyzer that indicates no blood alcohol concentration, or both, the judge or magistrate may exercise his or her discretion and eliminate the requirement of an ignition interlock system; provided, that blood and/or urine testing is mandated as a condition to operating a motor vehicle as provided in § 31-27-2.8.
(10)
Notwithstanding any other sentencing and disposition provisions contained in this chapter, if the judge or magistrate makes a finding beyond a reasonable doubt that a motorist was operating a vehicle in the state while under the influence of drugs, toluene, or any controlled substance as evidenced by the presence of controlled substances on or about the person or vehicle, or other reliable indicia or articulable conditions thereof and intoxicating liquor based on a preliminary breath test, results from a breathalyzer that indicates blood alcohol concentration, or both, the judge or magistrate may require an ignition interlock system in addition to blood and/or urine testing as a condition to operating a motor vehicle as provided in § 31-27-2.8.
(e)
Percent by weight of alcohol in the blood shall be based upon milligrams of alcohol per one hundred cubic centimeters (100 cc) of blood.
(f)(1)
There is established an alcohol and drug safety unit within the division of motor vehicles to administer an alcohol safety action program. The program shall provide for placement and follow-up for persons who are required to pay the highway safety assessment. The alcohol and drug safety action program will be administered in conjunction with alcohol and drug programs licensed by the department of behavioral healthcare, developmental disabilities and hospitals.
(2)
Persons convicted under the provisions of this chapter shall be required to attend a special course on driving while intoxicated or under the influence of a controlled substance, and/or participate in an alcohol or drug treatment program, which course and programs must meet the standards established by the Rhode Island department of behavioral healthcare, developmental disabilities and hospitals; provided, however, that the court may permit a servicemember or veteran to complete any court-approved counseling program administered or approved by the Veterans' Administration. The course shall take into consideration any language barrier that may exist as to any person ordered to attend, and shall provide for instruction reasonably calculated to communicate the purposes of the course in accordance with the requirements of the subsection. Any costs reasonably incurred in connection with the provision of this accommodation shall be borne by the person being retrained. A copy of any violation under this section shall be forwarded by the court to the alcohol and drug safety unit. In the event that persons convicted under the provisions of this chapter fail to attend and complete the above course or treatment program, as ordered by the judge, then the person may be brought before the court, and after a hearing as to why the order of the court was not followed, may be sentenced to jail for a period not exceeding one year.

(3)
The alcohol and drug safety action program within the division of motor vehicles shall be funded by general revenue appropriations.
(g)
The director of the department of health is empowered to make and file with the secretary of state regulations that prescribe the techniques and methods of chemical analysis of the person's body fluids or breath and the qualifications and certification of individuals authorized to administer this testing and analysis.
(h)
Jurisdiction for misdemeanor violations of this section shall be with the district court for persons eighteen (18) years of age or older and to the family court for persons under the age of eighteen (18) years. The courts shall have full authority to impose any sentence authorized and to order the suspension of any license for violations of this section. Trials in superior court are not required to be scheduled within thirty (30) days of the arraignment date.
(i)
No fines, suspensions, assessments, alcohol or drug treatment programs, course on driving while intoxicated or under the influence of a controlled substance, public community restitution, or jail provided for under this section can be suspended.
(j)
An order to attend a special course on driving while intoxicated, that shall be administered in cooperation with a college or university accredited by the state, shall include a provision to pay a reasonable tuition for the course in an amount not less than twenty-five dollars ($25.00), and a fee of one hundred seventy-five dollars ($175), which fee shall be deposited into the general fund.
(k)
For the purposes of this section, any test of a sample of blood, breath, or urine for the presence of alcohol that relies in whole or in part upon the principle of infrared light absorption is considered a chemical test.
(l)
If any provision of this section, or the application of any provision, shall for any reason be judged invalid, such a judgment shall not affect, impair, or invalidate the remainder of the section, but shall be confined in this effect to the provision or application directly involved in the controversy giving rise to the judgment.
(m)
For the purposes of this section, "servicemember" means a person who is presently serving in the armed forces of the United States, including the Coast Guard, a reserve component thereof, or the National Guard. "Veteran" means a person who has served in the armed forces, including the Coast Guard of the United States, a reserve component thereof, or the National Guard, and has been discharged under other than dishonorable conditions.
History of Section.
P.L. 1950, ch. 2595, art. 24, § 2; P.L. 1950 (s.s.), ch. 2639, § 3; G.L. 1956, § 31-27-2; P.L. 1959, ch. 101, § 1; P.L. 1973, ch. 213, § 1; P.L. 1974, ch. 120, § 2; P.L. 1980, ch. 321, § 1; P.L. 1982, ch. 176, § 1; P.L. 1983, ch. 227, § 1; P.L. 1985, ch. 138, § 1; P.L. 1985, ch. 139, § 1; P.L. 1985, ch. 150, § 39; P.L. 1986, ch. 275, § 1; P.L. 1986, ch. 433, § 1; P.L. 1986, ch. 494, § 2; P.L. 1986, ch. 508, § 1; P.L. 1989, ch. 149, § 1; P.L. 1990, ch. 329, § 1; P.L. 1990, ch. 496, § 1; P.L. 1991, ch. 65, § 1; P.L. 1992, ch. 133, art. 37, § 6; P.L. 1992, ch. 133, art. 94, § 1; P.L. 1992, ch. 405, § 1; P.L. 1992, ch. 418, § 5; P.L. 1993, ch. 138, art. 26, § 3; P.L. 1994, ch. 70, art. 35, § 7; P.L. 1995, ch. 370, art. 14, § 7; P.L. 1996, ch. 224, § 1; P.L. 1996, ch. 263, § 1; P.L. 1998, ch. 91, art. 1, § 3; P.L. 1999, ch. 360, § 1; P.L. 2000, ch. 109, § 40; P.L. 2000, ch. 168, § 1; P.L. 2000, ch. 264, § 1; P.L. 2003, ch. 87, § 1; P.L. 2003, ch. 88, § 1; P.L. 2006, ch. 350, § 1; P.L. 2006, ch. 474, § 1; P.L. 2009, ch. 68, art. 5, § 3; P.L. 2010, ch. 23, art. 18, § 2; P.L. 2010, ch. 102, § 1; P.L. 2010, ch. 318, § 1; P.L. 2011, ch. 58, § 2; P.L. 2011, ch. 96, § 2; P.L. 2014, ch. 230, § 1; P.L. 2014, ch. 326, § 1; P.L. 2016, ch. 127, § 1; P.L. 2016, ch. 141, § 1; P.L. 2018, ch. 133, § 1; P.L. 2018, ch. 274, § 1; P.L. 2019, ch. 308, art. 2, § 9; P.L. 2021, ch. 170, § 1; P.L. 2021, ch. 171, § 1; P.L. 2022, ch. 31, § 12, effective May 25, 2022; P.L. 2022, ch. 32, § 12, effective May 25, 2022.
§ 31-27-2. Driving under influence of liquor or drugs. [Effective July 1, 2025.]
(a)
Whoever drives or otherwise operates any vehicle in the state while under the influence of any intoxicating liquor, drugs, toluene, or any controlled substance as defined in chapter 28 of title 21, or any combination of these, shall be guilty of a misdemeanor, except as provided in subsection (d)(3), and shall be punished as provided in subsection (d) of this section.
(b)(1)
Any person charged under subsection (a), whose blood alcohol concentration is eight one-hundredths of one percent (.08%) or more by weight, as shown by a chemical analysis of a blood, breath, or urine sample, shall be guilty of violating subsection (a). This provision shall not preclude a conviction based on other admissible evidence, including the testimony of a drug recognition expert or evaluator, certified pursuant to training approved by the Rhode Island department of transportation office on highway safety. Proof of guilt under this section may also be based on evidence that the person charged was under the influence of intoxicating liquor, drugs, toluene, or any controlled substance defined in chapter 28 of title 21, or any combination of these, to a degree that rendered the person incapable of safely operating a vehicle. The fact that any person charged with violating this section is, or has been, legally entitled to use alcohol or a drug shall not constitute a defense against any charge of violating this section.
(2)

[Deleted by P.L. 2021, ch. 170, § 1 and P.L. 2021, ch. 171, § 1.]

(c)

In any criminal prosecution for a violation of subsection (a), evidence as to the amount of intoxicating liquor, toluene, or any controlled substance as defined in chapter 28 of title 21, or any combination of these, in the defendant's blood at the time alleged as shown by a chemical analysis of the defendant's breath, blood, saliva or urine or other bodily substance, shall be admissible and competent, provided that evidence is presented that the following conditions have been complied with:

(1)

The defendant has consented to the taking of the test upon which the analysis is made. Evidence that the defendant had refused to submit to the test shall not be admissible unless the defendant elects to testify.

(2)

A true copy of the report of the test result was hand delivered at the location of the test or mailed within seventy-two (72) hours of the taking of the test to the person submitting to a breath test.

(3)

Any person submitting to a chemical test of blood, urine, saliva or other body fluids shall have a true copy of the report of the test result mailed to him or her within thirty (30) days following the taking of the test.

(4)

The test was performed according to methods and with equipment approved by the director of the department of health of the state of Rhode Island and by an authorized individual.

(5)

Equipment used for the conduct of the tests by means of breath analysis had been tested for accuracy within thirty (30) days preceding the test by personnel qualified as hereinbefore provided, and breathalyzer operators shall be qualified and certified by the department of health within three hundred sixty-five (365) days of the test.

(6)

The person arrested and charged with operating a motor vehicle while under the influence of intoxicating liquor, toluene, or any controlled substance as defined in chapter 28 of title 21 or any combination of these in violation of subsection (a), was afforded the opportunity to have an additional chemical test. The officer arresting or so charging the person shall have informed the person of this right and afforded him or her a reasonable opportunity to exercise this right, and a notation to this effect is made in the official records of the case in the police department. Refusal to permit an additional chemical test shall render incompetent and inadmissible in evidence the original report.

(d)(1)(i)

Every person found to have violated subsection (b)(1) shall be sentenced as follows: for a first violation whose blood alcohol concentration is eight one-hundredths of one percent (.08%), but less than one-tenth of one percent (.1%), by weight, or who has a blood presence of any scheduled controlled substance as defined in chapter 28 of title 21, shall be subject to a fine of not less than one hundred dollars ($100), nor more than three hundred dollars ($300); shall be required to perform ten (10) to sixty (60) hours of public community restitution, and/or shall be imprisoned for up to one year. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge and/or shall be required to attend a special course on driving while intoxicated or under the influence of a controlled substance; provided, however, that the court may permit a servicemember or veteran to complete any court-approved counseling program administered or approved by the Veterans' Administration, and his or her driver's license shall be suspended for thirty (30) days up to one hundred eighty (180) days. The sentencing judge or magistrate may prohibit that person from operating a motor vehicle, pursuant to subsection (d)(9) or (d)(10) of this section, that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(ii)

Every person convicted of a first violation whose blood alcohol concentration is one-tenth of one percent (.1%) by weight or above, but less than fifteen hundredths of one percent (.15%), or whose blood alcohol concentration is unknown, shall be subject to a fine of not less than one hundred ($100) dollars, nor more than four hundred dollars ($400), and shall be required to perform ten (10) to sixty (60) hours of public community restitution and/or shall be imprisoned for up to one year. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge. The person's driving license shall be suspended for a period of three (3) months to twelve (12) months. The sentencing judge shall require attendance at a special course on driving while intoxicated or under the influence of a controlled substance and/or alcoholic or drug treatment for the individual; provided, however, that the court may permit a servicemember or veteran to complete any court-approved counseling program administered or approved by the Veterans' Administration. The sentencing judge or magistrate may prohibit that person from operating a motor vehicle that is not equipped with an ignition interlock system as provided in § 31-27-2.8.

(iii)

Every person convicted of a first offense whose blood alcohol concentration is fifteen hundredths of one percent (.15%) or above, or who is under the influence of a drug, toluene, or any controlled substance as defined in subsection (b)(1), shall be subject to a fine of five hundred dollars ($500) and shall be required to perform twenty (20) to sixty (60) hours of public community restitution and/or shall be imprisoned for up to one year. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge. The person's driving license shall be suspended for a period of three (3) months to eighteen (18) months. The sentencing judge shall require attendance at a special course on driving while intoxicated or under the influence of a controlled

substance and/or alcohol or drug treatment for the individual; provided, however, that the court may permit a servicemember or veteran to complete any court-approved counseling program administered or approved by the Veterans' Administration. The sentencing judge or magistrate shall prohibit that person from operating a motor vehicle, pursuant to subsection (d)(9) or (d)(10) of this section, that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(2)(i)

Every person convicted of a second violation within a ten-year (10) period with a blood alcohol concentration of eight one-hundredths of one percent (.08%) or above, but less than fifteen hundredths of one percent (.15%), or whose blood alcohol concentration is unknown, or who has a blood presence of any controlled substance as defined in chapter 28 of title 21, and every person convicted of a second violation within a ten-year (10) period, regardless of whether the prior violation and subsequent conviction was a violation and subsequent conviction under this statute or under the driving under the influence of liquor or drugs statute of any other state, shall be subject to a mandatory fine of four hundred dollars ($400). The person's driving license shall be suspended for a period of one year to two (2) years, and the individual shall be sentenced to not less than ten (10) days, nor more than one year, in jail. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge; however, not less than forty-eight (48) hours of imprisonment shall be served consecutively. The sentencing judge shall require alcohol or drug treatment for the individual; provided, however, that the court may permit a servicemember or veteran to complete any court-approved counseling program administered or approved by the Veterans' Administration and shall prohibit that person from operating a motor vehicle, pursuant to subsection (d)(9) or (d)(10) of this section, that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(ii)

Every person convicted of a second violation within a ten-year (10) period whose blood alcohol concentration is fifteen hundredths of one percent (.15%) or above, by weight as shown by a chemical analysis of a blood, breath, or urine sample, or who is under the influence of a drug, toluene, or any controlled substance as defined in subsection (b)(1), shall be subject to mandatory imprisonment of not less than six (6) months, nor more than one year; a mandatory fine of not less than one thousand dollars ($1,000); and a mandatory license suspension for a period of two (2) years from the date of completion of the sentence imposed under this subsection. The sentencing judge shall require alcohol or drug treatment for the individual; provided, however, that the court may permit a servicemember or veteran to complete any court approved counseling program administered or approved by the Veterans' Administration. The sentencing judge or magistrate shall prohibit that person from operating a motor vehicle, pursuant to subsection (d)(9) or (d)(10) of this section, that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(3)(i)

Every person convicted of a third or subsequent violation within a ten-year (10) period with a blood alcohol concentration of eight one-hundredths of one percent (.08%) or above, but less than fifteen hundredths of one percent (.15%), or whose blood alcohol concentration is unknown or who has a blood presence of any scheduled controlled substance as defined in chapter 28 of title 21, regardless of whether any prior violation and subsequent conviction was a violation and subsequent conviction under this statute or under the driving under the influence of liquor or drugs statute of any other state, shall be guilty of a felony and be subject to a mandatory fine of four hundred ($400) dollars. The person's driving license shall be suspended for a period of two (2) years to three (3) years, and the individual shall be sentenced to not less than one year and not more than three (3) years in jail. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge; however, not less than forty-eight (48) hours of imprisonment shall be served consecutively. The sentencing judge shall require alcohol or drug treatment for the individual; provided, however, that the court may permit a servicemember or veteran to complete any court-approved counseling program administered or approved by the Veterans' Administration, and shall prohibit that person from operating a motor vehicle, pursuant to subsection (d)(9) or (d)(10) of this section, that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(ii)

Every person convicted of a third or subsequent violation within a ten-year (10) period whose blood alcohol concentration is fifteen hundredths of one percent (.15%) above by weight as shown by a chemical analysis of a blood, breath, or urine sample, or who is under the influence of a drug, toluene, or any controlled substance as defined in subsection (b)(1), shall be subject to mandatory imprisonment of not less than three (3) years, nor more than five (5) years; a mandatory fine of not less than one thousand dollars ($1,000), nor more than five thousand dollars ($5,000); and a mandatory license suspension for a period of three (3) years from the date of completion of the sentence imposed under this subsection. The sentencing judge shall require alcohol or drug treatment for the individual. The sentencing judge or magistrate shall prohibit that person from operating a motor vehicle, pursuant to subsection (d)(9) or (d)(10) of this section, that is not equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-2.8.

(iii)

In addition to the foregoing penalties, every person convicted of a third or subsequent violation within a ten-year (10) period, regardless of whether any prior violation and subsequent conviction was a violation and subsequent conviction under this statute or under the driving under the influence of liquor or drugs statute of any other state, shall be subject, in the discretion of the sentencing judge, to having the vehicle owned and operated by the violator seized and sold by the state of Rhode Island, with all funds obtained by the sale to be transferred to the general fund.

(4)
Whoever drives or otherwise operates any vehicle in the state while under the influence of any intoxicating liquor, drugs, toluene, or any controlled substance as defined in chapter 28 of title 21, or any combination of these, when his or her license to operate is suspended, revoked, or cancelled for operating under the influence of a narcotic drug or intoxicating liquor, shall be guilty of a felony punishable by imprisonment for not more than three (3) years and by a fine of not more than three thousand dollars ($3,000). The court shall require alcohol and/or drug treatment for the individual; provided, the penalties provided for in this subsection (d)(4) shall not apply to an individual who has surrendered his or her license and served the court-ordered period of suspension, but who, for any reason, has not had his or her license reinstated after the period of suspension, revocation, or suspension has expired; provided, further, the individual shall be subject to the provisions of subsection (d)(2)(i), (d)(2)(ii), (d)(3)(i), (d)(3)(ii), or (d)(3)(iii) regarding subsequent offenses, and any other applicable provision of this section.
(5)(i)
For purposes of determining the period of license suspension, a prior violation shall constitute any charge brought and sustained under the provisions of this section or § 31-27-2.1.
(ii)
Any person over the age of eighteen (18) who is convicted under this section for operating a motor vehicle while under the influence of alcohol, other drugs, or a combination of these, while a child under the age of thirteen (13) years was present as a passenger in the motor vehicle when the offense was committed shall be subject to immediate license suspension pending prosecution. Any person convicted of violating this section shall be guilty of a misdemeanor for a first offense and may be sentenced to a term of imprisonment of not more than one year and a fine not to exceed one thousand dollars ($1,000). Any person convicted of a second or subsequent offense shall be guilty of a felony offense and may be sentenced to a term of imprisonment of not more than five (5) years and a fine not to exceed five thousand dollars ($5,000). The sentencing judge shall also order a license suspension of up to two (2) years, require attendance at a special course on driving while intoxicated or under the influence of a controlled substance, and alcohol or drug education and/or treatment. The individual may also be required to pay a highway assessment fee of no more than five hundred dollars ($500) and the assessment shall be deposited in the general fund.
(6)(i)
Any person convicted of a violation under this section shall pay a highway assessment fine of five hundred dollars ($500) that shall be deposited into the general fund. The assessment provided for by this subsection shall be collected from a violator before any other fines authorized by this section.
(ii)
Any person convicted of a violation under this section shall be assessed a fee of eighty-six dollars ($86).
(7)(i)
If the person convicted of violating this section is under the age of eighteen (18) years, for the first violation he or she shall be required to perform ten (10) to sixty (60) hours of public community restitution and the juvenile's driving license shall be suspended for a period of six (6) months, and may be suspended for a period up to eighteen (18) months. The sentencing judge shall also require attendance at a special course on driving while intoxicated or under the influence of a controlled substance and alcohol or drug education and/or treatment for the juvenile. The juvenile may also be required to pay a highway assessment fine of no more than five hundred dollars ($500) and the assessment imposed shall be deposited into the general fund.
(ii)
If the person convicted of violating this section is under the age of eighteen (18) years, for a second or subsequent violation regardless of whether any prior violation and subsequent conviction was a violation and subsequent conviction under this statute or under the driving under the influence of liquor or drugs statute of any other state, he or she shall be subject to a mandatory suspension of his or her driving license until such time as he or she is twenty-one (21) years of age and may, in the discretion of the sentencing judge, also be sentenced to the Rhode Island training school for a period of not more than one year and/or a fine of not more than five hundred dollars ($500).
(8)
Any person convicted of a violation under this section may undergo a clinical assessment at the community college of Rhode Island's center for workforce and community education. Should this clinical assessment determine problems of alcohol, drug abuse, or psychological problems associated with alcoholic or drug abuse, this person shall be referred to an appropriate facility, licensed or approved by the department of behavioral healthcare, developmental disabilities and hospitals, for treatment placement, case management, and monitoring. In the case of a servicemember or veteran, the court may order that the person be evaluated through the Veterans' Administration. Should the clinical assessment determine problems of alcohol, drug abuse, or psychological problems associated with alcohol or drug abuse, the person may have their treatment, case management, and monitoring administered or approved by the Veterans' Administration.
(9)
Notwithstanding any other sentencing and disposition provisions contained in this chapter, if the judge or magistrate makes a finding beyond a reasonable doubt that a motorist was operating a vehicle in the state while under the influence of drugs, toluene, or any controlled substance as evidenced by the presence of controlled substances on or about the person or vehicle, or other reliable indicia or articulable conditions thereof, but not intoxicating liquor based on a preliminary breath test, results from a breathalyzer that indicates no blood alcohol concentration, or both, the judge or magistrate may exercise his or her discretion and eliminate the

requirement of an ignition interlock system; provided, that blood and/or urine testing is mandated as a condition to operating a motor vehicle as provided in § 31-27-2.8.

(10)

Notwithstanding any other sentencing and disposition provisions contained in this chapter, if the judge or magistrate makes a finding beyond a reasonable doubt that a motorist was operating a vehicle in the state while under the influence of drugs, toluene, or any controlled substance as evidenced by the presence of controlled substances on or about the person or vehicle, or other reliable indicia or articulable conditions thereof and intoxicating liquor based on a preliminary breath test, results from a breathalyzer that indicates blood alcohol concentration, or both, the judge or magistrate may require an ignition interlock system in addition to blood and/or urine testing as a condition to operating a motor vehicle as provided in § 31-27-2.8.

(e)

Percent by weight of alcohol in the blood shall be based upon milligrams of alcohol per one hundred cubic centimeters (100 cc) of blood.

(f)(1)

There is established an alcohol and drug safety unit within the division of motor vehicles to administer an alcohol safety action program. The program shall provide for placement and follow-up for persons who are required to pay the highway safety assessment. The alcohol and drug safety action program will be administered in conjunction with alcohol and drug programs licensed by the department of behavioral healthcare, developmental disabilities and hospitals.

(2)

Persons convicted under the provisions of this chapter shall be required to attend a special course on driving while intoxicated or under the influence of a controlled substance, and/or participate in an alcohol or drug treatment program, which course and programs must meet the standards established by the Rhode Island department of behavioral healthcare, developmental disabilities and hospitals; provided, however, that the court may permit a servicemember or veteran to complete any court-approved counseling program administered or approved by the Veterans' Administration. The course shall take into consideration any language barrier that may exist as to any person ordered to attend, and shall provide for instruction reasonably calculated to communicate the purposes of the course in accordance with the requirements of the subsection. Any costs reasonably incurred in connection with the provision of this accommodation shall be borne by the person being retrained. A copy of any violation under this section shall be forwarded by the court to the alcohol and drug safety unit. In the event that persons convicted under the provisions of this chapter fail to attend and complete the above course or treatment program, as ordered by the judge, then the person may be brought before the court, and after a hearing as to why the order of the court was not followed, may be sentenced to jail for a period not exceeding one year.

(3)

The alcohol and drug safety action program within the division of motor vehicles shall be funded by general revenue appropriations.

(g)

The director of the department of health is empowered to make and file with the secretary of state regulations that prescribe the techniques and methods of chemical analysis of the person's body fluids or breath and the qualifications and certification of individuals authorized to administer this testing and analysis.

(h)

Jurisdiction for misdemeanor violations of this section shall be with the district court for persons eighteen (18) years of age or older and to the family court for persons under the age of eighteen (18) years. The courts shall have full authority to impose any sentence authorized and to order the suspension of any license for violations of this section. Trials in superior court are not required to be scheduled within thirty (30) days of the arraignment date.

(i)

No fines, suspensions, assessments, alcohol or drug treatment programs, course on driving while intoxicated or under the influence of a controlled substance, public community restitution, or jail provided for under this section can be suspended.

(j)

An order to attend a special course on driving while intoxicated, that shall be administered in cooperation with a college or university accredited by the state, shall include a provision to pay a reasonable tuition for the course in an amount not less than twenty-five dollars ($25.00), and a fee of one hundred seventy-five dollars ($175), which fee shall be deposited into the general fund.

(k)

For the purposes of this section, any test of a sample of blood, breath, or urine for the presence of alcohol that relies in whole or in part upon the principle of infrared light absorption is considered a chemical test.

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If any provision of this section, or the application of any provision, shall for any reason be judged invalid, such a judgment shall not affect, impair, or invalidate the remainder of the section, but shall be confined in this effect to the provision or application directly involved in the controversy giving rise to the judgment.

(m)

For the purposes of this section, “servicemember” means a person who is presently serving in the armed forces of the United States, including the Coast Guard, a reserve component thereof, or the National Guard. “Veteran” means a person who has served in the armed forces, including the Coast Guard of the United States, a reserve component thereof, or the National Guard, and has been discharged under other than dishonorable conditions.

History of Section.

P.L. 1950, ch. 2595, art. 24, § 2; P.L. 1950 (s.s.), ch. 2639, § 3; G.L. 1956, § 31-27-2; P.L. 1959, ch. 101, § 1; P.L. 1973, ch. 213, § 1; P.L. 1974, ch. 120, § 2; P.L. 1980, ch. 321, § 1; P.L. 1982, ch. 176, § 1; P.L. 1983, ch. 227, § 1; P.L. 1985, ch. 138, § 1; P.L. 1985, ch. 139, § 1; P.L. 1985, ch. 150, § 39; P.L. 1986, ch. 275, § 1; P.L. 1986, ch. 433, § 1; P.L. 1986, ch. 494, § 2; P.L. 1986, ch. 508, § 1; P.L. 1989, ch. 149, § 1; P.L. 1990, ch. 329, § 1; P.L. 1990, ch. 496, § 1; P.L. 1991, ch. 65, § 1; P.L. 1992, ch. 133, art. 37, § 6; P.L. 1992, ch. 133, art. 94, § 1; P.L. 1992, ch. 405, § 1; P.L. 1992, ch. 418, § 5; P.L. 1993, ch. 138, art. 26, § 3; P.L. 1994, ch. 70, art. 35, § 7; P.L. 1995, ch. 370, art. 14, § 7; P.L. 1996, ch. 224, § 1; P.L. 1996, ch. 263, § 1; P.L. 1998, ch. 91, art. 1, § 3; P.L. 1999, ch. 360, § 1; P.L. 2000, ch. 109, § 40; P.L. 2000, ch. 168, § 1; P.L. 2000, ch. 264, § 1; P.L. 2003, ch. 87, § 1; P.L. 2003, ch. 88, § 1; P.L. 2006, ch. 350, § 1; P.L. 2006, ch. 474, § 1; P.L. 2009, ch. 68, art. 5, § 3; P.L. 2010, ch. 23, art. 18, § 2; P.L. 2010, ch. 102, § 1; P.L. 2010, ch. 318, § 1; P.L. 2011, ch. 58, § 2; P.L. 2011, ch. 96, § 2; P.L. 2014, ch. 230, § 1; P.L. 2014, ch. 326, § 1; P.L. 2016, ch. 127, § 1; P.L. 2016, ch. 141, § 1; P.L. 2018, ch. 133, § 1; P.L. 2018, ch. 274, § 1; P.L. 2019, ch. 308, art. 2, § 9; P.L. 2021, ch. 170, § 1; P.L. 2021, ch. 171, § 1; P.L. 2022, ch. 31, § 12, effective May 25, 2022; P.L. 2022, ch. 32, § 12, effective May 25, 2022; P.L. 2024, ch. 217, § 1, effective July 1, 2025; P.L. 2024, ch. 218, § 1, effective July 1, 2025.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-20. - Operation of a motor vehicle — Letter carrier.

§ 31-27-20. Operation of a motor vehicle — Letter carrier.

Any employee of the United States Postal Service may operate his or her vehicle from the right or passenger side while performing their duties as a rural route letter carrier.

History of Section.

P.L. 1991, ch. 382, § 1; P.L. 1992, ch. 324, § 16.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-21. - Community restitution.

§ 31-27-21. Community restitution.

The general assembly declares that the words “public community service” which appear throughout this chapter shall now be substituted with and referred to as “public community restitution”.

History of Section.

P.L. 1998, ch. 454, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-22. - Street racing — Justin Nunes’ Law.

§ 31-27-22. Street racing — Justin Nunes’ Law.

This act shall be known and may be cited as “Justin Nunes’ Law”.

(a)

For the purpose of this section, “street racing” means the act of two (2) or more individuals competing or racing in a situation in which one of the motor vehicles is beside or to the rear of a motor vehicle operated by a competing driver and one driver attempts to prevent the competing driver from passing or overtaking him or her, or one or more individuals competing in a race against time.

(b)

It shall be unlawful to engage in street racing on any public road, street or highway of this state, whether or not there is a formal agreement to race.

(1)

Every person convicted of a first violation of this section shall be guilty of a misdemeanor and be subject to imprisonment for not more than one year, a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000) and be required to perform ten (10) to sixty (60) hours of public community restitution. The person’s license to operate a motor vehicle shall be suspended for a period of not less than ninety (90) days nor more than six (6) months.

(2)

Every person convicted of a second violation within a five (5) year period, shall be guilty of a felony and be subject to imprisonment for not more than two (2) years, a fine of not less than one thousand dollars ($1,000) and be required to perform sixty (60) to one hundred (100) hours of public community restitution. The person’s license to operate a motor vehicle shall be suspended for no less than six (6) months nor more than two (2) years.

(3)

Every person convicted of a third (3rd) or subsequent violation within a five (5) year period, shall be guilty of a felony and be subject to imprisonment for not more than five (5) years, a fine of two thousand five hundred dollars ($2,500) and required to perform not less than one hundred (100) hours of public community restitution. The person’s license to operate a motor vehicle shall

be suspended for no less than one year nor more than five (5) years.
(c)
Any person found in violation of subsection 31-27-22(b) while having one or more passengers in their motor vehicle shall be subject to imprisonment of not more than five (5) years, and a fine of not more than five thousand dollars ($5,000) and be required to perform no more than one hundred (100) hours of public community restitution. The person's license to operate a motor vehicle shall be suspended for no less than one year. This enhanced sentence is to be served in addition and consecutively to the sentence provided for the underlying offense.
(d)
If a person is found in violation of subsection 31-27-22(b) and the vehicle used in the violation is registered to that person or where the registrant permits the use of the vehicle, the vehicle may be impounded at the registered owner's expense for not less than one day or more than thirty (30) days.
History of Section.
P.L. 2007, ch. 121, § 1; P.L. 2007, ch. 193, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-23. - Penalties for failure to comply with § 24-8-4.2.

§ 31-27-23. Penalties for failure to comply with § 24-8-4.2.
Any employer who intentionally violates or fails to comply with any of the provisions of § 24-8-4.2 shall be subject to a fine of up to three hundred dollars ($300) for the first offense up to six hundred dollars ($600) for the second offense and up to nine hundred dollars ($900) for the third and subsequent offenses; said cumulative offenses shall be limited to the same job site or location and the same highway or bridge or contract.
History of Section.
P.L. 2007, ch. 343, § 2; P.L. 2007, ch. 472, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-24. - Multiple moving offenses.

§ 31-27-24. Multiple moving offenses.
(a)
Every person convicted of moving violations on four (4) separate and distinct occasions within an eighteen (18) month period may be fined up to one thousand dollars ($1,000), and shall be ordered to attend sixty (60) hours of driver retraining, shall be ordered to perform sixty (60) hours of public community service, and the person's operator license in this state may be suspended up to one year or revoked by the court for a period of up to two (2) years. Prior to the suspension or revocation of a person's license to operate within the state, the court shall make specific findings of fact and determine if the person's continued operation of a motor vehicle would pose a substantial traffic safety hazard.
(b)
At the expiration of the time of revocation as set by the court pursuant to subsection (a) above, the person may petition that court for restoration of his or her privilege to operate a motor vehicle in this state. The license privilege shall not thereafter be reinstated until evidence satisfactory to the court, following a hearing, establishes that no grounds exist which would authorize refusal to issue a license and until the person gives proof of financial responsibility pursuant to chapter 32 of this title.
(c)
For the purposes of this section only, the term "moving violations" shall mean any violation of the following sections of the general laws:
(1)
31-13-4. Obedience to devices.
(2)
31-14-1. Reasonable and prudent speeds.
(3)
31-14-2. Prima facie limits.
(4)
31-14-3. Conditions requiring reduced speeds.
(5)
31-15-5. Overtaking on the right.
(6)
31-15-11. Laned roadways.
(7)
31-15-12. Interval between vehicles.
(8)
31-15-16. Use of emergency break-down lane for travel.
(9)

31-17-4. Vehicle entering stop or yield intersection.
(10)
31-20-9. Obedience to stop signs.
(11)
31-27.1-3. “Aggressive driving” defined.
History of Section.
P.L. 2010, ch. 242, § 2; P.L. 2010, ch. 253, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-25. - Ticket quotas prohibited.

§ 31-27-25. Ticket quotas prohibited.
(a)
No state or municipal agency engaged in the enforcement of any motor vehicle traffic or parking laws of this state, or any local ordinance governing motor vehicle traffic or parking, may establish or maintain any policy, formally or informally, requiring any officer to meet a quota.
(b)
As used in this section, the following words shall have the following meanings:
(1)
“Officer” shall mean any peace officer as defined in § 12-7-21 and any police officer as defined in § 31-1-21, and shall also include any individual engaged in enforcing ordinances authorized by chapter 28 of this title.
(2)
“Quota” means any requirement regarding the number of arrests or investigative stops made, or summonses or citations issued, by an officer regarding motor vehicle traffic or parking violations.
(c)
Nothing contained herein shall preclude a local or municipal agency from using data concerning arrests or investigative stops made, or summonses or citations issued, and their disposition in the evaluation of an officer’s work performance, provided such data is not the exclusive means of evaluating such performance.
History of Section.
P.L. 2010, ch. 146, § 1; P.L. 2010, ch. 159, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-3.1. - Annual Impaired Driving Report.

§ 31-27-3.1. Annual Impaired Driving Report.
(a)
The attorney general, with the cooperation of state and municipal police departments, with the district court, the traffic tribunal and the department of transportation shall annually, on or before, the 30th day of April of each year, prepare a written report to the general assembly identifying all cases where an individual is charged with an offense under § 31-27-1 through § 31-27-2.8 of the general laws. The report shall include the numbers of cases charged under each statute, as well as the disposition in each case charged, if any.
(b)
In addition to the number of cases charged and their disposition, the report shall identify the number of cases which are filed with dual charges of driving under the influence under § 31-27-1 and refusal to submit to a chemical test under § 31-27-2, and the disposition of each of these dual charges.
(c)
The report shall also identify, in any alcohol or drug related fatality charged under §§ 31-27-1 — 31-27-8 of the general laws, whether the driver of the motor vehicle, a passenger in the motor vehicle or a pedestrian was identified by law enforcement, the medical examiner or any other entity as being under the influence of alcohol or drugs in the fatal accident.
(d)
The attorney general shall promulgate any rule or regulation necessary to implement the provisions of this section.
History of Section.
P.L. 2006, ch. 232, § 2; P.L. 2006, ch. 235, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-3. - Right of person charged with operating under influence to physical examination.

§ 31-27-3. Right of person charged with operating under influence to physical examination.
A person arrested and charged with operating a motor vehicle while under the influence of narcotic drugs or intoxicating liquor, whatever its alcoholic content, shall have the right to be examined at his or her own expense immediately after the person’s arrest by a physician selected by the person, and the officer so arresting or so charging the person shall immediately inform the person of this right and afford the person a reasonable opportunity to exercise the right, and at the trial of the person the prosecution must prove

that he or she was so informed and was afforded that opportunity.
History of Section.
P.L. 1950, ch. 2595, art. 24, § 2; P.L. 1950 (s.s.), ch. 2639, § 3; G.L. 1956, § 31-27-3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-4.1. - Eluding a law enforcement officer with a motor vehicle in a high speed pursuit.

§ 31-27-4.1. Eluding a law enforcement officer with a motor vehicle in a high speed pursuit.
Any person who in an attempt to elude or flee from a police officer in an emergency police vehicle in a high speed pursuit of the person, operates a motor vehicle at speeds greater than fifteen (15) miles per hour over the speed limit, or who causes property damage only in excess of one thousand dollars ($1,000):
(1)
For the first conviction, may be subject to the following sanctions:
(i)
Up to one year incarceration at the adult correction institutions (A.C.I.) and a fine of five hundred dollars ($500) but not more than one thousand dollars ($1,000);
(ii)
License suspension of not less than ninety (90) days but not more than six (6) months and forfeiture of the motor vehicle.
(2)
For a second or subsequent conviction, the person shall:
(i)
Be sentenced to two (2) years at the A.C.I., but not more than five (5) years;
(ii)
Be fined a fine of two thousand dollars ($2,000) but not more than five thousand dollars ($5,000);
(iii)
Receive a license suspension of not less than one year but not more than five (5) years; and
(iv)
Forfeit the motor vehicle.
History of Section.
P.L. 1995, ch. 203, § 2; P.L. 1997, ch. 193, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-4.2. - Minimal requirements.

§ 31-27-4.2. Minimal requirements.
(a)
In any criminal action brought under § 31-27-4.1 or 31-27-4.2 in which a high speed pursuit occurs, the following definitions and minimal requirements of the high speed pursuit shall apply and shall be complied with by the charging police department.
(b)
Any police department charging a suspect under the provisions of this chapter shall limit the use of continued high speed vehicular pursuits to those situations which involve:
(1)
The attempted apprehension of persons wanted for the commission of felonious and/or misdemeanor acts that threaten, have threatened, or will threaten the health, life, or safety of a person or persons; or
(2)
The pursuit of a motor vehicle operator who has committed flagrant moving motor vehicle violations which have endangered the lives and safety of others, and was operating in a reckless manner before the pursuit was initiated, and is continuing to operate in a manner that recklessly endangers the lives and safety of others, including, but not limited to, driving under the influence of liquor or drugs.
(c) Definition.
A “high speed pursuit” is the active attempt by a police officer in an authorized emergency vehicle to apprehend the occupants of a running motor vehicle at speeds in excess of fifteen miles per hour (15 MPH) over the speed limit.
(d) Responsibilities of pursuing officer(s).
Upon initiation of a high speed pursuit the officer(s) shall:
(1)
As soon as practical communicate to his or her dispatcher his or her location and direction of travel.
(2)
Provide the reason for the high speed pursuit.
(3)
Communicate the ongoing status of the pursuit at regular intervals including any significant change of circumstances which might affect the decision to either continue or discontinue the pursuit.

(4)
Activate all audio (sirens) and visual (emergency lights) warning devices until the high speed pursuit is terminated.
(5)
Adhere to all the provisions of §§ 31-12-6 through 31-12-9.
(6)
Terminate the high speed pursuit when in his or her judgment the dangers created by the pursuit outweigh the need for immediate apprehension.
(e) Responsibilities of the officer in charge and/or field supervisor.
In all continued high speed pursuit situations, command responsibility rests with the officer in charge and/or the field supervisor. It shall be the duty of the officer in charge and/or the field supervisor to provide adequate supervision to the officer involved in the high speed pursuit and to:
(1)
Track the location of the pursuit.
(2)
Review and consider as many facts of the pursuit as are available.
(3)
Consider the potential and real dangers of the continuation of the pursuit.
(4)
Order the termination of the high speed pursuit when in his or her judgment the dangers created by the pursuit outweigh the need for immediate apprehension.
(f) Interjurisdictional pursuits.
Whenever there exists the possibility of a high speed pursuit extending into another jurisdiction, the officer in charge shall order the surrounding jurisdictions to be notified of the high speed pursuit and of its potential for extending into their jurisdictions. If the high speed pursuit enters a jurisdiction different from the jurisdiction from which it began, then the high speed pursuit policy of the entered jurisdiction shall apply and control and the entered jurisdiction shall have the authority consistent with its policies to terminate the high speed pursuit. For purposes of this chapter, the state police shall have statewide jurisdiction.
(g)(1) Reports.
Whenever a high speed pursuit occurs, each officer involved shall submit a written report to be kept on file of his or her participation in the pursuit and the factual reasons justifying the officer's participation in the pursuit.
(2)
The officer in charge shall also file a written report giving a complete account of the pursuit including his or her factual reason for continuing or terminating the pursuit.
(h)
Each police department shall enact policies and procedures which are consistent with these minimum requirements and to provide copies of those policies to the attorney general's department.
(i)
Nothing in this chapter shall be construed to create any additional civil liability upon individuals or their employers who engage in high speed pursuits.
History of Section.
P.L. 1997, ch. 193, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-4.3. - Forfeiture of motor vehicle.

§ 31-27-4.3. Forfeiture of motor vehicle.
(a)
Any motor vehicle including, but not limited to, cars, trucks, vessels, or motorcycles, which has been or is being used in violation of § 31-27-4.1, may be seized and upon conviction forfeited; provided, that no motor vehicle as enumerated in this section used by any person shall be forfeited under the provisions of this chapter unless it shall appear that the owner of the vehicle had knowledge, actual or constructive, and was a consenting party to the alleged illegal act.
(b)(1)
The motor vehicle taken or detained under this section shall not be repleviable, but shall be deemed to be in the custody of the law enforcement agency making the seizure. Whenever a motor vehicle is forfeited under this chapter it shall be retained and utilized by the law enforcement agency that seized the vehicle where the use of the vehicle is reasonably related to the law enforcement duties of the seizing agency. If the seized vehicle is inappropriate for use by law enforcement agency for reasons including, but not limited to, style, size, or color, the seizing agency shall be allowed to apply the proceeds of sale or the trade-in value of the vehicle towards the purchase of an appropriate vehicle for use for activities reasonably related to law enforcement duties.
(2)
As to the proceeds from the sale of the property under subdivision (1) of this subsection, the distribution shall be as follows:
(i)

All proceeds of the forfeiture of the motor vehicle shall be distributed as follows: all costs of advertising administrative forfeitures and costs for any damage to any state or municipal vehicles which occurred as a result of the high speed pursuit shall first be deducted from the amount forfeited. Of the remainder, eighty percent (80%) of the proceeds shall be divided among the state and local law enforcement agencies proportionately based upon their contribution to the investigation of the criminal activity related to the asset being forfeited, and twenty percent (20%) of the proceeds shall be provided to the state victims' indemnity fund.
(ii)
Each state or local law enforcement agency shall be entitled to keep the proceeds from sales of forfeited vehicles. The funds shall be used for law enforcement purposes. The funds received by a state law enforcement agency shall be maintained in a separate account by the general treasurer. The funds received by a local law enforcement agency shall be maintained in a separate account by the local agency's city or town treasurer.
(c)
Each law enforcement agency making any seizure(s) which result(s) in a forfeiture pursuant to this section shall certify and file with the state treasurer between January 1 and January 30 an annual report detailing the vehicle or money forfeited during the previous calendar year and the use or disposition of the property or money. The report shall be made in the form and manner that may be provided or specified by the treasurer and the annual law enforcement agency reports as provided in this subsection shall be provided to the local governmental body governing the agency and to the house and senate judiciary committees.
(d)
Any law enforcement agency whose duty it is to enforce the laws of this state is empowered to authorize designated officers or agents to carry out the seizure provisions of this chapter. It shall be the duty of any officer or agent so authorized or designated or authorized by law, upon or by means of which any violation of this chapter has taken place or is taking place, to seize the vehicle and to place it in the custody of the person who is authorized or designated for that purpose by the respective law enforcement agency pursuant to those provisions.
History of Section.
P.L. 1997, ch. 193, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-4.4. - Motor vehicle forfeiture procedure.

§ 31-27-4.4. Motor vehicle forfeiture procedure.
(a)
Any criminal complaint, information, or indictment charging a violation of § 31-27-4.1 shall set forth with reasonable particularity the motor vehicle that the attorney general seeks to forfeit pursuant to this section.
(b)(1)
The court may, upon application of the attorney general, enter a restraining order or injunction, require any person claiming any interest in the subject vehicle to execute a satisfactory performance bond to the state, or take any other action to preserve the availability of the vehicle subject to forfeiture described in § 31-27-4.3, whether prior or subsequent to the filing of a complaint, indictment, or information.
(2)
Written notice and an opportunity for a hearing shall be afforded to persons appearing to have an interest in the vehicle, the hearing, however, to be limited to the issues of whether:
(i)
There is a substantial probability that the state will prevail on the issue of forfeiture and that failure to enter the order will result in the vehicle being destroyed, conveyed, encumbered or further encumbered, removed from the jurisdiction of the court, depreciated in value or otherwise made unavailable for forfeiture; and
(ii)
The need to preserve the availability of the vehicle through the entry of the requested order outweighs the hardship on any party against whom the order is to be entered.
(c)(1)
A temporary restraining order under this section may be entered upon application of the attorney general without notice or opportunity for a hearing when a complaint, information, or indictment has not yet been filed with respect to the vehicle if the attorney general demonstrates that there is probable cause to believe that the vehicle with respect to which the order is sought would, in the event of conviction, be subject to forfeiture under § 31-27-4.3 and that provision of notice will jeopardize the availability of the vehicle for forfeiture. The temporary restraining order shall expire within ten (10) days of the date on which it is entered unless extended for good cause shown or unless the party against whom it is entered consents to an extension for a longer period.
(2)
A hearing requested by any party in interest concerning an order entered under this subsection shall be held at the earliest possible time and prior to the expiration of the temporary order.
(3)
The court may receive and consider, at the hearing held pursuant to this subsection, evidence and information that would be inadmissible in court.

(d)
Upon conviction of a person for the covered offense, the court may enter a judgment of forfeiture of the vehicle described in § 31-27-4.1 to the state and may also authorize the attorney general to seize the motor vehicle ordered forfeited upon any terms and conditions that the court shall deem proper. Following the entry of an order declaring the vehicle forfeited, the court may, upon application of the attorney general:
(1)
Enter appropriate restraining orders or injunctions;
(2)
Require the execution of satisfactory performance bonds, appoint receivers, conservators, appraisers, accountants, or trustees; or
(3)
Take any other action to protect the interest of the state in the property ordered forfeited.
(e)
All right, title, and interest in the vehicle described in § 31-27-4.1 vests in the state upon the commission of the act giving rise to forfeiture under this chapter. Any such vehicle that is subsequently transferred to any person may be the subject of a special verdict of forfeiture and shall be ordered forfeited to the state, unless the transferee establishes in a hearing pursuant to subsection (f) of this section that he or she is a bona fide purchaser for value of the vehicle who at the time of purchase was reasonably without cause to believe that the vehicle was subject to forfeiture.
(f)
Procedures subsequent to the special verdict of forfeiture shall be as follows:
(1)
Following the entry of an order of forfeiture under this section, the state shall publish notice of the order and of its intent to dispose of the vehicle once per week for at least three (3) weeks in any manner that the attorney general may provide by regulation. The attorney general shall also, to the extent practicable, provide written notice to all parties known to have an interest in the vehicle and all parties whose identity is reasonably subject to discovery and who may have an interest in the forfeited vehicle.
(2)
Any person, other than the defendant, asserting any interest in the vehicle that has been ordered forfeited to the state pursuant to this section may, within one hundred eighty (180) days of the final publication of notice or his or her receipt of notice under subdivision (1) of this subsection, whichever is earlier, petition the court for a hearing to adjudicate the validity of his or her alleged interest in the vehicle.
(3)
The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner’s right, title, or interest in the vehicle; any additional facts supporting the petitioner’s claim; and the relief sought.
(4)
The hearing on the petition shall, to the extent practicable and consistent with the interest of justice, be held within thirty (30) days of the filing of the petition. The court may consolidate the hearing on the petition with a hearing on any other petition filed by a person other than the defendant and concerning the same vehicle.
(5)
At a hearing, the petitioner may testify and present evidence and witnesses on his or her own behalf, and cross-examine witnesses who appear at the hearing. The state may present evidence and witnesses in rebuttal and in defense of its claim to the vehicle and cross-examine witnesses who appear at the hearing. In addition to testimony and evidence presented at the hearing, the court shall consider the relevant portions of the record of the criminal case that resulted in the order of forfeiture.
(6)
In accordance with its findings at the hearing, the court shall amend the order of forfeiture if it determines that the petitioner has established by a preponderance of the evidence that:
(i)
The petitioner has a right, title, or interest in the vehicle, and the right, title or interest was vested in the petitioner rather than the defendant or was superior to any right, title, or interest of the defendant at the time of the commission of the acts which gave rise to the forfeiture of the vehicle under this section; or
(ii)
The petitioner is a bona fide purchaser for value of any right, title or interest in the vehicle and was at the time of purchase reasonably without cause to believe that the property was subject to forfeiture under this section.
(7)
Following the court’s disposition of all petitions filed under this section, or if no such petitions are filed, following the expiration of the period provided in this section for the filing of the petitions, the state shall have clear title to the vehicle that is the subject of the order of forfeiture and shall transfer good and sufficient title to any subsequent purchaser, transferee, or fund as provided in this chapter.
(8)
Except as provided in this section, no party claiming an interest in the vehicle subject to forfeiture under this section may:
(i)

Intervene in a trial or appeal of a criminal case involving the forfeiture of the property; or
(ii)
Commence any action against the state concerning the validity of the alleged interest.
(g)
In order to facilitate the identification or location of the vehicle declared forfeited and to facilitate the disposition of petitions filed pursuant to this section after the entry of an order declaring a vehicle forfeited to the state, the court may, upon application of the attorney general, order that the testimony of any witness relating to the forfeited vehicle be taken by deposition and that any designated book, paper, document, record, recording (electronic or otherwise), or other material not privileged, be produced at the same time and place, in the same manner as provided for the taking of depositions under the Rules of Civil Procedure.
(h)
If the vehicle described in § 31-27-4.1: (1) cannot be located; (2) has been transferred to, sold to or deposited with a third party; (3) has been placed beyond the jurisdiction of the court; (4) has been substantially diminished in value by any act or omission of the defendant; the court shall order the forfeiture of any other property of the defendant up to the value of the subject property.
(i)
The court shall have jurisdiction to enter orders as provided in this section without regard to the location of any property that may be subject to forfeiture under this section or that has been ordered forfeited under this section.
History of Section.
P.L. 1997, ch. 193, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-4.5. - Educational requirement.

§ 31-27-4.5. Educational requirement.
The provisions of this chapter shall be taught in all driver training courses given within the state.
History of Section.
P.L. 1997, ch. 193, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-4. - Reckless driving and other offenses against public safety.

§ 31-27-4. Reckless driving and other offenses against public safety.
Any person who operates a motor vehicle recklessly so that the lives or safety of the public might be endangered, or operates a vehicle in an attempt to elude or flee from a traffic officer or police vehicle, shall be guilty of a misdemeanor for the first conviction and a felony for the second and each subsequent conviction.
History of Section.
P.L. 1950, ch. 2595, art. 24, § 3; P.L. 1950 (s.s.), ch. 2639, § 3; P.L. 1954, ch. 3300, § 1; P.L. 1956, ch. 3819, § 1; G.L. 1956, § 31-27-4; P.L. 1958, ch. 70, §§ 1, 2; P.L. 1967, ch. 64, § 1; P.L. 1982, ch. 386, § 1; P.L. 1984, ch. 340, § 1; P.L. 1995, ch. 203, § 1; P.L. 2007, ch. 121, § 2; P.L. 2007, ch. 193, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-5. - Motor carriers — Maximum driving and on-duty time.

§ 31-27-5. Motor carriers — Maximum driving and on-duty time.
(a) Maximum driving time.
Except for intrastate carrier tows and recovering operations provided at the request of a law enforcement agency for public safety purposes, no motor carrier shall permit or require any driver used by it to drive nor shall any driver exceed the hours for service for drivers as provided in 49 CFR Part 395, as may be amended from time to time.
(b)
Drivers may be declared out of service for violations of this section or 49 CFR Part 395 as may be amended from time to time.
History of Section.
G.L. 1923, ch. 98, § 27; P.L. 1933, ch. 2023, § 1; G.L. 1938, ch. 104, § 1; G.L. 1956, § 31-27-5; P.L. 1986, ch. 282, § 3; P.L. 1995, ch. 125, § 1; P.L. 2005, ch. 77, § 7; P.L. 2005, ch. 82, § 7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-6. - Lanes of operation.

§ 31-27-6. Lanes of operation.
(a)
Any bus, commercial vehicle, camper, vehicle registered as a camper, trailer, or vehicle carrying a camper or trailer traveling on Rhode Island interstate highways shall be allowed to travel only in the first two (2) right hand lanes, except in cases of left hand exits, in which case the vehicle shall be allowed to enter the third and fourth left hand lanes one mile prior to an exit.
(b)

For the purpose of this section, “commercial vehicle” means any vehicle registered for commercial purposes and designed and used primarily for the transportation of goods, wares, or merchandise. “Bus” means any vehicle designed for carrying ten (10) or more passengers and used primarily for the transportation of persons.
(c)
The provisions of this section shall only be effective during the period that official traffic signs are in place to notify operators of the provisions of this section. Any persons violating the provisions of this section upon conviction shall be fined not more than eighty-five dollars ($85.00).
History of Section.
G.L. 1923, ch. 98, § 27; P.L. 1933, ch. 2023, § 1; G.L. 1938, ch. 104, § 1; G.L. 1956, § 31-27-6; P.L. 1977, ch. 88, § 1; P.L. 1986, ch. 282, § 3; P.L. 2008, ch. 100, art. 12, § 16.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-7. - Commercial vehicles — Off-duty conditions — Emergency exceptions.

§ 31-27-7. Commercial vehicles — Off-duty conditions — Emergency exceptions.
The periods of release from duty required in §§ 31-27-5 and 31-27-6 shall be given at any places and under any circumstances that rest and relaxation from the strain of the duties of employment may be obtained. No period off duty shall be deemed to break the continuity of service unless it is for at least three (3) consecutive hours at a place where there is opportunity for rest. In case of an unfortunate emergency the driver may complete his or her run or tour of duty if the run or tour of duty but for the delay caused by the emergency would reasonably have been completed without a violation of §§ 31-27-5 — 31-27-8.
History of Section.
G.L. 1923, ch. 98, § 27; P.L. 1933, ch. 2023, § 1; G.L. 1938, ch. 104, § 1; G.L. 1956, § 31-27-7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-8. - Commercial vehicles — Penalty for excessive hours of driving.

§ 31-27-8. Commercial vehicles — Penalty for excessive hours of driving.
Any person, or the officers of any corporation, company, or association, who shall violate any provision of §§ 31-27-5 — 31-27-7, shall be fined not more than five hundred dollars ($500) or imprisoned not more than sixty (60) days, or both.
History of Section.
G.L. 1923, ch. 98, § 27; P.L. 1933, ch. 2023, § 1; G.L. 1938, ch. 104, § 1; G.L. 1956, § 31-27-8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-27 - Motor Vehicle OffensesSection 31-27-9. - Parties to offenses.

§ 31-27-9. Parties to offenses.
Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of, any act declared in chapters 1 — 27 or chapter 34 of this title to be a crime, whether individually or in connection with one or more other persons, or as a principal, agent, or accessory, shall be guilty of that offense, and every person who falsely, fraudulently, forcibly, or willfully induces, causes, coerces, requires, permits, or directs another to violate any provision of those chapters is similarly guilty of the offense.
History of Section.
P.L. 1950, ch. 2595, art. 36, § 1; G.L. 1956, § 31-27-9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-28 - Parking Facilities and PrivilegesSection 31-28-1. - “Parking meter” defined.

§ 31-28-1. “Parking meter” defined.
For the purpose of this chapter, “parking meter” means a meter device installed upon the public highways or the sidewalks adjacent to it, in which a coin must be deposited for the privilege of occupying, for a certain period, a space which is situated in a zone which a lawful authority has designated as a parking meter zone for the purpose of regulating parking of vehicles on public highways.
History of Section.
P.L. 1940, ch. 897, § 1; G.L. 1956, § 31-28-1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-28 - Parking Facilities and PrivilegesSection 31-28-10. - Parking spaces for persons transporting young children and strollers.

§ 31-28-10. Parking spaces for persons transporting young children and strollers.
(a)
Motor vehicle parking spaces specifically designed for persons transporting young children under the age of three (3) years and baby strollers, shall be required for all parking lots other than lots for single-family, duplex, townhouse, or multifamily residences; provided, however, industrial-zoned properties shall not be required to comply with this section. The motor vehicle parking spaces specifically designed for persons transporting young children under the age of three (3) years and baby strollers shall be provided as

follows:
Total Parking
Required Number
Spaces in Lot
of Stroller Spaces
Up to 100
0
101 to 500
2
501 to 1,000
3
>1,001
One additional space for each 500 parking spaces over 1,000
(b)
Motor vehicle parking spaces specifically designed for persons transporting young children under the age of three (3) years and baby strollers shall be located as closely as possible to parking spaces designated for the physically handicapped and/or disabled persons; provided, however, parking spaces designated for the physically handicapped and/or disabled persons shall take precedence. Where no parking spaces designated for the physically handicapped and/or disabled persons have been provided, parking spaces for persons transporting young children in baby strollers shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance.
(c)
All parking spaces for persons transporting young children and strollers shall be prominently outlined with green paint and posted with an approved permanent above-ground sign which shall be of a minimum size of twelve inches (12″) wide and eighteen inches (18″) in height and shall include an image of a baby stroller with the language “Reserved Parking” located above the image of the baby stroller and with the language “persons with strollers” located below the baby stroller image. The bottom of the sign must be at least five feet (5′) above grade when attached to a building, or seven feet (7′) above grade for a detached sign.
(d)
All property owners required by this section to provide motor vehicle parking spaces for persons transporting young children and strollers shall provide such parking spaces within two (2) years from June 28, 2022. In no event shall the number of parking spaces for the physically handicapped and/or disabled be reduced below the quantity otherwise required by law.
(e)
Enforcement of the parking provisions of this section shall be enforced by the local or state authorities on public or private property when the location of the parking spaces is within the purview of the state building code, chapter 27.3 of title 23.
(f)
The owners of said property shall be responsible for the cost of the signage and proper installation in accordance with subsection (c) of this section.
History of Section.
P.L. 2022, ch. 239, § 1, effective June 28, 2022; P.L. 2022, ch. 240, § 1, effective June 28, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-28 - Parking Facilities and PrivilegesSection 31-28-11. - Installation of electric vehicle charging stations — Definitions.

§ 31-28-11. Installation of electric vehicle charging stations — Definitions.
As used in this section and § 31-28-12, the following words shall have the following meanings:
(1)
“Commercial” includes, but is not limited to, any parking lot servicing box stores, grocery markets, strip malls, shopping malls, shopping centers, and hotels or motels.
(2)
“Electric vehicle charging station” (EVCS) means a public parking space that is served by either “EV capable” or “EV ready” charging equipment.
(3)
“EV capable” means electrical vehicle charging stations that have electrical panel capacity and space to support a minimum 40-ampere, 208/240-volt dedicated branch circuit for each EV parking space, and the installation of raceways (enclosed conduit that forms a physical pathway for electrical wiring), both underground and surface mounted, to support electric vehicle supply equipment (EVSE).
(4)
“EV ready” means a designated parking space with one 40-ampere, 208/240-volt dedicated branch circuit for EVSE servicing electric vehicles. The circuit shall terminate in a suitable termination point such as a receptacle, junction box, or an EVSE, and be located in close proximity to the proposed location of the EV parking spaces.
(5)

“Housing” means any new, existing, or rehabilitated private housing developments with more than twenty (20) units, that provide residential or public parking.
(6)
“Large employer” means any employer, with over one hundred (100) employees located in a single complex, that owns and operates a parking lot for employee use.
(7)
“Municipal” means any parking lot servicing a municipal building, including, but not limited to, schools, public safety facilities, town or city hall, library, public administration offices, and recreational facilities.
(8)
“Public funding” means any funds including, but not limited to: funds derived from federal, state, or municipal sources; in-kind remuneration from any federal, state, or municipal source; gifts or grants from any federal, state, or municipal source; revenue sharing or other federal, state, or municipal payments of any nature; intergovernmental transfers; tax stabilization agreements; revenues resulting from the sale of state or municipal bonds, or by the sale or lease of any property owned by the federal government, the state of Rhode Island, and/or any municipality of the state.
History of Section.
P.L. 2023, ch. 268, § 1, effective July 1, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-28 - Parking Facilities and PrivilegesSection 31-28-12. - Installation of electric vehicle charging stations — Designated parking spaces.

§ 31-28-12. Installation of electric vehicle charging stations — Designated parking spaces.
(a)
All new parking lots and existing lots that undergo an expansion of the number of parking spaces by fifty percent (50%) or more, shall create designated parking spaces for electric vehicles.
(b)
Each electric vehicle parking space shall have either an EV-ready, or EV-capable public level 2, or DC fast charger, or a dual port charger to be shared by two (2) parking spaces.
(c)
Projects awarded or under development prior to January 1, 2024, are exempt from the requirements of this section. Beginning January 1, 2024, the installation of electric vehicle charging stations and the designation of parking spaces shall be required when there is:
(1)
Construction of a parking lot for a new building or new off-street parking facility;
(2)
An additional parking lot added to an addition for an existing building; or
(3)
A parking lot increased in size to add fifty percent (50%) or more parking spaces.
(d)
Commercial, municipal, large employer, and housing parking lots shall designate electric vehicle parking spaces based on the number of parking spaces provided in accordance with the following table below. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.

Total Number of Parking Spaces	Number of Required EV Spaces
0-9	0
10-25	1
26-50	2
51-75	4
76-100	5
101-150	7
151-200	10
201 and over	

Six percent (6%) of total
(e)
Electric vehicle parking restrictions and violations shall be enforced pursuant to the provisions of §§ 31-21-18 and 31-41.1-4 relating to the fine imposed for electric vehicle charging station restrictions.
(f)
The owner of any facility or business that fails to comply with the provisions of this section shall be subject to a penalty set and enforced by the local or state authorities on public or private property when the location of the parking spaces is within the purview of the state building code, chapter 27.3 of title 23.
(g)
The office of energy resources shall provide recommendations to improve electric vehicle charging infrastructure in underserved communities. In the development of these recommendations, the office of energy resources may request and be furnished with information from municipalities, an electric distribution company, the Rhode Island department of transportation, community boards, and nonprofits representing municipal interests. The office of energy resources shall develop these recommendations by January 31, 2024.
(h)
Municipalities shall provide the office of energy resources with semiannual reports on the number of installed public charging stations, location of the charging stations, and total number of charging stations in the community. The office of energy resources shall make this information available to the public on the agency's website.
(i)
The provisions of this section shall only apply to new projects awarded subsequent to January 1, 2024, that receive any form of public funding.
History of Section.
P.L. 2023, ch. 268, § 1, effective July 1, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-28 - Parking Facilities and PrivilegesSection 31-28-2. - Ordinances authorizing parking meters and meter zones.

§ 31-28-2. Ordinances authorizing parking meters and meter zones.
(a)
Any town or city council may enact ordinances authorizing the installation, operation, maintenance, policing, and supervision of parking meters on the public highways, and fix and provide for the payment of a fee for the purpose of parking by requiring the operator of any vehicle parking in the zone to deposit in the meter in the zone or adjacent to it, a coin of the United States as the council shall determine to be necessary for the purpose of regulating parking. Any fee established for parking shall bear a reasonable relation to the actual cost incurred by the town or city in the installation, operation, maintenance, policing, and supervision of the parking meter system and the parking of motor vehicles on the public highways.
(b)
The commissioner of public safety for the city of Providence and the council of any other city or town may establish parking meter zones for the purpose of regulating the parking of motor vehicles on the public highways.
History of Section.
P.L. 1940, ch. 897, § 3; impl. am. P.L. 1951, ch. 2723, § 4; G.L. 1956, § 31-28-2; P.L. 1987, ch. 215, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-28 - Parking Facilities and PrivilegesSection 31-28-3. - Unauthorized meters.

§ 31-28-3. Unauthorized meters.
It shall be unlawful to install or operate parking meters in any town or city in this state until the qualified electors of the city or town have had submitted to them for their approval or rejection the question of the installation of parking meters, and have signified their approval of the question, and until any town or city council shall enact ordinances or regulations governing the installation and operation of the parking meters.
History of Section.
P.L. 1940, ch. 897, § 4; G.L. 1956, § 31-28-3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-28 - Parking Facilities and PrivilegesSection 31-28-4. - Exemption of persons with disabilities from payment of fees.

§ 31-28-4. Exemption of persons with disabilities from payment of fees.
No city or town or any agency of a city or town shall exact any fee for parking on the public highways or in any metered parking space from any person who has been issued a disability parking privilege placard or sticker pursuant to § 31-28-7, 31-28-7.1 or 31-29-5, nor from the owner of the motor vehicle transporting the person with a disability, provided that upon which vehicle there is displayed any disability parking placard or sticker that shall be issued by the division of motor vehicles.
History of Section.
P.L. 1948, ch. 2051, § 1; P.L. 1952, ch. 2879, § 2; P.L. 1953, ch. 3199, § 1; G.L. 1956, § 31-28-4; P.L. 1976, ch. 144, § 1; P.L.

1978, ch. 133, § 1; P.L. 1980, ch. 140, § 1; P.L. 1982, ch. 281, § 2; P.L. 1996, ch. 314, § 1; P.L. 1996, ch. 323, § 1; P.L. 1999, ch. 83, § 72; P.L. 1999, ch. 130, § 72.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-28 - Parking Facilities and PrivilegesSection 31-28-6. - Overtime parking by persons with a disability exempt from fees.

§ 31-28-6. Overtime parking by persons with a disability exempt from fees.
No penalty shall be imposed upon any person with a disability issued a disability parking privilege placard or sticker pursuant to § 31-28-7, 31-27-7.1 or 31-29-5, nor from the motor vehicle transporting the person with a disability, provided that upon that vehicle there is displayed a disability parking placard or sticker for parking on the highways or in a space for a longer period of time than other persons are permitted to park on the highways or in a space. Nothing in this section shall be deemed to authorize that person to park in any place at any time where parking is prohibited.
History of Section.
P.L. 1948, ch. 2051, § 2; G.L. 1956, § 31-28-6; P.L. 1982, ch. 281, § 2; P.L. 1996, ch. 314, § 1; P.L. 1996, ch. 323, § 1; P.L. 1999, ch. 83, § 72; P.L. 1999, ch. 130, § 72.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-28 - Parking Facilities and PrivilegesSection 31-28-7.1. - Motor vehicle placards for group care facilities, government agencies, nonprofit organizations, or companies serving people with disabilities.

§ 31-28-7.1. Motor vehicle placards for group care facilities, government agencies, nonprofit organizations, or companies serving people with disabilities.
(a)
Upon application to the division of motor vehicles, any group care facility, government agency, non-profit organizations, or company that provides services to persons with disabilities shall be issued one or more portable motor vehicle placards as described in § 31-28-7(a) and (b).
(b)
The applicant shall provide to the division of motor vehicles proof that the applicant is a bona fide group care facility, government agency, non-profit organization or company providing services to persons with disabilities as defined in § 31-28-7(h).
(c)
The division of motor vehicles shall not issue more than ten (10) placards to any one facility. The number of placards to be issued shall be determined by the division of motor vehicles based upon the number of persons served by the facility and the frequency with which the staff of the facility must transport the clients or patients of the facility.
(d)
The placards shall be used only by agents or employees of the facility and only when transporting persons with disabilities who are clients or patients of the facility. The placard is to be hung from the rear view mirror as to be seen through the front and rear windshield of the motor vehicle.
(e)
A person other than an agent or employee of the facility to which the placard was issued, or an agent or employee of the facility not engaged in transporting clients or patients of the facility, who uses the parking privilege placards for his or her own purposes, shall be fined one hundred and twenty-five dollars ($125) for each violation. A facility that allows the unauthorized use of the placards may be subject to revocation of the use of the placard by the division of motor vehicles.
History of Section.
P.L. 1985, ch. 286, § 2; P.L. 1994, ch. 135, § 1; P.L. 1995, ch. 107, § 1; P.L. 1996, ch. 314, § 1; P.L. 1996, ch. 323, § 1; P.L. 1999, ch. 83, § 72; P.L. 1999, ch. 130, § 72; P.L. 2004, ch. 6, § 56.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-28 - Parking Facilities and PrivilegesSection 31-28-7.10. - Special legislative commission to study the disability parking placard system.

§ 31-28-7.10. Special legislative commission to study the disability parking placard system.
(a)
A special legislative commission is hereby created consisting of seven (7) members: two (2) of whom shall be from the house of representatives, not more than one from the same political party to be appointed by the speaker; two (2) of whom shall be from the senate, not more than one from the same political party to be appointed by the senate majority leader; one of whom shall be a representative of the division of motor vehicles, to be appointed by the registrar; two (2) of whom shall be representatives of the governor's commission on disabilities, appointed by the chairperson of the governor's commission on disabilities. In lieu of any appointment of a member of the legislation to a permanent advisory commission, a legislative study commission, or any commission created by a general assembly resolution, the appointing authority may appoint a member of the general public to serve in lieu of a legislator, provided that the majority leader or the minority leader of the political party which is entitled to the appointment consents to the appointment of the member of the general public.
(b)
The purpose of the commission shall be to study the disability parking placard system and recommend possible changes to the

system and thereby improve service. The members of the commission shall meet at the call of the speaker of the house and organize and shall select from among the legislators a chairperson. Vacancies in the commission shall be filled in like manner as the original appointment.
(c)
The membership of the commission shall receive no compensation for their services.
(d)
All departments and agencies of the state shall furnish any advice and information, documentary and otherwise, to the commission and its agents that is deemed necessary or desirable by the commission to facilitate the purposes of this section.
(e)
The speaker of the house is hereby authorized and directed to provide suitable quarters for the commission. The commission shall report its findings and recommendations to the general assembly on or before January 24, 2003 and the commission shall expire on March 24, 2003.
History of Section.
P.L. 2002, ch. 214, § 2; P.L. 2002, ch. 396, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-28 - Parking Facilities and PrivilegesSection 31-28-7.3. - Disability parking enforcement program.

§ 31-28-7.3. Disability parking enforcement program.
(a)
The state police, department of environmental management, airport corporation, capitol police, department of behavioral healthcare, developmental disabilities and hospitals, and the state operated colleges shall establish a disability parking enforcement enhancement programs no later than January 1, 2000. The program will be designed to improve enforcement of disability parking laws on state-owned property and in parking facilities serving space leased or owned by the state, including state departments, agencies, boards, commissions, and quasi-governmental corporations. Citations issued in conjunction with this program shall be submitted to the traffic tribunal or its successor entity for collection pursuant to §§ 31-28-7 and 31-28-7.1 and the fines collected through shall be paid over to the state agency or college that issued the citation.
(b)
The several cities and towns shall establish disability parking enforcement enhancement programs. Citations issued in conjunction with local enforcement programs shall be submitted to the municipal court, where established, or to the traffic tribunal or its successor entity. Fines collected through citations issued in accordance with local enforcement program specifications shall be paid over to the city or town or pursuant to §§ 31-28-7 and 31-28-7.1.
(c) Disability parking enforcement enhancement plans.
(1)
The state police, department of environmental management, airport corporation, capitol police, department of behavioral healthcare, developmental disabilities and hospitals, and the state operated colleges shall submit a disability parking enforcement enhancement plan to the governor’s commission on disabilities.
(2)
Cities and towns shall submit a disability parking enforcement enhancement plan to the governor’s commission on the disability.
(3)
The disability parking enforcement enhancement plans shall describe the enforcement program which the state police, department of environmental management, airport corporation, capitol police, department of behavioral healthcare, developmental disabilities and hospitals, the state operated colleges or the municipality intends to establish.
(4)
The disability parking enforcement enhancement plan shall be reviewed by governor’s commission on disabilities within sixty (60) days of receipt and suggest improvements to the disability parking enforcement enhancement plans, that shall not be construed as required amendments.
(d)
The types of disability parking enforcement enhancement programs which may be put in place in each municipality, and by the state police, department of environmental management, airport corporation, capitol police, department of behavioral healthcare, developmental disabilities and hospitals, and the state operated colleges, may include, but shall not be limited to:
(1)
Enforcement programs which utilize persons deputized for the purpose of the disability parking enforcement enhancement program. The disability parking enforcement deputies shall be required to complete a minimum of four (4) hours training in parking enforcement before being assigned to the program. Each municipality and the state police, department of environmental management, airport corporation, capitol police, department of behavioral healthcare, developmental disabilities and hospitals, and the state operated colleges shall provide adequate training and shall assume all liability associated with disability parking enforcement.
(2)
Enforcement programs which specifically designate paid and trained personnel as staff for the disability parking enforcement

enhancement program. These personnel are not limited to on-duty police officers, but may also include officers to be paid overtime, auxiliary personnel, special forces, retired personnel, and other paid employee deemed by the responsible authority to be competent and qualified.
History of Section.
P.L. 1999, ch. 283, § 1; P.L. 2000, ch. 109, § 41; P.L. 2011, ch. 213, § 1; P.L. 2011, ch. 235, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-28 - Parking Facilities and PrivilegesSection 31-28-7. - Motor vehicle plates for persons with disabilities — Entitlement — Designated parking spaces — Violations.

§ 31-28-7. Motor vehicle plates for persons with disabilities — Entitlement — Designated parking spaces — Violations.
(a)
Persons, as defined in subsection (h) of this section, upon application and proof of permanent or long-term disability to the division of motor vehicles, shall be issued one motor vehicle disability parking privilege placard or in the case of a motorcycle, one motor vehicle sticker, of blue which shall be imprinted with the white international symbol of access, certificate number, the words “Rhode Island Disability Parking Permit” and shall bear the expiration date upon its face. A placard or motorcycle sticker issued to a person whose disability is temporary shall be substantially similar to that issued to a person with a permanent or long term disability. The temporary placard, however, shall be a red placard with a white international symbol of access, certificate number, the words “Rhode Island Disability Parking Permit” and shall bear the expiration dates upon its face. A preliminary placard shall be similar to that issued to a person with a permanent, long-term, or temporary disability. The preliminary placard shall be effective for twenty-one (21) days, and may be issued by an applicant’s licensed physician, if in the medical provider’s opinion the applicant’s medical condition merits the issuance of a preliminary placard while the division considers the applicant’s qualifications for any type of disability parking permit. The preliminary placard shall be an orange placard with a white international symbol of access, certificate number, the words “Rhode Island Disability Parking Permit” and shall bear the expiration date upon its face and shall be displayed on the dashboard of the vehicle in a manner that it is clearly visible from the front. The division of motor vehicles shall promulgate rules governing the issuance and use of preliminary placards. Applicants shall not be charged any fee associated with the issuance of a preliminary placard. Physicians submitting false information to the division of motor vehicles to obtain a preliminary placard on anyone’s behalf may be subject to the penalties set forth in § 11-18-1.3. Persons issued a placard or motorcycle sticker pursuant to this section shall be entitled to the immunities of §§ 31-28-4 and 31-28-6. The placard shall conform to the Uniform Parking System for Disabled Drivers standard issued by the United States Department of Transportation. If an application for a placard or motorcycle sticker is denied, the division of motor vehicles shall promptly notify the applicant in writing, stating the specific reason(s) for the denial, and advising the applicant of the procedures for requesting a hearing to appeal the denial. Prior to the appeal hearing, the applicant shall be provided with any and all documents relied upon by the division in denying the application. If an application contains a physician certification that the applicant is sufficiently disabled to require a placard or motorcycle sticker, and the division has not provided specific reasons in its denial letter to the applicant, the hearing officer shall summarily order that a placard or motorcycle sticker be provided to the applicant. At all other hearings of application denials where a physician certification has been provided, the division shall bear the burden of proof that the individual is not entitled to a placard or motorcycle sticker pursuant to this chapter.
(b)
A placard issued pursuant to this section shall be portable and used only when the person is being transported. The placard is to be hung from the rear view mirror so as to be seen through the front or rear windshield of the motor vehicle. A placard may be issued to a person with a disability who does not own a motor vehicle, to be used only when he or she is being transported. A motorcycle sticker issued pursuant to this section shall not be portable and shall be affixed to the rear plate of the motorcycle.
(c)(1)
The certificate of entitlement to the placard or motorcycle sticker shall be renewed every six (6) years for individuals with a long-term disability, as defined in subsection (d) of this section, and the renewal application shall require a physician’s certification that the condition has not changed since the previous approval, and six (6) years for individuals with a permanent disability as defined in subsection (h) of this section, in accordance with a schedule prepared by the division of motor vehicles that uses the last name of an individual to determine the month of renewal. If an application or subsequent renewal is accompanied by a physician’s certification that the applicant’s condition is a chronic, permanent impairment and that application is approved, then any subsequent renewal shall be authorized upon receipt of a notarized affidavit from the applicant or applicant’s, guardian or legal representative or a certificate from the applicant’s physician that his or her condition has not changed since the previous approval.
(2)
The certificate of entitlement to the placard or motorcycle sticker shall be covered with plastic or similar material. The applicant shall, upon timely renewal, receive a sticker bearing the expiration date of the certificate of entitlement to be affixed across the expiration date of the disability parking privilege placard or in the case of a motorcycle the applicant shall receive a new motorcycle sticker. The division of motor vehicles shall establish rules and regulations allowing for the renewal of the certificates of entitlement by mail.
(3)
Whenever the division of motor vehicles proposes to suspend, revoke or fail to renew the certificate of entitlement for

noncompliance with the requirements of this section or for violation of subsection (h) of this section, the individual shall first be entitled to a hearing before the division of motor vehicles to contest the proposed action. At the hearing, the division of motor vehicles shall bear the burden of proof that the individual is not entitled to the placard or motorcycle sticker pursuant to this chapter. There shall be no renewal fee charged for the placards or motorcycle sticker. The division of motor vehicles shall be authorized to issue a temporary disability parking privilege placard or motorcycle sticker immediately upon receipt of an application for individuals with a temporary impairment, as defined in subsection (h) of this section. A temporary placard or motorcycle sticker shall be valid for sixty (60) days from the date of issuance. Temporary placards or motorcycle stickers may be renewed for a period of one year or less, as determined by the medical advisory board upon application if the disability persists. The division of motor vehicles shall subsequently review the applications in accordance with the procedures currently in effect as to applications from persons whose disability is long term. Any issuance which, after subsequent review, shall be found to be inappropriate shall be revoked and notice of the revocation shall be sent to the applicant.

(d)

A person, other than a person with a disability, who for his or her own purposes uses the parking privilege placard, shall be fined five hundred dollars ($500) for each violation. A person issued a special placard who uses the placard after expiration, or who shall allow unauthorized use of the disability parking placard or sticker, may be subject to immediate revocation of the use of the placard by the division of motor vehicles, and subject to a fine of five hundred dollars ($500).

(e)

Disability parking spaces shall be designated and identified by the posting of signs above ground level incorporating the international symbol of access of white on blue, and the words “Handicapped Parking,” “Disability Parking,” “Disabled Parking,” or “Reserved Parking” at each space, at both ends of a row or series of adjacent disability parking spaces, or at the entrance to a parking lot restricted to only disability parking.

(f)

A person, other than a person issued a special placard or motorcycle sticker pursuant to this section, who parks a vehicle in a parking space designated for persons with disabilities, shall be fined: (1) one hundred dollars ($100) for a first violation, (2) one hundred seventy-five dollars ($175) for a second violation, and (3) three hundred twenty-five dollars ($325) for a third or subsequent violation. The vehicle may be subject to towing at the owner’s expense. Provided further, that it shall not be unlawful for a person to park a vehicle in a space designated for person with disabilities if that person is transporting a person who has been issued a special placard and is properly displaying the placard on the vehicle.

(g)

Enforcement of the parking provisions of this section shall be enforced by the local or state authorities on public or private property when the location of the parking spaces is within the purview of the State Building Code, chapter 27.3 of title 23.

(h) Definitions.

For the purpose of this section:

(1)

“Disabled” or “disability” means a permanent or long-term impairment which prevents or impedes walking, which shall include but not be limited to: (i) an impairment which prevents walking and requires use of a wheelchair; (ii) an impairment which involuntarily causes difficulty or insecurity in walking or climbing stairs with or without the need to use braces, crutches, canes or artificial support; (iii) an impairment caused by amputation, arthritis, blindness (including legally blind), or orthopedic condition; (iv) an impairment in respiratory, circulatory, or neurological health which limits the person’s walking capability; or (v) disabled veteran, pursuant to § 31-6-8 after certification of eligibility from the Veterans’ Administration or other satisfactory documentation of eligibility is presented. Persons with disabilities may be capable of working or may be presently working.

(2)

“Long-term disability” means an impairment which is potentially reversible or may improve with appropriate medical treatment. At the time of application and or renewal, the impairment should not be expected to improve prior to the expiration of the certification, to a point where the individual does not meet the provisions of subdivision (1) of this subsection.

(3)

“Permanent disability” means an impairment which is non-reversible.

(4)

“Temporary impairment” means an impairment which is expected to improve to a point where the individual does not meet the provisions of subdivision (1) of this subsection, within two (2) years of the application.

(i)

The department of revenue shall inform each licensed driver of the certificate procedures and parking restrictions of this section and §§ 31-28-4 and 31-28-6, and a facsimile of the portable placards and motorcycle stickers issued under this section shall be sent to the enforcing authority of each state, and each enforcing authority shall be informed of the parking restrictions of this section and §§ 31-28-4 and 31-28-6. Recipients of disability parking privilege placards shall also receive instructions on their use and the penalties for misuse, when the placard is initially issued.

(j)

Any person who makes, manufactures, offers for sale or knowingly uses a counterfeit parking privilege placard shall be fined up to five hundred dollars ($500) and/or forty (40) hours of community restitution.

History of Section.
P.L. 1948, ch. 2051, § 3; P.L. 1951, ch. 2851, § 1; P.L. 1955, ch. 3575, § 1; G.L. 1956, § 31-28-7; P.L. 1982, ch. 74, § 1; P.L. 1982, ch. 281, §§ 1, 3; P.L. 1983, ch. 14, § 1; P.L. 1983, ch. 138, § 1; P.L. 1985, ch. 286, § 1; P.L. 1986, ch. 81, § 1; P.L. 1986, ch. 149, § 1; P.L. 1987, ch. 127, § 1; P.L. 1988, ch. 132, § 1; P.L. 1988, ch. 439, § 1; P.L. 1988, ch. 592, § 1; P.L. 1989, ch. 548, § 1; P.L. 1990, ch. 44, § 1; P.L. 1991, ch. 33, § 1; P.L. 1992, ch. 64, § 1; P.L. 1992, ch. 126, § 1; P.L. 1994, ch. 109, § 1; P.L. 1994, ch. 135, § 1; P.L. 1994, ch. 379, § 1; P.L. 1996, ch. 314, § 1; P.L. 1996, ch. 323, § 1; P.L. 1998, ch. 402, § 1; P.L. 1999, ch. 83, § 72; P.L. 1999, ch. 130, § 72; P.L. 2000, ch. 252, § 1; P.L. 2001, ch. 280, § 1; P.L. 2002, ch. 58, § 7; P.L. 2002, ch. 214, § 1; P.L. 2002, ch. 396, § 1; P.L. 2006, ch. 183, § 1; P.L. 2006, ch. 333, § 1; P.L. 2006, ch. 651, § 2; P.L. 2007, ch. 135, § 1; P.L. 2007, ch. 214, § 1; P.L. 2008, ch. 98, § 23; P.L. 2008, ch. 145, § 23; P.L. 2013, ch. 24, § 1; P.L. 2013, ch. 35, § 1; P.L. 2013, ch. 105, § 1; P.L. 2013, ch. 115, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-28 - Parking Facilities and PrivilegesSection 31-28-8. - Use of meters for charitable contributions.

§ 31-28-8. Use of meters for charitable contributions.
During the period when any annual national “march of dimes” campaign is taking place for infantile paralysis, any city or town in this state, in which parking meters have been established by authority of law, is authorized to permit the inserting of dimes into any of the parking meters by pedestrians or motorists, the dimes to be collected and turned over to the respective committee in charge of the collection of dimes for the specific “march of dimes” campaign to be used for those purposes.
History of Section.
P.L. 1949, ch. 2162, § 1; G.L. 1956, § 31-28-8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-28 - Parking Facilities and PrivilegesSection 31-28-9. - Owner’s liability for parking tickets.

§ 31-28-9. Owner’s liability for parking tickets.
Whenever any motor vehicle shall be parked illegally, the owner of the motor vehicle shall be jointly and individually liable with the operator for the payment of any fines imposed unless the owner of the vehicle has prima facie proof that the vehicle was parked illegally by another person who is not an employee of the owner. Any district court or municipal court citation for a nonmoving violation shall be deemed admitted and defaulted after two (2) notices unanswered by the owner.
History of Section.
P.L. 1986, ch. 539, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-29 - Reciprocity AgreementsSection 31-29-1. - Reciprocity board established.

§ 31-29-1. Reciprocity board established.
There is established a reciprocity board, referred to in this chapter as “the board”. The board shall be composed of three (3) members, consisting of the administrator of the division of motor vehicles, the chair of the public utilities commission, and an assistant attorney general designated by the attorney general, ex officio. A majority of the members of the board shall constitute a quorum and the action of the majority of the members in attendance at any meeting shall be the action of the board. Whenever a member of the board is absent from a meeting of the board, the member may designate one of his or her assistants or employees to attend on the member’s behalf. The assistant or employee shall be entitled to participate in the discussions and proceedings of the board, but he or she shall not be entitled to vote.
History of Section.
P.L. 1949, ch. 2386, § 1; G.L. 1956, § 31-29-1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-29 - Reciprocity AgreementsSection 31-29-2. - Entry into reciprocal agreements — Scope of agreements.

§ 31-29-2. Entry into reciprocal agreements — Scope of agreements.
The governor is authorized, with the advice of the board, to enter into reciprocal agreements on behalf of the state, with the appropriate authorities of any state in the United States of America, or of the District of Columbia, or of any province in the dominion of Canada, with respect to all fees or taxes imposed by this state and by any other state, or the District of Columbia, or any province of Canada, on motor vehicles, or on the operation of motor vehicles, or upon any transaction incident to the operation of motor vehicles. It shall be the duty of the board to study and advise the governor with respect to all matters affecting any reciprocal agreements.
History of Section.
P.L. 1949, ch. 2386, § 1; G.L. 1956, § 31-29-2; P.L. 1996, ch. 144, § 1; P.L. 1996, ch. 197, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-29 - Reciprocity AgreementsSection 31-29-3. - Authority exercised by governor.

§ 31-29-3. Authority exercised by governor.
All authority previously vested in the administrator of the division of motor vehicles and the public utilities administrator, in respect to determining the privileges granted to nonresident owners and operators of motor vehicles, in registration of motor vehicles, licenses of operators, or fees incidental to public utilities permits and plates, is transferred and vested in the governor, subject, however, to the provisions of §§ 31-29-1 and 31-29-2.
History of Section.
P.L. 1949, ch. 2386, § 1; G.L. 1956, § 31-29-3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-29 - Reciprocity AgreementsSection 31-29-4. - Agreements subject to statutes — Discretion of governor.

§ 31-29-4. Agreements subject to statutes — Discretion of governor.
All agreements entered into by the governor with respect to any subject as to which provision is expressly made by statute shall conform to the provisions of the statute. As to any other subject of reciprocity appropriate to the powers vested in the governor by this chapter, the governor shall have full authority, with the advice of the board, to agree to any terms and conditions that in the governor's judgment are best calculated to promote the interests of the state.
History of Section.
P.L. 1949, ch. 2386, § 1; G.L. 1956, § 31-29-4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-29 - Reciprocity AgreementsSection 31-29-5. - Disability parking reciprocity agreements.

§ 31-29-5. Disability parking reciprocity agreements.
The reciprocity board is authorized to enter into reciprocity agreements with any state in the United States of America or the District of Columbia concerning parking privilege for individuals with disabilities.
History of Section.
P.L. 1982, ch. 79, § 1; P.L. 1999, ch. 83, § 73; P.L. 1999, ch. 130, § 73.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-29 - Reciprocity AgreementsSection 31-29-6. - Driver License Compact Reciprocity Agreement.

§ 31-29-6. Driver License Compact Reciprocity Agreement.
The governor is authorized to enter the Driver License Compact Reciprocity Agreement in order to improve standardization and compatibility in driver licensing operations throughout the United States.
History of Section.
P.L. 1986, ch. 284, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-1. - Certificate of title required.

§ 31-3.1-1. Certificate of title required.
(a)
Except as provided in § 31-3.1-2, every owner of a vehicle which is in this state and for which no certificate of title has been issued by the division of motor vehicles shall make application to the division for a certificate of title of the vehicle.
(b)
The division of motor vehicles shall not register or renew the registration of a vehicle unless a certificate of title has been issued by the division to the owner or an application for title has been delivered by the owner to the division.
History of Section.
P.L. 1971, ch. 100, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-10. - Refusing certificate of title.

§ 31-3.1-10. Refusing certificate of title.
The division of motor vehicles shall refuse issuance of a certificate of title if any required fee is not paid or if it has reasonable grounds to believe that:
(1)
The applicant is not the owner of the vehicle;
(2)
The application contains a false or fraudulent statement;
(3)
The applicant fails to furnish required information or documents or any additional information the division reasonably requires; or
(4)

The applicant fails to furnish evidence that any tax due with reference to the motor vehicle pursuant to the provisions of chapters 18 and 19 of title 44 has been paid in accordance with regulations prescribed by the tax administrator, and on any forms that shall be approved by the tax administrator and the division of motor vehicles.
History of Section.
P.L. 1971, ch. 100, § 1; P.L. 1973, ch. 263, art. VI, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-11. - Lost, stolen or mutilated certificates.

§ 31-3.1-11. Lost, stolen or mutilated certificates.
(a)
If a certificate of title is lost, stolen, mutilated, destroyed, or becomes illegible, the first lienholder or, if none, the owner or legal representative of the owner named in the certificate, as shown by the records of the division of motor vehicles, shall promptly apply for and may obtain a duplicate upon furnishing information satisfactory to the division of motor vehicles and pay a fifty dollar ($50.00) fee. The duplicate certificate of title shall contain the legend “this is a duplicate certificate and may be subject to the rights of a person under the original certificate.” It shall be mailed to the first lienholder named in it or, if none, to the owner.
(b)
The division of motor vehicles shall not issue a certificate of title to a transferee upon application made on a duplicate until fifteen (15) days after receipt of the application.
(c)
A person recovering an original certificate of title for which a duplicate has been issued shall promptly surrender the original certificate to the division of motor vehicles.
(d)
A person applying for a duplicate title may designate an automobile dealer as the designated recipient of the duplicate title provided, that there is no current lien holder and the applicant/owner signs an affidavit stating that the vehicle has been sold or traded to the dealer in such form as designated by the administrator of the division of motor vehicles.
History of Section.
P.L. 1971, ch. 100, § 1; P.L. 1990, ch. 13, § 3; P.L. 1992, ch. 15, art. 7, § 1; P.L. 2005, ch. 412, § 1; P.L. 2009, ch. 5, art. 9, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-12. - Transfer.

§ 31-3.1-12. Transfer.
(a)
If the owner transfers his or her interest in a vehicle, other than by the creation of a security interest, he or she shall, at the time of the delivery of the vehicle, execute an assignment and warranty of title to the transferee in the space provided for it on the certificate or as the division of motor vehicles prescribes, and cause the certificate and assignment to be mailed or delivered to the transferee or to the division of motor vehicles.
(b)
Except as provided in § 31-3.1-13, the transferee shall, promptly after delivery to him or her of the vehicle, execute the application for a new certificate of title in the space provided for it on the certificate or as the division of motor vehicles prescribes, and cause the certificate and application to be mailed or delivered to the division of motor vehicles.
(c)
Upon request of the owner or transferee, a lienholder in possession of the certificate of title shall, unless the transfer was a breach of his or her security agreement, either deliver the certificate to the transferee for delivery to the division of motor vehicles or upon receipt from the transferee of the owner’s assignment, the transferee’s application for a new certificate, the registration card, license plates and the required fee of fifty dollars ($50.00), mail or deliver them to the division of motor vehicles. The delivery of the certificate does not affect the rights of the lienholder under his or her security agreement.
(d)
If a security interest is reserved or created at the time of the transfer, the certificate of title shall be retained by or delivered to the person who becomes the lienholder, and the parties shall comply with the provisions of § 31-3.1-20.
(e)
Except as provided in § 31-3.1-13 and as between the parties, a transfer by an owner is not effective until the provisions of this section and § 31-3.1-15, have been complied with. However, an owner who has delivered possession of the vehicle to the transferee and has complied with the provisions of this section and § 31-3.1-15, requiring action by him or her, is not liable as owner for any subsequent damages resulting from operation of the vehicle.
(f)
The administrator of the division of motor vehicles shall prescribe and/or approve a power-of-attorney form which complies with § 408(d)(1)(C) of the Motor Vehicle Information and Cost Savings Act, 49 U.S.C. § 32705(b)(2), as amended, and any regulations promulgated pursuant to it, and this form may be used in connection with transfers of title under this section to the full extent permitted by federal law.

History of Section.
P.L. 1971, ch. 100, § 1; P.L. 1990, ch. 13, § 3; P.L. 1990, ch. 348, § 1; P.L. 1992, ch. 15, art. 7, § 1; P.L. 2000, ch. 109, § 58; P.L. 2009, ch. 5, art. 9, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-13. - Transfer to or from dealer — Records.

§ 31-3.1-13. Transfer to or from dealer — Records.
(a)
If a dealer buys a vehicle and holds it for resale and procures the certificate of title from the owner or the lienholder within ten (10) days after delivery to him of the vehicle, the dealer need not send the certificate to the division of motor vehicles. However, upon transferring the vehicle to another person other than by the creation of a security interest, the dealer shall promptly execute the assignment and warranty of title by a dealer, showing the names and addresses of the transferee and of any lienholder holding a security interest created or reserved at the time of the resale and the date of the security agreement, in the spaces provided for it on the certificate or as the division of motor vehicles prescribes, and mail or deliver the certificate to the division of motor vehicles with the transferee's application for a new certificate.
(b)
Every dealer shall maintain for five (5) years a record in the form the division of motor vehicles prescribes of every vehicle bought, sold, or exchanged by the dealer, or received by the dealer for sale or exchange, which shall be open to inspection by a representative of the division of motor vehicles or peace officer during reasonable business hours.
History of Section.
P.L. 1971, ch. 100, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-14. - Transfer by operation of law.

§ 31-3.1-14. Transfer by operation of law.
(a)
If the interest of any owner in a vehicle passes to another other than by voluntary transfer, the transferee shall, except as provided in subsection (b), promptly mail or deliver to the division of motor vehicles the last certificate of title, if available, proof of the transfer, and his or her application for a new certificate in the form the division of motor vehicles prescribes.
(b)
If the interest of the owner is terminated or the vehicle is sold under a security agreement by a lienholder named in the certificate of title, the transferee shall promptly mail or deliver to the division of motor vehicles the last certificate of title, his or her application for a new certificate in the form the division of motor vehicles prescribes, and an affidavit made by or on behalf of the lienholder that the vehicle was repossessed and that the interest of the owner was lawfully terminated or sold pursuant to the terms of the security agreement. If the lienholder succeeds to the interest of the owner and holds the vehicle for resale, the lienholder need not secure a new certificate of title but, upon transfer to another person shall promptly mail or deliver to the transferee or to the division of motor vehicles, the certificate, affidavit, and other documents and articles required to be sent to the division of motor vehicles by the transferee.
(c)
A person holding a certificate of title whose interest in the vehicle has been extinguished or transferred other than by voluntary transfer shall mail or deliver the certificate to the division of motor vehicles upon request of the division of motor vehicles. The delivery of the certificate pursuant to the request of the division of motor vehicles does not affect the rights of the person surrendering the certificate, and the action of the division of motor vehicles in issuing a new certificate of title as provided in this section is not conclusive upon the rights of an owner or lienholder named in the old certificate.
History of Section.
P.L. 1971, ch. 100, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-15. - Fees — Registration cards.

§ 31-3.1-15. Fees — Registration cards.
(a)
An application for a certificate of title shall be accompanied by the registration card, and the required fee when mailed or delivered to the division of motor vehicles.
(b)
An application for the naming of a lienholder or his assignee on a certificate of title shall be accompanied by the registration card and the required fee when mailed or delivered to the division of motor vehicles.
History of Section.
P.L. 1971, ch. 100, § 1; P.L. 1972, ch. 17, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-16.1. - Electronic recording of security interests.

§ 31-3.1-16.1. Electronic recording of security interests.
The registrar is authorized to develop, establish and maintain an electronic data and communications system with banks, credit or other financial institutions for the purpose of electronically recording the existence of security interests under the provisions of this chapter. Where an electronic lien recording method is employed, the registrar may waive the issuance and mailing of the certificate of title to the lienholder.
History of Section.
P.L. 2006, ch. 639, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-16. - Issuance of new certificate.

§ 31-3.1-16. Issuance of new certificate.
(a)
The division of motor vehicles, upon receipt of a properly assigned certificate of title, with an application for a new certificate of title, the required fee and any other documents and articles required by law, shall issue a new certificate of title in the name of the transferee as owner and mail it to the first lienholder named in it or, if none, to the owner.
(b)
The division of motor vehicles upon receipt of an application for a new certificate of title by a transferee other than by voluntary transfer, with proof of the transfer, the required fee and any other documents and articles required by law, shall issue a new certificate of title in the name of the transferee as owner. If the outstanding certificate of title is not delivered to it, the division of motor vehicles shall make demand for the certificate from its holder.
(c)
The division of motor vehicles shall file and retain for five (5) years every surrendered certificate of title, the file to be maintained so as to permit the tracing of title of the vehicle designated in it.
History of Section.
P.L. 1971, ch. 100, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-17. - Scrapping, dismantling or destroying vehicle.

§ 31-3.1-17. Scrapping, dismantling or destroying vehicle.
Any individual, company, or corporation that scraps, dismantles, or destroys a vehicle at its final disposition site in this state shall immediately cause the certificate of title or the salvage certificate of title to be mailed or delivered to the division of motor vehicles for cancellation.
History of Section.
P.L. 1971, ch. 100, § 1; P.L. 1983, ch. 221, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-18. - Excepted liens and security interests.

§ 31-3.1-18. Excepted liens and security interests.
This chapter does not apply to or affect:
(1)
A lien given by statute or rule of law to a supplier of services or materials for the vehicle;
(2)
A lien given by statute to the United States, this state or any political subdivision of this state; or
(3)
A security interest in a vehicle created by a manufacturer or dealer who holds the vehicle for sale.
History of Section.
P.L. 1971, ch. 100, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-19. - Perfection of security interests.

§ 31-3.1-19. Perfection of security interests.
(a)
Unless excepted by § 31-3.1-18, a security interest in a vehicle of a type for which a certificate of title is required is not valid against creditors of the owner or subsequent transferees or lienholders of the vehicle unless perfected as provided in this chapter.
(b)
A security interest is perfected by the delivery to the division of motor vehicles of the existing certificate of title, if any, an

application for a certificate of title containing the name and address of the lienholder, and the date of his or her security agreement. A security interest may also be perfected by the execution of a security lien statement and the required fee of fifty dollars ($50.00) and registration card.
(c)
If a vehicle is subject to the security interest when brought into this state, the validity of the security interest is determined by the law of the jurisdiction where the vehicle was when the security interest attached, subject to the following:
(1)
If the parties understood at the time the security interest attached that the vehicle would be kept in this state and it was brought into this state within the following thirty (30) days for purposes other than transportation through this state, the validity of the security interest in this state is determined by the law of this state.
(2)
If the security interest was perfected under the law of the jurisdiction where the vehicle was when the security interest attached, the following rules apply:
(i)
If the name of the lienholder is shown on an existing certificate of title issued by that jurisdiction, his security interest continues perfected in this state.
(ii)
If the name of the lienholder is not shown on an existing certificate of title issued by that jurisdiction, the security interest continues perfected in this state for four (4) months after a first certificate of title of the vehicle is issued in this state and beyond that if, within the four (4) month period, it is perfected in this state. The security interest may also be perfected in this state after the expiration of the four (4) month period. If done at that time, perfection dates from the time of perfection in this state.
(3)
If the security interest was not perfected under the law of the jurisdiction where the vehicle was when the security interest attached, it may be perfected in this state. If done at that time, perfection dates from the time of perfection in this state.
(4)
A security interest may be perfected under subsection (c)(2)(ii) or subsection (c)(3) either as provided in subsection (b), or by the lienholder delivering to the division of motor vehicles a notice of security interest in the form the division of motor vehicles prescribes and the required fee.
History of Section.
P.L. 1971, ch. 100, § 1; P.L. 1973, ch. 46, § 2; P.L. 1975, ch. 245, § 2; P.L. 1990, ch. 13, § 3; P.L. 1992, ch. 15, art. 7, § 1; P.L. 2000, ch. 182, § 11; P.L. 2000, ch. 420, § 11; P.L. 2009, ch. 5, art. 9, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-2. - Exclusions.

§ 31-3.1-2. Exclusions.
No certificate of title need be obtained for:
(1)
A vehicle owned by the United States unless it is registered in this state;
(2)
A vehicle owned by a manufacturer or dealer and held for sale, even though incidentally moved on the highway, or used for purposes of testing or demonstration; or a vehicle used by a manufacturer solely for testing;
(3)
A vehicle owned by a nonresident of this state and not required by law to be registered in this state;
(4)
A vehicle regularly engaged in the interstate transportation of persons or property for which a currently effective certificate of title has been issued in another state;
(5)
A vehicle moved solely by human or animal power;
(6)
An implement of husbandry;
(7)
Special mobile equipment;
(8)
A self-propelled wheelchair or tricycle for a person with a disability;
(9)
A trailer without motive power and designed for carrying property, to be drawn by a motor vehicle and having a gross vehicle weight rating (GVWR) of three thousand pounds (3,000 lbs.) or less. As used herein, the term “trailer” does not include a travel trailer, a fifth-wheel trailer, or park trailer, as defined in § 31-1-3;
(10)

Motorized bicycles; and
(11)
A mobile home or other nonmotorized dwelling unit built on a chassis greater than eight feet six inches (8′ 6″) in width or sixty feet (60′) in length and containing complete electrical, plumbing, and sanitary facilities, and designed to be installed on a temporary or permanent foundation for permanent living quarters.
History of Section.
P.L. 1971, ch. 100, § 1; P.L. 1975, ch. 123, § 1; P.L. 1976, ch. 58, § 4; P.L. 1978, ch. 382, § 1; P.L. 1983, ch. 219, § 1; P.L. 2018, ch. 13, § 1; P.L. 2018, ch. 21, § 1; P.L. 2019, ch. 308, art. 2, § 8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-20. - Security interest — Change of certificate.

§ 31-3.1-20. Security interest — Change of certificate.
If an owner creates a security interest in a vehicle:
(1)
The owner shall immediately execute the application, in the space provided for it on the certificate of title or on a separate form the division of motor vehicles prescribes, to name the lienholder on the certificate, showing the name and address of the lienholder and the date of his security agreement, and cause the certificate of application and the required fee and registration card to be delivered to the lienholder.
(2)
The lienholder shall immediately cause the certificate, application, and the required fee and registration card to be mailed or delivered to the division of motor vehicles.
(3)
Upon request of the owner or subordinate lienholder, a lienholder in possession of the certificate of title shall either mail or deliver the certificate to the subordinate lienholder for delivery to the division of motor vehicles or, upon receipt from the subordinate lienholder of the owner's application and the required fee and registration card, mail or deliver them to the division of motor vehicles with the certificate. The delivery of the certificate does not affect the rights of the first lienholder under his or her security agreement.
(4)
Upon receipt of the certificate of title, the application, the required fee of fifty dollars ($50.00), and the registration card, the division of motor vehicles shall either endorse on the certificate or issue a new certificate containing the name and address of the new lienholder, and mail the certificate to the first lienholder named in it.
History of Section.
P.L. 1971, ch. 100, § 1; P.L. 1992, ch. 15, art. 7, § 1; P.L. 1993, ch. 138, art. 85, § 6; P.L. 2009, ch. 5, art. 9, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-21. - Assignment by lienholder.

§ 31-3.1-21. Assignment by lienholder.
(a)
A lienholder may assign, absolutely or otherwise, his or her security interest in the vehicle to a person other than the owner without affecting the interest of the owner or the validity of the security interest, but any person without notice of the assignment is protected in dealing with the lienholder as the holder of the security interest, and the lienholder remains liable for any obligations as lienholder until the assignee is named as lienholder on the certificate.
(b)
The assignee may, but need not to perfect the assignment, have the certificate of title endorsed or issued with the assignee named as lienholder, upon delivering to the division of motor vehicles the certificate and an assignment by the lienholder named in the certificate in the form the division of motor vehicles prescribes.
History of Section.
P.L. 1971, ch. 100, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-22. - Release of security interest.

§ 31-3.1-22. Release of security interest.
(a)
Upon the satisfaction of a security interest in a vehicle for which the certificate of title is in the possession of the lienholder, the lienholder shall, within fifteen (15) business days, execute a release of his or her security interest, in the space provided for it on the certificate or as the division of motor vehicles prescribes, and mail or deliver the certificate and release to the next lienholder named in it, or, if none, to the owner or any person who delivers to the lienholder an authorization from the owner to receive the certificate. The owner, other than a dealer holding the vehicle for resale, shall promptly cause the certificate and release to be mailed or delivered to the division of motor vehicles, which shall release the lienholder's rights on the certificate or issue a new certificate.

(b)
Upon the satisfaction of a security interest in a vehicle for which the certificate of title is in the possession of a prior lienholder, the lienholder whose security interest is satisfied shall within ten (10) days execute a release in the form the division of motor vehicles prescribes and deliver the release to the owner or to any person who delivers to the lienholder an authorization from the owner to receive it. The lienholder in possession of the certificate of title shall either deliver the certificate to the owner, or the person authorized by him or her, for delivery to the division of motor vehicles, or, upon receipt of the release and registration card, mail or deliver them with the certificate to the division of motor vehicles which shall release the subordinate lienholder's rights on the certificate or issue a new certificate.
(c)
It shall be unlawful for the lienholder to charge any fee for the delivery of the certificate and release.
(d)
Failure of the lienholder to provide the certificate and release as required by this section shall subject the lienholder to liability for any damages to the owner caused by that failure.
History of Section.
P.L. 1971, ch. 100, § 1; P.L. 1985, ch. 377, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-23. - Duty of lienholder.

§ 31-3.1-23. Duty of lienholder.
A lienholder named in a certificate of title shall, upon written request of the owner or of another lienholder named on the certificate, disclose any pertinent information as to his or her security agreement and the indebtedness secured by it.
History of Section.
P.L. 1971, ch. 100, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-24. - Exclusiveness of procedure.

§ 31-3.1-24. Exclusiveness of procedure.
The method provided in this chapter of perfecting and giving notice of security interests subject to the chapter is exclusive. Security interests subject to this chapter are exempted from the provisions of law which prescribe technical requirements in execution or acknowledgment of or otherwise require or relate to the filing of instruments creating or evidencing security interests.
History of Section.
P.L. 1971, ch. 100, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-25. - Suspension or revocation of certificates.

§ 31-3.1-25. Suspension or revocation of certificates.
(a)
The division of motor vehicles shall suspend or revoke a certificate of title, upon notice and reasonable opportunity to be heard in accordance with § 31-3.1-36, when authorized by any other provision of law or if it finds:
(1)
The certificate of title was fraudulently procured or erroneously issued;
(2)
The vehicle has been scrapped, dismantled or destroyed; or
(3)
Upon request of the tax administrator after notice and reasonable opportunity to be heard by the tax administrator, that the taxes specified in § 31-3.1-10(4) have not been paid.
(b)
Suspension or revocation of a certificate of title does not, in itself, affect the validity of a security interest noted on it.
(c)
When the division of motor vehicles suspends or revokes a certificate of title, the owner or person in possession of it shall, immediately upon receiving notice of the suspension or revocation, mail or deliver the certificate to the division of motor vehicles.
(d)
The division of motor vehicles may seize and impound any certificate of title which has been suspended or revoked.
History of Section.
P.L. 1971, ch. 100, § 1; P.L. 1973, ch. 263, art. VI, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-26. - Powers of division of motor vehicles.

§ 31-3.1-26. Powers of division of motor vehicles.
(a)
The division of motor vehicles shall prescribe and provide suitable forms of applications, certificates of title, notices of security interests, and all other notices and forms necessary to carry out the provisions of this chapter.
(b)
The division of motor vehicles may:
(1)
Make necessary investigations to procure information required to carry out the provisions of this chapter;
(2)
Assign a new identifying number to a vehicle if it has none, or its identifying number is destroyed or obliterated, or its motor is changed and shall either issue a new certificate of title showing the new identifying number or make an appropriate endorsement on the original certificate.
History of Section.
P.L. 1971, ch. 100, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-27. - Vehicle leases that are not sales or security interests.

§ 31-3.1-27. Vehicle leases that are not sales or security interests.
In the case of motor vehicles or trailers, notwithstanding any other provision of law, a transaction does not create a sale or security interest merely because it provides that the rental price is permitted or required to be adjusted under the agreement either upward or downward by reference to the amount realized upon sale or other disposition of the motor vehicle or trailer.
History of Section.
P.L. 1991, ch. 305, § 8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-28 - — 31-3.1-35. [Obsolete.]

§ 31-3.1-28 — 31-3.1-35. [Obsolete.]

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-3. - Optional certificate of title.

§ 31-3.1-3. Optional certificate of title.
The owner of an implement of husbandry or special mobile equipment may apply for and obtain a certificate of title on it. All of the provisions of this chapter are applicable to a certificate of title so issued, except that a person who receives a transfer of an interest in the vehicle without knowledge of the certificate of title is not prejudiced by reason of the existence of the certificate, and the perfection of a security interest under this chapter is not effective until the lienholder has complied with the provisions of applicable law which otherwise relate to the perfection of security interests in personal property.
History of Section.
P.L. 1971, ch. 100, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-36. - Court review.

§ 31-3.1-36. Court review.
A person aggrieved by an act or omission to act of the division of motor vehicles under this chapter is entitled to a review by the sixth division of the district court in accordance with the administrative procedure act of this state. A party aggrieved by a final order of the court may seek review in the supreme court by writ of certiorari in accordance with the procedures contained in § 42-35-16.
History of Section.
P.L. 1971, ch. 100, § 1; P.L. 1976, ch. 140, § 13.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-37. - Passage of title upon death of owner.

§ 31-3.1-37. Passage of title upon death of owner.
Unless otherwise provided in the last will and testament of a decedent, any motor vehicle(s) owned by the decedent shall belong, and title to them shall pass, to the surviving spouse.
(1)
The administrator of the division of motor vehicles shall register the motor vehicle(s) in the name of the surviving spouse upon presentation to the division of motor vehicles of:
(i)
A certified copy of the death certificate of the deceased spouse;

(ii)
Registration(s) of the motor vehicle(s) of the deceased spouse.
(2)
No fee shall be charged to the surviving spouse for issuance of a new certificate of title.
(3)
A surviving spouse shall not be charged a registration fee during the year he or she is registering the vehicle(s) in his or her name and having a new certificate of title issued,
(i)
Where the deceased spouse registered that motor vehicle(s) with the division of motor vehicles; and
(ii)
Paid the registration fees provided in § 31-6-1 for the motor vehicle(s) for the year.
(4)
Where the deceased spouse did not register the motor vehicle(s) or failed to pay a registration fee pursuant to § 31-6-1 for the year in which the surviving spouse appears to register the motor vehicle(s) and have a new title certificate issued in his or her name, then the surviving spouse shall pay a pro rata amount of the annual registration fee for the remaining months of the year.
History of Section.
P.L. 1972, ch. 98, § 1; P.L. 1985, ch. 285, § 1; P.L. 2010, ch. 239, § 27.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-38. - Effective dates — Applicability.

§ 31-3.1-38. Effective dates — Applicability.
This chapter shall apply to all model vehicles; provided, however, that all vehicles designated as model years prior to 2001 shall not be required to be issued a title certificate until ownership is transferred or the current owner creates a security interest in the vehicle; provided, further that, nothing herein shall prohibit the issuance of a title certificate to the current owner upon application and payment of a fee of fifty dollars ($50.00).
History of Section.
P.L. 1971, ch. 100, § 2; P.L. 1987, ch. 118, art. 23, § 2; P.L. 1987, ch. 132, § 1; P.L. 2000, ch. 109, § 58; P.L. 2010, ch. 23, art. 9, § 2; P.L. 2019, ch. 88, art. 7, § 4; P.L. 2023, ch. 210, § 1, effective January 1, 2024; P.L. 2023, ch. 225, § 1, effective January 1, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-4. - Application for first certificate of title.

§ 31-3.1-4. Application for first certificate of title.
(a)
The application for the first certificate of title of a vehicle in this state shall be made by the owner to the division of motor vehicles on the form it prescribes and shall contain:
(1)
The name, residence, and mailing address of the owner;
(2)
A description of the vehicle including, so far as the following data exists: its make, model, identifying number, type of body, the number of cylinders, and whether new or used;
(3)
The date of purchase by the applicant, the name and address of the person from whom the vehicle was acquired, and the names and addresses of any lienholders in the order of their priority and the dates of their security agreements; and
(4)
Any further information the division reasonably requires to identify the vehicle and to enable it to determine whether the owner is entitled to a certificate of title, and the existence or nonexistence of security interests in the vehicle.
(b)
If the application refers to a vehicle purchased from a dealer, it shall contain the name and address of any lienholder holding a security interest created or reserved at the time of the sale and the date of this security agreement and be signed by the dealer as well as the owner, and the dealer or buyer shall promptly mail or deliver the application to the division. The buyer shall also complete a security lien statement as provided in § 31-3.1-19.
(c)
If the application refers to a vehicle last previously registered in another state or country, the application shall contain or be accompanied by:
(1)
Any certificate of title issued by the other state or country;
(2)
Any other information and documents the division reasonably requires to establish the ownership of the vehicle and the existence or nonexistence of a security interest in it; and

(3)
The certificate of a person authorized by law that the identifying number of the vehicle has been inspected and found to conform to the description given in the application, or any other proof of the identity of the vehicle the division reasonably requires.
(d)(1)
Chiefs of police, their designees, who shall be employees of the police department, a licensed Rhode Island new motor vehicle dealer, or, in an emergency, the administrator of the division of motor vehicles, or the administrator's designee, shall conduct the inspection of the vehicle identifying number, and certify, on forms provided by the division, that it has been found to conform to the description given in the application or any other form of the identity of the vehicle the division reasonably requires. An inspection and certification fee of ten dollars ($10.00) shall be assessed against the applicant by the city or town whose police conduct the inspection or by the licensed Rhode Island new motor vehicle dealer who conducts the inspection. The inspection by the chiefs of police, or their designees, who shall be employees of the police department, shall be conducted at the local city or town police station, at a municipally owned building, or at a licensed new motor vehicle dealership. A licensed Rhode Island new motor vehicle dealer shall conduct the inspection at their business location. This provision eliminates the responsibility for the inspection to be performed by division personnel.
(2)
Upon inspection of the vehicle identifying number as provided for in this section, each vehicle identification number shall be submitted for a National Crime Information Center (NCIC) check, and the results, sometimes called the "NCIC check number," shall be attached to the TR-5 form provided by the division or to any other form consistent with this provision that the division might reasonably require. The vehicle identification number shall be submitted for a NCIC check by the chiefs of police, or designees, who shall be employees of the police department. Ten dollars ($10.00) collected by the licensed Rhode Island new motor vehicle dealer who conducts the inspection in subsection (d)(1) of this section shall be payable to the city or town whose police conduct the NCIC check.
(e)
No person, partnership, or corporation shall charge a fee in excess of ten dollars ($10.00) for obtaining a certificate of title for a motor vehicle.
(f)
In the town of Exeter, the town sergeant, or designees, who shall also be employees of the Exeter town sergeant's office, are authorized to conduct the inspection required by this section.
History of Section.
P.L. 1971, ch. 100, § 1; P.L. 1973, ch. 46, § 1; P.L. 1975, ch. 245, § 1; P.L. 1977, ch. 243, § 1; P.L. 1987, ch. 118, art. 23, § 1; P.L. 1987, ch. 420, § 1; P.L. 1995, ch. 171, § 2; P.L. 1999, ch. 448, § 1; P.L. 2011, ch. 99, § 1; P.L. 2011, ch. 138, § 1; P.L. 2012, ch. 239, § 1; P.L. 2012, ch. 360, § 1; P.L. 2021, ch. 190, § 1, effective July 8, 2021; P.L. 2021, ch. 191, § 1, effective July 8, 2021; P.L. 2023, ch. 138, § 1, effective June 20, 2023; P.L. 2023, ch. 139, § 1, effective June 20, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-5. - Examination of records.

§ 31-3.1-5. Examination of records.
The division of motor vehicles, receiving application for a first certificate of title, shall check the identifying number of the vehicle shown in the application against the records of vehicles required to be maintained by § 31-3.1-6 and against the record of stolen and converted vehicles required to be maintained by § 31-9-9.
History of Section.
P.L. 1971, ch. 100, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-6. - Issuance and records.

§ 31-3.1-6. Issuance and records.
(a)
The division of motor vehicles shall file each application received and, when satisfied as to its genuineness and regularity and that the applicant is entitled to the issuance of a certificate of title, shall issue, upon payment of a fee of fifty dollars ($50.00), a certificate of title of the vehicle.
(b)
The division of motor vehicles shall maintain a record of all certificates of title issued by it:
(1)
Under a distinctive title number assigned to the vehicle;
(2)
Under the identifying number of the vehicle;
(3)
Alphabetically, under the name of the owner; and
(4)

At the discretion of the division of motor vehicles, in any other method it determines.
(c)
Title searches, lien searches, and other transactions not cited and involving titles shall be conducted upon payment of a fee of fifty dollars ($50.00).
(d)
Beginning in fiscal year 2015 all fees collected pursuant to this section shall be deposited into the Rhode Island highway maintenance account.
History of Section.
P.L. 1971, ch. 100, § 1; P.L. 1990, ch. 13, § 3; P.L. 1992, ch. 15, art. 7, § 1; P.L. 2009, ch. 5, art. 9, § 1; P.L. 2014, ch. 145, art. 21, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-7. - Contents and effect of certificate.

§ 31-3.1-7. Contents and effect of certificate.
(a)
Each certificate of title issued by the division of motor vehicles shall contain:
(1)
The date issued;
(2)
The name and address of the owner;
(3)
The names and addresses of any lienholders, in the order of priority as shown on the application or, if the application is based on a certificate of title, as shown on the certificate;
(4)
The title number assigned to the vehicle;
(5)
A description of the vehicle including, so far as the following data exists: its make, model, identifying number, type of body, number of cylinders, whether new or used, and, if a new vehicle, the date of the first sale of the vehicle for use; and
(6)
Any other data the division of motor vehicles prescribes.
(b)
Unless a bond is filed as provided in § 31-3.1-9(2), a distinctive certificate of title shall be issued for a vehicle last previously registered in another state or country the laws of which do not require that lienholders be named on a certificate of title to perfect their security interests. The certificate shall contain the legend “this vehicle may be subject to an undisclosed lien” and may contain any other information the division of motor vehicles prescribes. If no notice of a security interest in the vehicle is received by the division within four (4) months from the issuance of the distinctive certificate of title, it shall, upon application and surrender of the distinctive certificate, issue a certificate of title in ordinary form.
(c)
The certificate of title shall contain forms for assignment and warranty of title by the owner, and for assignment and warranty of title by a dealer, and may contain forms for application for a certificate of title by a transferee, the naming of a lienholder, and the assignment or release of the security interest of a lienholder.
(d)
A certificate of title issued by the division of motor vehicles is prima facie evidence of the facts appearing on it.
(e)
A certificate of title for a vehicle is not subject to garnishment, attachment, execution, or other judicial process, but this subsection does not prevent a lawful levy upon the vehicle.
History of Section.
P.L. 1971, ch. 100, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-8. - Delivery.

§ 31-3.1-8. Delivery.
The certificate of title shall be mailed to the first lienholder named in it or, if none, to the owner.
History of Section.
P.L. 1971, ch. 100, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.1 - Certificates of Title and Security InterestsSection 31-3.1-9. - Registration without certificate of title — Bond.

§ 31-3.1-9. Registration without certificate of title — Bond.

If the division of motor vehicles is not satisfied as to the ownership of the vehicle or that there are no undisclosed security interests in it, the division of motor vehicles may register the vehicle but shall either:
(1)
Withhold issuance of a certificate of title until the applicant presents documents reasonably sufficient to satisfy the division of motor vehicles as to the applicant's ownership of the vehicle and that there are no undisclosed security interests in it; or
(2)
As a condition of issuing a certificate of title, require the applicant to file with the division of motor vehicles a bond in the form prescribed by the division of motor vehicles and executed by the applicant, and either accompanied by the deposit of cash with the division of motor vehicles or also executed by a person authorized to conduct a surety business in this state. The bond shall be in the amount equal to one and one-half (1½) times the value of the vehicle, as determined by the division of motor vehicles. This amount will be conditioned to indemnify any prior owner and lienholder and any subsequent purchaser of the vehicle or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss, or damage, including reasonable attorney's fees, by reason of the issuance of the certificate of title of the vehicle or an account of any defect in or undisclosed security interest upon the right, title, and interest of the applicant in and to the vehicle. Any interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond, and any deposit accompanying it, shall be returned at the end of three (3) years or prior to that time if the vehicle is no longer registered in this state and the currently valid certificate of title is surrendered to the division of motor vehicles unless the division of motor vehicles has been notified of the pendency of an action to recover on the bond.
History of Section.
P.L. 1971, ch. 100, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.2 - Snowmobiles and Recreational VehiclesSection 31-3.2-1. - Definitions.

§ 31-3.2-1. Definitions.
For the purpose of this chapter, the terms defined in this section have the following meanings ascribed to them:
(1)
"Dealer" means a person, partnership, or corporation engaged in the business of selling snowmobiles or recreational vehicles at wholesale or retail.
(2)
"Director" means the director of the department of environmental management acting directly or through his or her authorized agent.
(3)
"Manufacturer" means a person, partnership or corporation engaged in the business of manufacturing snowmobiles or recreational vehicles.
(4)
"Operate" means to ride in, on, and control the operation of a snowmobile or recreational vehicle.
(5)
"Operator" means every person who operates or is in actual physical control of a snowmobile or recreational vehicle.
(6)
"Owner" means a person, other than a lienholder, having the property in or title to a snowmobile or to a recreational vehicle or entitled to the use or possession of one.
(7)
"Person" includes an individual, partnership, corporation, the state and its agencies and subdivisions, and any body of persons, whether incorporated or not.
(8)
"Recreational vehicle" means a motor vehicle including minibikes designed to travel over unimproved terrain and which has been determined by the division of motor vehicles as unsuitable for operation on the public way and not eligible for registration for such use. This shall not be construed to include golf mobiles or golf carts, riding lawn mowers, or garden tractors, which are not registered as farm vehicles, but shall include any three (3) wheel driven vehicle and any other four (4) wheel driven vehicle, regardless of type or design, including all classes of all-terrain vehicles.
(9)
"Register" means the act of assigning a registration number of a snowmobile or recreational vehicle.
(10)
"Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel.
(11)
"Snowmobile" means a motor vehicle designed to travel over ice or snow supported in whole or in part by skis, belts, cleats, or low-pressure tires.
History of Section.
P.L. 1971, ch. 117, § 1; P.L. 1972, ch. 85, § 1; P.L. 1978, ch. 334, § 1; P.L. 1987, ch. 412, § 1; P.L. 1988, ch. 413, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.2 - Snowmobiles and Recreational VehiclesSection 31-3.2-10. - Penalties.

§ 31-3.2-10. Penalties.

Any person who violates any provisions of this chapter or any regulation of the director of the department of environmental management or the administrator of the division of motor vehicles shall be guilty of a misdemeanor for a first offense and be punished by a fine of not more than one hundred dollars ($100) or by imprisonment for not more than ninety (90) days, or both, and shall be required to take or retake a safety education certificate course that has been approved by the director; for a second offense, be punished by a fine of not more than two hundred fifty dollars ($250) or by imprisonment for not more than ninety (90) days, or both; and for a third or subsequent offense, be punished by a fine of not more than five hundred dollars ($500) or by imprisonment for not more than ninety (90) days, or both. The director may suspend or revoke the registration of a snow vehicle or a recreational vehicle, after a hearing, for good cause which shall include, but not be limited to:

(1)

Nonownership by the applicant;

(2)

The failure of the vehicle to meet equipment standards after the owner has received notice to comply with the standards;

(3)

Operation of the vehicle improperly or in such a manner as to cause damage to any property or death or injury to any person, or that the registrant has allowed or permitted the vehicle to be so operated.

(4)

Repeat violations of this chapter or any associated regulation.

History of Section.

P.L. 1971, ch. 117, § 1; P.L. 2008, ch. 127, § 1; P.L. 2008, ch. 179, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.2 - Snowmobiles and Recreational VehiclesSection 31-3.2-11. - Liability for negligence.

§ 31-3.2-11. Liability for negligence.

Negligence in the use of operation of a recreational vehicle shall be attributable to the owner. Every owner of a recreational vehicle used or operated in this state shall be liable and responsible for injury or death or damage to property resulting from negligence in the use or operation of such vehicle by any person using or operating the same with the permission, express or implied, of such owner; provided, however, that such operator's negligence shall not be attributed to the owner as to any claim or cause of action accruing to the operator or his legal representative for such injuries or death.

History of Section.

P.L. 2008, ch. 127, § 2; P.L. 2008, ch. 179, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.2 - Snowmobiles and Recreational VehiclesSection 31-3.2-2. - Registration.

§ 31-3.2-2. Registration.

(a) General requirements.

Except as provided in this chapter, no person shall operate any snowmobile or recreational vehicle within the state unless the snowmobile or recreational vehicle has been registered in accordance with this chapter. Any operator of any snowmobile or recreational vehicle not registered in accordance with this chapter shall be deemed guilty of a civil violation and be subject to a fine of one hundred dollars ($100) for each offense. All recreational vehicles sold by a dealer shall be registered at time of sale of such vehicle. Any recreational vehicle purchased for use exclusively outside of the state of Rhode Island shall not require registration at the time of purchase; provided that the purchaser of such recreational vehicle shall sign a declaration, provided by the director via the dealer, stating that the purchaser understands the conditions under which a recreational vehicle must be registered and the penalty for violation of such registration requirements. Each signed declaration shall be forwarded by the dealer to the director.

(1) Recreational vehicle safety course and safety certificate.

The director shall establish a curriculum or curricula for a recreational vehicle safety training course or courses. Any such curriculum may include, but not be limited to, on-vehicle training and safe riding practices. The director may establish different courses and curricula for different types of recreational vehicles. The director may permit any such safety training course to be given by any private person, club, association or municipality that meets standards established by the director. The director may establish a reasonable fee that any such person or entity may charge for such course or courses.

(2)

The safety course shall be required for all first time recreational vehicle buyers, as well as all operators under the age of sixteen (16). Proof of completion of safety course shall be carried while operating any recreational vehicle off private property.

(b) Application

— Issuance —

Reports.

Application for registration shall be made to the director in such form as the director shall prescribe, and shall state the name and address of every owner of the snowmobile or recreational vehicle and be signed by at least one owner. Upon receipt of the application and the appropriate fee, the snowmobile or recreational vehicle shall be registered and a reflectorized identification number assigned which shall be affixed to the snowmobile or recreational vehicle in such manner as the director shall prescribe.
(c) Fees for registration.
(1)
The fee for registration of each snowmobile or recreational vehicle, other than those registered by a dealer or manufacturer pursuant to subsection (c)(1) or (c)(2) shall be as follows: twenty-five dollars ($25.00) for one year and one dollar ($1.00) for a duplicate or transfer.
(2)
The total registration fee for all snowmobiles or recreational vehicles owned by a dealer and operated for demonstration or testing purposes shall be twenty-five dollars ($25.00) per year.
(3)
The total registration fee for all snowmobiles or recreational vehicles owned by a manufacturer and operated for research, testing, experimentation, or demonstration purposes shall be one hundred dollars ($100) per year. Dealer and manufacturer registrations are not transferable.
(4)
In addition to the registration fees enumerated in subdivisions (1) — (3) of this subsection, an annual registration fee of ten dollars ($10.00) for residents and twenty dollars ($20.00) for nonresidents on all off-road facilities established by the department of environmental management for such purposes. No person shall operate any recreational vehicles on off-road facilities which has not been registered as required by this subdivision.
(d) Renewal.
Every owner of a snowmobile or recreational vehicle shall renew his or her registration in such manner as the director shall prescribe, upon payment of the same registration fees provided in subsection (c).
(e) Snowmobiles or recreational vehicles owned by state or political subdivision.
A registration number shall be issued without the payment of a fee for snowmobiles or recreational vehicles owned by the state of Rhode Island or a political subdivision of the state upon application for it.
(f) Exemptions.
No registration under this section shall be required for the following described snowmobiles or recreational vehicles:
(1)
Snowmobiles or recreational vehicles owned and used by the United States, another state, or a political subdivision of the United States or another state.
(g) Special Permits.
The director of environmental management may issue special permits to out of state snowmobiles or recreational vehicles from a state or country where registration is not required to operate in Rhode Island for limited periods of time not to exceed thirty (30) days in connection with organized group outings, trail rides, races, rallies, and other promotional events.
(h) Non-resident recreational vehicle registration.
The registration provisions of this section shall not apply to non-resident owners who have registered their recreational vehicles in compliance with the registration and licensing laws of the state, province, district or country of residence in which they reside, provided that the recreational vehicle is appropriately identified in accordance with the laws of the state of residence. The provisions of this subsection shall not apply to a resident of another state, province, district or country that does not have a recreational vehicle registration and identification law.
History of Section.
P.L. 1971, ch. 117, § 1; P.L. 1987, ch. 387, § 1; P.L. 1988, ch. 413, § 2; P.L. 1999, ch. 218, art. 6, § 2; P.L. 2000, ch. 109, § 59; P.L. 2004, ch. 595, art. 33, § 7; P.L. 2008, ch. 127, § 1; P.L. 2008, ch. 179, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.2 - Snowmobiles and Recreational VehiclesSection 31-3.2-3. - Disposition of fees.

§ 31-3.2-3. Disposition of fees.
All fees from registration of snowmobiles or recreational vehicles shall be deposited as general revenues.
History of Section.
P.L. 1971, ch. 117, § 1; P.L. 1987, ch. 387, § 1; P.L. 1995, ch. 370, art. 40, § 102.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.2 - Snowmobiles and Recreational VehiclesSection 31-3.2-4.1. - Operation of snowmobile or recreational vehicle without permission — Penalty.

§ 31-3.2-4.1. Operation of snowmobile or recreational vehicle without permission — Penalty.
(a)
No person shall operate any snowmobile or recreational vehicle upon any property or premises owned by another person without the consent in writing of the owner of the property or premises.

(b)
No person shall operate any snowmobile or recreational vehicle which is owned by another person without the consent in writing of the owner.
(c) Penalties.
Any person who shall violate the provisions of this section shall be guilty of a civil violation and be subject to a fine of not more than one hundred dollars ($100) for each offense.
History of Section.
P.L. 1988, ch. 413, § 3; P.L. 1999, ch. 218, art. 6, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.2 - Snowmobiles and Recreational VehiclesSection 31-3.2-4. - Transfer or termination of ownership.

§ 31-3.2-4. Transfer or termination of ownership.
Within fifteen (15) days after the transfer of ownership, or any part of it, other than a security interest, or the destruction or abandonment of any snowmobile or recreational vehicle, written notice of that transfer or destruction shall be given to the director in any form that he or she shall prescribe.
History of Section.
P.L. 1971, ch. 117, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.2 - Snowmobiles and Recreational VehiclesSection 31-3.2-5. - Licensing by political subdivisions.

§ 31-3.2-5. Licensing by political subdivisions.
No political subdivision of this state shall require licensing or registration of snowmobiles or recreational vehicles.
History of Section.
P.L. 1971, ch. 117, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.2 - Snowmobiles and Recreational VehiclesSection 31-3.2-6. - Rules and regulations.

§ 31-3.2-6. Rules and regulations.
(a)
With a view of achieving maximum use of snowmobiles and/or recreational vehicles, the director of natural resources shall adopt rules and regulations for the following purposes:
(1)
Registration of snowmobiles and recreational vehicles and display of registration numbers.
(2)
Use of snowmobiles and recreational vehicles insofar as game and fish resources are affected.
(3)
Use of snowmobiles and recreational vehicles on public lands and waters under the jurisdiction of the director.
(4)
Uniform signs to be used by the state, counties, cities and towns, which are necessary or desirable to control, direct, or regulate the operation and use of snowmobiles and recreational vehicles.
(5)
Specifications relating to snowmobiles and recreational vehicles' mufflers.
(b)
The administrator of the division of motor vehicles may adopt rules and regulations not inconsistent with this chapter in the manner provided by this title regulating the use of snowmobiles and recreational vehicles on streets and highways.
History of Section.
P.L. 1971, ch. 117, § 1; P.L. 2008, ch. 127, § 1; P.L. 2008, ch. 179, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.2 - Snowmobiles and Recreational VehiclesSection 31-3.2-7.1. - Operation prohibited within valley marshes.

§ 31-3.2-7.1. Operation prohibited within valley marshes.
No person shall operate a motorcycle, recreational vehicle or other motorized vehicle within the Blackstone Valley Flood Plains or Marshes, also known as the "Valley Marshes."
History of Section.
P.L. 1980, ch. 77, § 1; P.L. 2008, ch. 127, § 1; P.L. 2008, ch. 179, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.2 - Snowmobiles and Recreational VehiclesSection 31-3.2-7. - Operation.

§ 31-3.2-7. Operation.

Operation on streets and highways.

(a)(1)

No person shall operate a snowmobile or recreational vehicle upon the roadway shoulder, on the inside bank or slope on any highway in this state, or elsewhere within the right of way, except as provided in this chapter. No snowmobile or recreational vehicle shall be operated at any time within the right of way of any interstate highway or freeway within this state.

(2)

A snowmobile or recreational vehicle may make a direct crossing of a street or highway at any hour of the day provided:

(i)

The crossing is made at an angle of approximately ninety degrees (90 degrees) to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing;

(ii)

The snowmobile or recreational vehicle is brought to a complete stop before crossing the shoulder or main traveled way of the highway;

(iii)

The driver yields the right of way to all oncoming traffic which constitutes an immediate hazard;

(iv)

In crossing a divided highway the crossing is made only at an intersection of the highway, with another public street or highway; and

(v)

If the crossing is made between the hours of one-half (½) hour after sunset to one-half (½) hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

(3)

No snowmobile or recreational vehicle shall be operated upon a public street or highway unless it is equipped with at least one head lamp and one tail lamp, each of minimum candlepower as prescribed by regulations of the director; reflector material of a minimum area of sixteen (16) square inches mounted on each side forward of the handlebars; and with brakes. All of these shall conform to standards prescribed by rule of the director.

(4)

A snowmobile or recreational vehicle may be operated upon a public street or highway other than as provided by subsection (a)(2) in an emergency during the period of time when and at locations where snow upon the roadway renders travel by automobile impractical.

(i) International contests, use of highways, etc.

Nothing in this section shall prohibit the use of snowmobiles or recreational vehicles within the right of way of any highway or upon public lands or waters under the jurisdiction of the director of environmental management in any international contest, subject to the consent of the official or board having jurisdiction over the highway or public lands or waters.

(ii) Operation generally.

It shall be unlawful for any person to drive or operate any snowmobile or recreational vehicles in the following unsafe or harassing ways:

(A)

At a rate of speed greater than reasonable or proper under all the surrounding circumstances;

(B)

In a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage to it;

(C)

While under the influence of intoxicating liquor or narcotics, or habit-forming drugs;

(D)

Without a lighted head light and tail light when required for safety;

(E)

In any tree nursery or planting in a manner which damages or destroys growing stock; or

(F)

Without the operator and passengers wearing a helmet equipped with a face guard of a type approved by the administrator of the division of motor vehicles.

(b)

The provisions of §§ 31-27-2 and 31-27-2.1 relating to weight of alcohol in the defendant’s blood and its admission as evidence shall apply to subparagraph (C) of this paragraph.

(c)

It shall be unlawful for any person to drive or operate any snowmobile or other motorized recreational vehicle upon any above-ground reservoir property of the Woonsocket reservoir in the towns of North Smithfield, Lincoln, and Smithfield, and in the city of Woonsocket. Any person who shall violate the provisions of this section shall be guilty of a civil violation and be punished by a fine of not more than fifty dollars ($50.00) for the first offense and by a fine of one hundred dollars ($100) for any subsequent

offense.
History of Section.
P.L. 1971, ch. 117, § 1; P.L. 1974, ch. 67, § 1; P.L. 1974, ch. 80, § 1; P.L. 1999, ch. 218, art. 6, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.2 - Snowmobiles and Recreational VehiclesSection 31-3.2-8. - Mufflers.

§ 31-3.2-8. Mufflers.
Except as provided in this section, every snowmobile or recreational vehicle shall be equipped at all times with a muffler in good working order which blends the exhaust noise into the overall snowmobile or recreational vehicle noise and is in constant operation to prevent excessive or unusual noise. The exhaust system shall not emit or produce a sharp popping or crackling sound. This section does not apply to organized races or similar competitive events held on:
(1)
Private lands, with the permission of the owner, lessee or custodian of the land;
(2)
Public lands and water under the jurisdiction of the director, with the director's permission; or
(3)
Other public lands, with the consent of the public agency owning the land. No person shall have for sale, sell, or offer for sale on any new snowmobile or recreational vehicle any muffler that fails to comply with the specifications required by the rules and regulations of the director after the effective date of the rules and regulations.
History of Section.
P.L. 1971, ch. 117, § 1; P.L. 1992, ch. 324, § 10; P.L. 2008, ch. 127, § 1; P.L. 2008, ch. 179, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.2 - Snowmobiles and Recreational VehiclesSection 31-3.2-9. - Crossing of highways by youthful operators — Prohibitions.

§ 31-3.2-9. Crossing of highways by youthful operators — Prohibitions.
(a)
No person under sixteen (16) years of age shall make a direct crossing of a state highway as the operator of a snowmobile or recreational vehicle. A person sixteen (16) years of age or older, but less than eighteen (18) years of age, may make a direct crossing of a highway only if he or she has in his or her immediate possession a valid motor vehicle operator's license.
(b)
No one shall carry a firearm, rifle, or shotgun in or on a snow vehicle, a recreational vehicle, or on a trailer or sled attached to one unless such firearm, rifle, or shotgun is unloaded and in an enclosed case, unless he or she is a law enforcement officer or other person authorized to carry arms.
(c)
It is unlawful for the owner of a snowmobile or recreational vehicle to permit the snowmobile or recreational vehicle to be operated contrary to the provisions of this section. Nothing contained in this section shall be construed to supersede the powers of any department of the state, nor of any city, town, commission, or body having authority to regulate the use of lands, waters, or ways within their respective control, or jurisdiction from adopting rules, regulations, ordinances, or by-laws not repugnant to law as to the operation of snow vehicles or recreational vehicles on such lands, waters, or ways, including the prohibition of such operation. Nothing contained in this chapter shall be deemed to constitute a license to operate snow vehicles or recreational vehicles on private land. Any person who operates a snowmobile upon the land of another shall stop and identify himself or herself upon the request of the landowner or his or her duly authorized representative, and if requested to do so by the owner or representative, shall promptly remove the snowmobile from the premises.
History of Section.
P.L. 1971, ch. 117, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3.3 - Electric Vehicle Charging StationsSection 31-3.3-1. - Accessibility of charging stations for electric vehicles.

§ 31-3.3-1. Accessibility of charging stations for electric vehicles.
The department of transportation, along with the division of motor vehicles and the office of energy resources, shall develop, no later than January 1, 2022, a plan for a statewide electric vehicle charging station infrastructure in order to make electric vehicle charging stations more accessible to the public.
History of Section.
P.L. 2021, ch. 389, § 1, effective July 13, 2021; P.L. 2021, ch. 390, § 1, effective July 13, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-1. - Operation of unregistered vehicle.

§ 31-3-1. Operation of unregistered vehicle.

It is a civil violation for any person to operate, or for an owner knowingly to permit to be operated, upon any highway any vehicle of a type required to be registered under this chapter which is not registered and for which the appropriate fee has not been paid or not registered as required in any other state.
History of Section.
P.L. 1950, ch. 2595, art. 3, § 1; G.L. 1956, § 31-3-1; P.L. 1999, ch. 218, art. 6, § 1; P.L. 2008, ch. 201, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-10. - Issuance of registration plates.

§ 31-3-10. Issuance of registration plates.
The division of motor vehicles, upon registering a vehicle, shall issue to the owner one fully reflective registration plate for each motorcycle, trailer, semi-trailer, in-transit vehicle, transporter, bailee vehicle, or a dealer vehicle and two (2) fully reflective registration plates for every other motor vehicle. Application for and issuance of so-called commercial registration plates shall be provided at all offices maintained by the administrator of the division of motor vehicles under § 31-2-6.
History of Section.
P.L. 1950, ch. 2595, art. 3, § 8; G.L. 1956, § 31-3-10; P.L. 1970, ch. 108, § 1; P.L. 1982, ch. 179, § 1; P.L. 1995, ch. 135, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-100. - General Magistrate Emeritus — John J. O'Brien.

§ 31-3-100. General Magistrate Emeritus — John J. O'Brien.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of General Magistrate John J. O'Brien. This plate is to bear the identification "General Magistrate Emeritus" with an appropriate number and seal of the state thereon imprinted and the plate shall be issued subject to the same terms and conditions as contained in § 31-3-47(d) for such period of time as General Magistrate O'Brien so desires. The provisions of § 31-3-17.1 shall apply with respect to the cost of issuance and registration.
History of Section.
P.L. 2013, ch. 511, § 1; P.L. 2013, ch. 528, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-101. - Special electric and hybrid electric vehicle registration plate designation.

§ 31-3-101. Special electric and hybrid electric vehicle registration plate designation.
The administrator of the division of motor vehicles is hereby authorized to promulgate such rules and regulations as are necessary to provide and issue a registration plate for motor vehicles powered in whole or in part by a storage battery. These plates may be made available to owners of vehicles recognized by the registry as electric-powered vehicles subject to the regular prescribed registration fee, and any transfer or remake fees, if applicable.
History of Section.
P.L. 2014, ch. 371, § 1; P.L. 2014, ch. 390, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-102. - Special plate for the Boston Bruins Foundation.

§ 31-3-102. Special plate for the Boston Bruins Foundation.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the Boston Bruins Foundation. The plates shall be designed to reference The Boston Bruins Foundation.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of, and in the same manner as, the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Boston Bruins Foundation motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed by the Boston Bruins Foundation, in conjunction with the division of motor vehicles, with design approval by the Rhode Island state police.
(d)
The Boston Bruins Foundation plates shall be subject to a minimum pre-paid order of at least nine hundred (900) sets of plates per plate type (i.e. passenger, commercial, etc.). The Boston Bruins Foundation plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the Boston Bruins Foundation and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paperwork submitted to the division.
(e)

The administrator of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, the Boston Bruins Foundation plates shall be subject to a forty dollar ($40.00) issuance surcharge.
(g)
The forty dollar ($40.00) issuance surcharge shall be allocated as follows: Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Boston Bruins Foundation in furtherance of its mission to assist charitable organizations in Rhode Island that demonstrate a strong commitment to enhancing the quality of life for children.
(h)
A ten dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to the Boston Bruins Foundation.
(i)
In consideration of the receipt of funds from the registration of Boston Bruins Foundation license plate, the foundation must use any Rhode Island sources funds in, and for the benefit of, Rhode Island-based charitable organizations.
(j)
The Boston Bruins Foundation will be required to submit an annual accounting report before such monies are distributed.
(k)
There shall be no refunds for early cancellation of Boston Bruins Foundation plates.
History of Section.
P.L. 2014, ch. 350, § 1; P.L. 2014, ch. 386, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-103. - Olympic medal winners.

§ 31-3-103. Olympic medal winners.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the motor vehicles of all present and former Olympic medal winners. This plate is to bear the identification “Olympic Medal Winner” along with an appropriate designation number imprinted on it and shall be furnished without additional registration charge for so long as the Olympian desires.
History of Section.
P.L. 2014, ch. 363, § 1; P.L. 2014, ch. 383, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-104. - Special plate in honor of César E. Chávez.

§ 31-3-104. Special plate in honor of César E. Chávez.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates in honor of César E. Chávez. The plate shall be designed to reference the “César E. Chávez Committee of Rhode Island” and shall bear the seal of the state imprinted on it.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of, and in the same manner as, the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The César E. Chávez motor vehicle plates shall be the same size as regular motor-vehicle plates and shall be designed in conjunction with the division of motor vehicles, with design approval by the Rhode Island state police.
(d)
The César E. Chávez motor vehicle plates shall be subject to a minimum prepaid order of at least nine hundred (900) sets of plates per plate type (i.e. passenger, commercial, etc.). The César E. Chávez motor vehicle plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the César E. Chávez Committee of Rhode Island, and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paperwork submitted to the division.
(e)
The administrator of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, the César E. Chávez plates shall be subject to a forty-dollar issuance ($40.00) surcharge.

(g)
The forty-dollar issuance ($40.00) surcharge shall be allocated as follows: Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the César E. Chávez Scholarship Fund with the Rhode Island Foundation.
(h)
A ten-dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to the César E. Chávez Scholarship Fund with the Rhode Island Foundation.
(i)
There shall be no refunds for early cancellation of César E. Chávez motor vehicle plates.
(j)
The César E. Chávez Committee of Rhode Island will be required to submit an annual accounting report before such monies are distributed.
History of Section.
P.L. 2016, ch. 354, § 1; P.L. 2016, ch. 463, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-105. - Special plate for Rhode Island private colleges and universities.

§ 31-3-105. Special plate for Rhode Island private colleges and universities.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for passenger vehicles based upon the various independent, nonprofit institutions of higher education (Brown University, Bryant University, Johnson & Wales University, New England Institute of Technology, Providence College, Rhode Island School of Design, Roger Williams University, and/or Salve Regina University).
(b)
The special plate(s) shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of, and in the same manner as, the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plates.
(c)
The respective independent higher-education institution’s motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed in conjunction with the division of motor vehicles, with design approval by the Rhode Island state police.
(d)
Each independent higher-education institution plate shall be subject to a minimum prepaid order of at least nine hundred (900) sets of plates per institution per plate type (i.e. passenger, commercial, etc.). The respective independent higher-education institution plate shall not be issued unless the minimum-order requirements are met by the requesting institution. The initial order will be handled by the president of the Association of Independent Colleges and Universities of Rhode Island (AICU RI), or his or her designee, and shall not be submitted to the division of motor vehicles for production until the minimum order has been met and the proper paperwork submitted to the division. The AICU RI president, or his or her designee, will act as program coordinator and point of contact for the division of motor vehicles. Subsequent independent higher-education institution plate orders will be handled by the division of motor vehicles.
(e)
The administrator of the division of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, independent higher-education institution plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows: twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the respective independent higher-education institution as a nonprofit educational institution based in Rhode Island.
(h)
A ten-dollar ($10.00) surcharge for subsequent registration renewals will go to the respective independent higher-education institution.
(i)
There shall be no refunds for early cancellation of independent higher-education institution plates.
(j)
Any respective independent higher-education institution not pursuing or not reaching the minimum prepaid order of plates, as outlined in subsection (d), within thirty-six (36) months after this section is enacted, will not be eligible to obtain special motor vehicle registration plates as outlined above, absent further action of the general assembly.

History of Section.
P.L. 2016, ch. 334, § 1; P.L. 2016, ch. 355, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-106. - Special plate for the Dorian J. Murray foundation.

§ 31-3-106. Special plate for the Dorian J. Murray foundation.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the Dorian J. Murray Foundation. The plates shall be designed to reference the Dorian J. Murray Foundation.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of, and in the same manner as, the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Dorian J. Murray Foundation motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed by the Dorian J. Murray Foundation, in conjunction with the division of motor vehicles, with design approval by the Rhode Island state police.
(d)
The Dorian J. Murray Foundation plates shall be subject to a minimum pre-paid order of at least nine hundred (900) sets of plates per plate type (i.e. passenger, commercial, etc.) The Dorian J. Murray Foundation plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the Dorian J. Murray Foundation and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paperwork submitted to the division.
(e)
The administrator of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, the Dorian J. Murray Foundation plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows: Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Dorian J. Murray Foundation in furtherance of its mission to assist charitable organizations in Rhode Island that demonstrate a strong commitment to enhancing the quality of life for children with pediatric cancer.
(h)
A ten-dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to the Dorian J. Murray Foundation.
(i)
In consideration of the receipt of funds from the registration of Dorian J. Murray Foundation license plates, the foundation must use any Rhode Island sourced funds in, and for the benefit of, Rhode Island-based charitable organizations.
(j)
The Dorian J. Murray Foundation will be required to submit an annual accounting report before such monies are distributed.
(k)
There shall be no refunds for early cancellation of Dorian J. Murray Foundation plates.
History of Section.
P.L. 2016, ch. 505, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-107. - Police chief emeritus — Ernest Spaziano.

§ 31-3-107. Police chief emeritus — Ernest Spaziano.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of the former police chief of the town of North Providence, Ernest Spaziano. This plate is to bear the identification of “Police Chief Emeritus,” along with an appropriate number and the plate shall be furnished without additional registration charge for such period of time as Ernest Spaziano so desires.
History of Section.
P.L. 2016, ch. 510, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-108. - Special plate for The Rocky Point Foundation, Inc.

§ 31-3-108. Special plate for The Rocky Point Foundation, Inc.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for The Rocky Point Foundation, Inc. (hereafter referred to as “Rocky Point Foundation”). The plates shall be designed to reference Rocky Point Foundation.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of, and in the same manner as, the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle in accordance with § 31-3-9. The registration certificate shall be in effect for the special plates.
(c)
The Rocky Point Foundation motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed by the Rocky Point Foundation, in conjunction with the division of motor vehicles, with design approval by the Rhode Island state police.
(d)
The Rocky Point Foundation plates shall be subject to a minimum prepaid order of at least nine hundred (900) sets of plates per plate type (i.e. passenger, commercial, etc.). The Rocky Point Foundation plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the Rocky Point Foundation and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paperwork submitted to the division.
(e)
The administrator of the division of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, the Rocky Point Foundation plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows: Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Rocky Point Foundation in furtherance of its mission.
(h)
A ten-dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to the Rocky Point Foundation.
(i)
The Rocky Point Foundation shall be required to submit an annual accounting report before such monies are distributed.
(j)
There shall be no refunds for early cancellation of Rocky Point Foundation plates.
History of Section.
P.L. 2016, ch. 332, § 1; P.L. 2016, ch. 353, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-109. - Special plate for Rhode Island public colleges and universities.

§ 31-3-109. Special plate for Rhode Island public colleges and universities.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for passenger vehicles based upon the various public, nonprofit institutions of higher education (Community College of Rhode Island, Rhode Island College, and/or the University of Rhode Island).
(b)
The special plate(s) shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of, and in the same manner as, the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plates.
(c)
The respective public higher-education institution’s motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed in conjunction with the division of motor vehicles, with design approval by the Rhode Island state police.
(d)
Each public higher-education institution plate shall be subject to a minimum prepaid order of at least nine hundred (900) sets of plates per institution per plate type (i.e. passenger, commercial, etc.). The respective public higher-education institution plate shall not be issued unless the minimum-order requirements are met by the requesting institution. The initial order will be handled by the Rhode Island commissioner of postsecondary education or his or her designee, and shall not be submitted to the division of motor vehicles for production until the minimum order has been met and the proper paperwork submitted to the division. The Rhode Island commissioner of postsecondary education, or his or her designee, will act as program coordinator and point of contact for the

division of motor vehicles. Subsequent public higher-education institution plate orders will be handled by the division of motor vehicles.
(e)
The administrator of the division of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, public higher-education institution plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows: twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the respective public higher-education institution as a nonprofit educational institution based in Rhode Island.
(h)
A ten-dollar ($10.00) surcharge for subsequent registration renewals will go to the respective public higher-education institution.
(i)
There shall be no refunds for early cancellation of public higher-education institution plates.
(j)
Any respective public higher-education institution not pursuing or not reaching the minimum prepaid order of plates, as outlined in subsection (d), within thirty-six (36) months after this section is enacted, will not be eligible to obtain special motor vehicle registration plates as outlined above, absent further action of the general assembly.
History of Section.
P.L. 2016, ch. 335, § 1; P.L. 2016, ch. 356, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-11.1. - Permanent registration and plates.

§ 31-3-11.1. Permanent registration and plates.
(a)
Every vehicle owned by the state of Rhode Island and any fire apparatus for which no fee is assessed shall be issued permanent registration and registration plates. The permanent registration and plates shall remain on the vehicles to which they are assigned without expiration until the vehicle is replaced or disposed of.
(b)
This section does not apply to certain vehicles owned by state law enforcement agencies.
History of Section.
P.L. 1982, ch. 39, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-11. - Contents of registration plate.

§ 31-3-11. Contents of registration plate.
(a)
Every registration plate shall have displayed upon it the registration number assigned to the vehicle for which it is issued, the name of the state of Rhode Island along the top, which may be abbreviated “R.I.”, and the year number for which it is issued or the date of its expiration. Registration plates shall also have printed on them along the bottom the words “Ocean State”.
(b)
The provision requiring the printing of the words “Ocean State” along the bottom of these plates shall only pertain to private passenger plates. Registration plates for all other plate types shall have the plate type printed on the plate along the bottom.
History of Section.
P.L. 1950, ch. 2595, art. 3, § 8; G.L. 1956, § 31-3-11; P.L. 1971, ch. 190, § 1; P.L. 1987, ch. 345, § 1; P.L. 2023, ch. 45, § 1; P.L. 2023, ch. 46, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-110. - Special plate for the Lupus Foundation New England.

§ 31-3-110. Special plate for the Lupus Foundation New England.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the Lupus Foundation New England. The plates shall be designed to reference the Lupus Foundation New England.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of, and in the same manner as, the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates

shall be carried in the vehicle in accordance with § 31-3-9. The registration certificate shall be in effect for the special plates.
(c)
The Lupus Foundation New England motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed by the Lupus Foundation New England, in conjunction with the division of motor vehicles, with design approval by the Rhode Island state police.
(d)
The Lupus Foundation New England plates shall be subject to a minimum prepaid order of at least nine hundred (900) sets of plates per plate type (i.e. passenger, commercial, etc.). The Lupus Foundation New England plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the Lupus Foundation New England and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paperwork submitted to the division.
(e)
The administrator of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, the Lupus Foundation New England plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows: twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Lupus Foundation New England in furtherance of its mission to assist charitable organizations in Rhode Island.
(h)
A ten-dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to the Lupus Foundation New England.
(i)
In consideration of the receipt of funds from the registration of Lupus Foundation New England license plates, the foundation must use any Rhode Island sources funds in, and for the benefit of, Rhode Island-based charitable organizations.
(j)
Lupus Foundation New England will be required to submit an annual accounting report before such monies are distributed.
(k)
There shall be no refunds for early cancellation of Lupus Foundation New England plates.
History of Section.
P.L. 2016, ch. 343, § 1; P.L. 2016, ch. 372, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-111. - Gold Star Families.

§ 31-3-111. Gold Star Families.
(a)
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the motor vehicles of all eligible members of a Gold Star Family.
(b)
For the purpose of this section, “Gold Star Family” means a person eligible to receive a gold star lapel button as defined in 10 U.S.C. § 1126; provided, the death was determined to be in the line of duty.
(c)
The Gold Star Family motor vehicle plates shall be the same size as regular motor vehicle plates, and shall be designed by Gold Star Family members who are Rhode Island residents in conjunction with the division of motor vehicles, with design approval by the Rhode Island state police.
(1)
[Deleted by P.L. 2017, ch. 190, § 1 and P.L. 2017, ch. 248, § 1.]
(2)
[Deleted by P.L. 2017, ch. 190, § 1 and P.L. 2017, ch. 248, § 1.]
(3)
[Deleted by P.L. 2017, ch. 190, § 1 and P.L. 2017, ch. 248, § 1.]
(d)
The applicant shall not be required to pay a service charge or a transfer charge for each plate.
(e)
Only one set of “Gold Star Family” plates shall be issued to an eligible family member and only after satisfactory documentation of eligibility is presented.
(f)
The owner of a motor vehicle eligible for registration as a commercial vehicle and having a gross weight of twelve thousand pounds

(12,000 lbs.) or less who is issued Gold Star Family plates shall continue to pay the appropriate commercial registration fee for those plates. The owner of a motor vehicle eligible for registration as a commercial vehicle having a gross weight of six thousand three hundred pounds (6,300 lbs.), but not more than twelve thousand pounds (12,000 lbs.), shall sign an affidavit at the time of application for said plates stating that the vehicle is to be used for personal use only.
History of Section.
P.L. 2016, ch. 142, art. 9, § 3; P.L. 2017, ch. 190, § 1; P.L. 2017, ch. 248, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-112. - Special plate for Gaspee Days Committee.

§ 31-3-112. Special plate for Gaspee Days Committee.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the Gaspee Days Committee (hereafter referred to as "the Gaspee Days committee"). The plates shall be designed to reference the Gaspee Days committee.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of, and in the same manner as, the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle in accordance with § 31-3-9. The registration certificate shall be in effect for the special plates.
(c)
The Gaspee Days committee motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed by the Gaspee Days committee, in conjunction with the division of motor vehicles, with design approval by the Rhode Island state police.
(d)
The Gaspee Days committee plates shall be subject to a minimum prepaid order of at least nine hundred (900) sets of plates per plate type (i.e. passenger, commercial, etc.). The Gaspee Days committee plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the Gaspee Days committee and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paperwork submitted to the division.
(e)
The administrator of the division of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, the Gaspee Days committee plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows: Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Gaspee Days committee in furtherance of its mission.
(h)
A ten-dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to the Gaspee Days committee.
(i)
In consideration of the receipt of funds from the registration of the Gaspee Days plates, the foundation must use any Rhode Island sourced funds, in, and for the benefit of, Rhode Island-based charitable organizations.
(j)
The Gaspee Days committee shall be required to submit an annual accounting report before such monies are distributed.
(k)
There shall be no refunds for early cancellation of Gaspee Days committee plates.
History of Section.
P.L. 2017, ch. 231, § 1; P.L. 2017, ch. 332, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-113. - Special plate for Operation Stand Down RI.

§ 31-3-113. Special plate for Operation Stand Down RI.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for passenger vehicles based upon the not-for-profit entity Operation Stand Down RI.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and the registration certificate for the plates shall be carried in the vehicle, in accordance

with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
Operation Stand Down RI motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed in conjunction with the division of motor vehicles, with design approval by the Rhode Island state police.
(d)
Operation Stand Down RI plates shall be subject to a minimum prepaid order of at least nine hundred (900) sets of plates per plate type including, but not limited to, passenger and commercial. Operation Stand Down RI plates shall not be issued unless the minimum order requirements are met. The initial order will be handled by Operation Stand Down RI and shall not be submitted to the division of motor vehicles for production until the minimum order has been met and the proper paperwork submitted to the division. Subsequent Operation Stand Down RI plate orders will be handled by the division of motor vehicles.
(e)
The administrator of motor vehicles shall develop application forms, prepayment procedures, and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, Operation Stand Down RI plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows: twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to Operation Stand Down RI in furtherance of its mission to “support our troops: in helping struggling and homeless veterans by offering housing and supportive services necessary to their well-being.”
(h)
A ten-dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to Operation Stand Down RI.
(i)
In consideration of the receipt of funds from the registration of Operation Stand Down RI plates, the organization must use any Rhode Island sourced funds in and for the benefit of Rhode Island-based charitable organizations.
(j)
Operation Stand Down RI will be required to submit an annual accounting report before such monies are distributed.
(k)
There shall be no refunds for early cancellation of Operation Stand Down RI plates.
History of Section.
P.L. 2017, ch. 400, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-114. - Special plate for the Rhode Island Agricultural Council.

§ 31-3-114. Special plate for the Rhode Island Agricultural Council.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the Rhode Island Agricultural Council. The plates shall be designed to reference Rhode Island agriculture and shall feature a barn and silo.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of, and in the same manner as, the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Rhode Island Agricultural Council motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed by the Rhode Island Agricultural Council, in conjunction with the division of motor vehicles, with design approval by the Rhode Island state police.
(d)
The Rhode Island Agricultural Council plates shall be subject to a minimum prepaid order of at least nine hundred (900) sets of plates per plate type (i.e. passenger, commercial, etc.). The Rhode Island Agricultural Council plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the Rhode Island Agricultural Council and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paperwork submitted to the division.
(e)
The administrator of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)

In addition to the regular prescribed motor vehicle registration fee, the Rhode Island Agricultural Council plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows: Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Rhode Island Agricultural Council in furtherance of its mission to stimulate development of an interest in agriculture, horticulture, forestry, and allied interests; create an interest in rural life and the improvement of the rural community in Rhode Island; effect a close relationship between representatives of agriculture with its allied interests and with commerce and industry; develop and carry out a complete program for efficient production and economical distribution of farm products in Rhode Island; and coordinate all agencies interested in the welfare of agriculture in Rhode Island into one association from which unified efforts toward education, legislation, and representation of agricultural interests of the state may emanate.
(h)
A ten-dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to the Rhode Island Agricultural Council.
(i)
In consideration of the receipt of funds from the registration of the Rhode Island Agricultural Council license plate, the council must use any Rhode Island sourced funds in, and for the benefit of, Rhode Island-based charitable organizations.
(j)
The Rhode Island Agricultural Council shall be required to submit an annual accounting report before such monies are distributed.
(k)
There shall be no refunds for early cancellation of the Rhode Island Agricultural Council plates.
History of Section.
P.L. 2017, ch. 393, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-115. - Special plate for the Rhode Island Salt Water Anglers Foundation.

§ 31-3-115. Special plate for the Rhode Island Salt Water Anglers Foundation.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the Rhode Island Salt Water Anglers Foundation. The plates shall be designed to reference the Rhode Island Salt Water Anglers Foundation and shall feature a striped bass.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of, and in the same manner as, the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Rhode Island Salt Water Anglers Foundation motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed by the Rhode Island Salt Water Anglers Foundation, in conjunction with the division of motor vehicles, with design approval by the Rhode Island state police.
(d)
The Rhode Island Salt Water Anglers Foundation plates shall be subject to a minimum prepaid order of at least nine hundred (900) sets of plates per plate type (i.e. passenger, commercial, etc.). The Rhode Island Salt Water Anglers Foundation plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the Rhode Island Salt Water Anglers Foundation and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paperwork submitted to the division.
(e)
The administrator of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, the Rhode Island Salt Water Anglers Foundation plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows: Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Rhode Island Salt Water Anglers Foundation in furtherance of its mission to preserve our marine fisheries, environmental protection, restoration projects, and youth activity programs that foster recreational fishing, safety, and conservation.
(h)
A ten-dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to the Rhode Island Salt Water Anglers Foundation.

(i)
In consideration of the receipt of funds from the registration of the Rhode Island Salt Water Anglers Foundation license plate, the foundation must use any Rhode Island sourced funds in, and for the benefit of, Rhode Island-based charitable organizations.
(j)
The Rhode Island Salt Water Anglers Foundation shall be required to submit an annual accounting report before such monies are distributed.
(k)
There shall be no refunds for early cancellation of the Rhode Island Salt Water Anglers Foundation plates.
History of Section.
P.L. 2017, ch. 404, § 1; P.L. 2017, ch. 414, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-116. - Special plate for the Ocean State Animal Coalition.

§ 31-3-116. Special plate for the Ocean State Animal Coalition.
(a)
The administrator of the division of motor vehicles is empowered to make available a special motor vehicle registration plate for the Ocean State Animal Coalition.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued, and shall be used in place of, and in the same manner, as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Ocean State Animal Coalition motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed in conjunction with the division of motor vehicles with the design approved by the Rhode Island state police.
(d)
The Ocean State Animal Coalition motor vehicle plates shall be subject to a minimum pre-paid order of at least nine hundred (900) sets of plates per plate type. The Ocean State Animal Coalition plates shall not be issued unless the minimum order requirements are met. The initial order shall be handled by the Ocean State Animal Coalition and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paperwork submitted to the division.
(e)
The administrator shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, the Ocean State Animal Coalition motor vehicle plates shall be subject to a forty-dollar ($40) issuance surcharge.
(g)
The forty-dollar issuance ($40) surcharge shall be allocated as follows: twenty dollars ($20) shall be allocated to the general fund, and the remaining twenty dollars ($20) shall be distributed annually to the Ocean State Animal Coalition in furtherance of its mission to improve the status and well-being of animals in Rhode Island, including subsidizing spay and neuter services for cats and dogs.
(h)
The Ocean State Animal Coalition shall distribute the funds it receives as referenced in subsection (g) of this section to Rhode Island-based municipal animal shelters and other humane organizations pursuant to procedures developed in accordance with subsection (e) of this section.
(i)
The Ocean State Animal Coalition shall be required to submit an annual accounting report before such monies are distributed.
(j)
A ten-dollar ($10) surcharge for subsequent registration renewals shall be allocated to the Ocean State Animal Coalition.
(k)
There shall be no refunds for early cancellation of Ocean State Animal Coalition motor vehicle plates.
History of Section.
P.L. 2017, ch. 408, § 1; P.L. 2017, ch. 417, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-117. - Minimum prepaid special motor vehicle registration plate orders.

§ 31-3-117. Minimum prepaid special motor vehicle registration plate orders.
(a)
As to any special motor vehicle registration plates that have been authorized pursuant to this chapter but that have not been issued or

printed as of July 2, 2018, because the minimum number of prepaid orders for the plates has not been reached, the minimum number of plates that must be prepaid and ordered prior to the plates being made and issued shall be deemed to be six hundred (600) sets of plates per plate type. If the minimum number of prepaid plates provided pursuant to any other section of this chapter is a higher number, that number shall be deemed reduced to six hundred (600) sets of plates per plate type.
(b)
As to any special plates that are authorized pursuant to this chapter after July 2, 2018, the minimum number of plates that must be prepaid and ordered prior to the plates being made and issued shall be six hundred (600) sets of plates per plate type.
(c)(1)
Notwithstanding subsections (a) and (b) of this section, the minimum number of prepaid orders for special motor vehicle registration plates that either have been authorized pursuant to this chapter, but have not been issued or printed as of July 2, 2022, because the minimum number of prepaid orders for the plates has not been reached or are authorized pursuant to this chapter after July 2, 2022, may be reduced to one hundred fifty (150) sets of plates per plate type if the applicable sponsoring nonprofit entity delivers to the division of motor vehicles:
(i)
Orders for a minimum of one hundred fifty (150) sets of plates per plate type; and
(ii)
A nonrefundable payment to compensate for the amount of special plate orders fewer than six hundred (600). The payment shall be calculated as follows: six hundred (600) orders, less the number of orders placed, multiplied by thirty dollars ($30.00).
(2)
The portion of the applicable sponsoring nonprofit entity’s issuance surcharge that is to be allocated to the general fund shall be deemed paid for the first six hundred (600) sets of plates per plate type issued by the payment in an amount as determined by subsection (c)(1)(ii) of this section.
(3)
The division of motor vehicles shall make available plates eligible for issuance pursuant to subsection (c)(1) of this section, no later than six (6) months after receipt of the orders and the nonrefundable payment in the amount determined by subsection (c)(1)(ii) of this section; provided, however, that if multiple orders and payments in amounts pursuant to subsection (c)(1)(ii) of this section are received from different sponsoring nonprofit entities, the division of motor vehicles shall be afforded no more than six (6) months for each separate plate that becomes eligible for issuance and may complete the work necessary for the issuance of one order at a time in the order of receipt.
(4)
The ability of applicable sponsoring nonprofit entities to reduce the minimum number of prepaid orders to one hundred fifty (150) sets of plates per plate type pursuant to subsection (c)(1) of this section shall expire on December 31, 2025. The division of motor vehicles shall complete the work necessary for issuance of all plates for which it receives the required orders and nonrefundable payments in the amount determined by subsection (c)(1)(ii) of this section on or before December 31, 2025, in accordance with subsection (c)(3) of this section.
History of Section.
P.L. 2018, ch. 137, § 1; P.L. 2022, ch. 269, § 1, effective July 2, 2022; P.L. 2022, ch. 270, § 1, effective July 2, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-118. - Special plate for Day of Portugal and Portuguese Heritage in RI, Inc.

§ 31-3-118. Special plate for Day of Portugal and Portuguese Heritage in RI, Inc.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the not-for-profit Day of Portugal and Portuguese Heritage in RI, Inc. The plates shall be designed to reference Day of Portugal and Portuguese Heritage in RI, Inc.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued, and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
Day of Portugal and Portuguese Heritage in RI, Inc. motor vehicle plates shall be the same size as regular motor vehicle plates, and shall be designed by Day of Portugal and Portuguese Heritage in RI, Inc. in conjunction with the division of motor vehicles, with the design approved by the RI state police.
(d)
Day of Portugal and Portuguese Heritage in RI, Inc. plates shall be subject to a minimum pre-paid order of at least nine hundred (900) sets of plates per plate type (i.e. passenger, commercial, etc.). Day of Portugal and Portuguese Heritage in RI, Inc. plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by Day of Portugal and Portuguese Heritage in RI, Inc. and shall not be submitted to the division of motor vehicles for production until the minimum

order(s) have been met and the proper paperwork submitted to the division.
(e)
The administrator of the division of motor vehicles shall develop application forms, pre-payment procedures, and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, Day of Portugal and Portuguese Heritage in RI, Inc. plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows: Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to Day of Portugal and Portuguese Heritage in RI, Inc. to assist in the fiscal needs and in furtherance of its mission.
(h)
A ten-dollar ($10) surcharge for subsequent registration renewals will go to Day of Portugal and Portuguese Heritage in RI, Inc.
(i)
Day of Portugal and Portuguese Heritage in RI, Inc. will be required to submit an annual accounting report before such monies are distributed.
(j)
There shall be no refunds for early cancellation of Day of Portugal and Portuguese Heritage in RI, Inc. motor vehicle license plates.
(k)
In consideration of the receipt of funds from the registration of Day of Portugal and Portuguese Heritage in RI, Inc. plates, the organization must use any Rhode Island-sourced funds in and for the benefit of Rhode Island-based charitable organizations.
History of Section.
P.L. 2018, ch. 29, § 1; P.L. 2018, ch. 30, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-119. - Special plate for Narragansett Council, Boy Scouts of America.

§ 31-3-119. Special plate for Narragansett Council, Boy Scouts of America.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the not-for-profit corporation Narragansett Council, Boy Scouts of America. The plates shall be designed to reference Narragansett Council, Boy Scouts of America.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued, and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Narragansett Council, Boy Scouts of America motor vehicle plates shall be the same size as regular motor vehicle plates, and shall be designed by the Narragansett Council, Boy Scouts of America in conjunction with the division of motor vehicles, with the design approved by the Rhode Island state police.
(d)
The Narragansett Council, Boy Scouts of America plates shall be subject to a minimum pre-paid order of at least nine hundred (900) sets of plates per plate type (i.e. passenger, commercial, etc.). The Narragansett Council, Boy Scouts of America plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the Narragansett Council, Boy Scouts of America, and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paperwork submitted to the division.
(e)
The administrator of the division of motor vehicles shall develop application forms, pre-payment procedures, and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, the Narragansett Council, Boy Scouts of America plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows:
Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Narragansett Council, Boy Scouts of America to assist in the furtherance of its programs in the state of Rhode Island.
(h)
The Narragansett Council, Boy Scouts of America will be required to submit an annual accounting report before such monies are distributed.

(i)
There shall be no refunds for early cancellation of Rhode Island Boy Scout plates.
History of Section.
P.L. 2018, ch. 107, § 1; P.L. 2018, ch. 112, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-12. - Visibility of plates.

§ 31-3-12. Visibility of plates.
Each registration plate and the required letters and numerals on it, except the year number for which issued, shall be of sufficient size to be plainly readable from a distance of one hundred feet (100′) during daylight. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 3, § 8; G.L. 1956, § 31-3-12; P.L. 2002, ch. 292, § 103.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-120. - Police chief emeritus — Gary Malikowski.

§ 31-3-120. Police chief emeritus — Gary Malikowski.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the motor vehicle of the former police chief of the town of West Greenwich, Gary Malikowski. This plate is to bear the identification “Police Chief Emeritus,” along with an appropriate designation number imprinted on it and shall be furnished without additional registration charge for such period of time as Gary Malikowski may desire.
History of Section.
P.L. 2018, ch. 314, § 1; P.L. 2018, ch. 344, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-121. - Judge emeritus — Stephen J. Capineri.

§ 31-3-121. Judge emeritus — Stephen J. Capineri.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the motor vehicle of the former judge of the Rhode Island family court, Stephen J. Capineri. This plate is to bear the identification “Judge Emeritus,” along with an appropriate designation number imprinted on it and shall be furnished without additional registration charge for such period of time as Stephen J. Capineri may desire.
History of Section.
P.L. 2021, ch. 300, § 1, effective July 9, 2021; P.L. 2021, ch. 301, § 1, effective July 9, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-122. - Special plate for Friends of Pomham Rocks Lighthouse.

§ 31-3-122. Special plate for Friends of Pomham Rocks Lighthouse.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the not-for-profit Friends of Pomham Rocks Lighthouse. The plates shall be designed to reference Friends of Pomham Rocks Lighthouse.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued, and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
Friends of Pomham Rocks Lighthouse motor vehicle plates shall be the same size as regular motor vehicle plates, and shall be designed by Friends of Pomham Rocks Lighthouse in conjunction with the division of motor vehicles, with the design approved by the Rhode Island state police.
(d)
Friends of Pomham Rocks Lighthouse plates shall be subject to a minimum prepaid order of at least six hundred (600) sets of plates per plate type (i.e., passenger, commercial, etc.). Friends of Pomham Rocks Lighthouse plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by Friends of Pomham Rocks Lighthouse and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paperwork submitted to the division.
(e)
The administrator of the division of motor vehicles shall develop pre-payment procedures, and any other procedures deemed

necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, Friends of Pomham Rocks Lighthouse plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows: twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to Friends of Pomham Rocks Lighthouse in furtherance of its mission to assist charitable organizations in Rhode Island with fiscal needs to assist with historic renovation, preservation, and to improve public awareness and access to the Pomham Rocks Lighthouse.
(h)
A ten-dollar ($10) surcharge for subsequent registration renewals shall be allocated to Friends of Pomham Rocks Lighthouse.
(i)
In consideration of the receipt of funds from the registration of Pomham Rocks Lighthouse plates, the organization must use any Rhode Island sourced funds in and for the benefit of Rhode Island-based charitable organizations.
(j)
Friends of Pomham Rocks Lighthouse will be required to submit an annual accounting report before such monies are distributed.
(k)
There shall be no refunds for early cancellation of Friends of Pomham Rocks Lighthouse motor vehicle license plates.
History of Section.
P.L. 2022, ch. 260, § 1, effective July 2, 2022; P.L. 2022, ch. 314, § 1, effective July 6, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-123. - Special plate for Rhode Island Society for the Prevention of Cruelty to Animals.

§ 31-3-123. Special plate for Rhode Island Society for the Prevention of Cruelty to Animals.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the not-for-profit corporation Rhode Island Society for the Prevention of Cruelty to Animals (“RISPCA”). The plates shall be designed to reference Rhode Island Society for the Prevention of Cruelty to Animals, commemorating its one hundred fifty (150) years of service.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued, and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The RISPCA motor vehicle plates shall be the same size as regular motor vehicle plates, and shall be designed by the RISPCA in conjunction with the division of motor vehicles, with the design approved by the Rhode Island state police.
(d)
The RISPCA plates shall be subject to a minimum pre-paid order of at least six hundred (600) sets of plates per plate type (i.e., passenger, commercial, etc.). The RISPCA plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the RISPCA, and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paperwork submitted to the division.
(e)
The administrator of the division of motor vehicles shall develop pre-payment procedures, and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, the RISPCA plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows:
Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the RISPCA to assist in the furtherance of its programs in the state of Rhode Island.
(h)
A ten-dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to the RISPCA.
(i)
In consideration of the receipt of funds from the registration of RISPCA plates, the foundation must use any Rhode Island sourced funds in, and for the benefit of, Rhode Island-based charitable organizations.
(j)
The RISPCA will be required to submit an annual accounting report before such monies are distributed.

(k)
There shall be no refunds for early cancellation of RISPCA plates.
History of Section.
P.L. 2022, ch. 426, § 1, effective December 30, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-124. - Special plate for The Rose Island Lighthouse Foundation, Inc.

§ 31-3-124. Special plate for The Rose Island Lighthouse Foundation, Inc.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the not-for-profit The Rose Island Lighthouse Foundation, Inc. The plates shall be designed to reference The Rose Island Lighthouse Foundation, Inc.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued, and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Rose Island Lighthouse Foundation, Inc. motor vehicle plates shall be the same size as regular motor vehicle plates, and shall be designed by The Rose Island Lighthouse Foundation, Inc., in conjunction with the division of motor vehicles, with the design approved by the Rhode Island state police.
(d)
The Rose Island Lighthouse Foundation, Inc. plates shall be subject to a minimum pre-paid order of at least six hundred (600) sets of plates per plate type (i.e., passenger, commercial, etc.). The Rose Island Lighthouse Foundation, Inc. plates shall not be issued unless the minimum order requirements are met. The initial order will be handled by The Rose Island Lighthouse Foundation, Inc., and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met, and the proper paperwork submitted to the division.
(e)
The administrator of the division of motor vehicles shall develop pre-payment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, The Rose Island Lighthouse Foundation, Inc. plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows: Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to The Rose Island Lighthouse Foundation, Inc., to assist in the fiscal needs required to maintain and protect this historic site for all to enjoy, and to continue in the fostering of The Rose Island Lighthouse Foundation, Inc. presence as an asset to Rhode Island’s economic growth and prosperity.
(h)
A ten-dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to The Rose Island Lighthouse Foundation, Inc.
(i)
In consideration of the receipt of funds from the registration of The Rose Island Lighthouse Foundation, Inc. license plates, the foundation must use any Rhode Island sourced funds in, and for the benefit of, Rhode Island-based charitable organizations.
(j)
The Rose Island Lighthouse Foundation, Inc. shall be required to submit an annual accounting report before such monies are distributed.
(k)
There shall be no refunds for early cancellation of The Rose Island Lighthouse Foundation, Inc. plates.
History of Section.
P.L. 2022, ch. 258, § 1, effective January 2, 2023; P.L. 2022, ch. 316, § 1, effective January 6, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-125. - Special plate for the Beavertail Lighthouse Museum Association.

§ 31-3-125. Special plate for the Beavertail Lighthouse Museum Association.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the Beavertail Lighthouse Museum Association. The plates shall be designed to reference the Beavertail Lighthouse Museum Association.

(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of, and in the same manner as, the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Beavertail Lighthouse Museum Association motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed by the Beavertail Lighthouse Museum Association, in conjunction with the division of motor vehicles, with design approval by the Rhode Island state police.
(d)
The Beavertail Lighthouse Museum Association plates shall be subject to a minimum pre-paid order of at least six hundred (600) sets of plates per plate type (i.e., passenger, commercial, etc.). The Beavertail Lighthouse Museum Association plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the Beavertail Lighthouse Museum Association and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paperwork submitted to the division.
(e)
The administrator of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, the Beavertail Lighthouse Museum Association plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows: Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Beavertail Lighthouse Museum Association in furtherance of its mission to preserve and protect the buildings of the Beavertail Lighthouse site and to maintain and make available key aspects of Beavertail’s history.
(h)
A ten-dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to the Beavertail Lighthouse Museum Association.
(i)
In consideration of the receipt of funds from the registration of Beavertail Lighthouse Museum Association license plates, the foundation must use any Rhode Island sourced funds in, and for the benefit of, Rhode Island-based charitable organizations.
(j)
The Beavertail Lighthouse Museum Association will be required to submit an annual accounting report before such monies are distributed.
(k)
There shall be no refunds for early cancellation of Beavertail Lighthouse Museum Association plates.
History of Section.
P.L. 2022, ch. 261, § 1, effective January 2, 2023; P.L. 2022, ch. 313, § 1, effective January 6, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-126. - Special plate for Atlantic Shark Institute.

§ 31-3-126. Special plate for Atlantic Shark Institute.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the nonprofit Atlantic Shark Institute. The plates shall be designed to reference Atlantic Shark Institute.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued, and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
Atlantic Shark Institute motor vehicle plates shall be the same size as regular motor vehicle plates, and shall be designed by Atlantic Shark Institute in conjunction with the division of motor vehicles, with the design approved by the Rhode Island state police.
(d)
Atlantic Shark Institute plates shall be subject to a minimum prepaid order of at least six hundred (600) sets of plates per plate type (i.e., passenger, commercial, etc.). Atlantic Shark Institute plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by Atlantic Shark Institute and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paperwork submitted to the division.

(e)
The administrator of motor vehicles shall develop prepayment procedures, and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, Atlantic Shark Institute plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows: Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to Atlantic Shark Institute to assist in the fiscal needs and in furtherance of its mission.
(h)
A ten-dollar ($10) surcharge for subsequent registration renewals will go to Atlantic Shark Institute.
(i)
In consideration of the receipt of funds from the registration of Atlantic Shark Institute plates, the organization must use any Rhode Island-sourced funds in and for the benefit of Rhode Island-based charitable organizations.
(j)
Atlantic Shark Institute will be required to submit an annual accounting report before such monies are distributed.
(k)
There shall be no refunds for early cancellation of Atlantic Shark Institute motor vehicle license plates.
History of Section.
P.L. 2022, ch. 320, § 1, effective January 6, 2023; P.L. 2022, ch. 322, § 1, effective January 6, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-127. - Special plate for Dyslexia Advocacy Rhode Island.

§ 31-3-127. Special plate for Dyslexia Advocacy Rhode Island.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the not-for-profit entity Dyslexia Advocacy Rhode Island. The plates shall be designed to reference the not-for-profit entity Dyslexia Advocacy Rhode Island.
(b)
The special design plates shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the registration plate issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special design plate.
(c)
The Dyslexia Advocacy Rhode Island motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed by Dyslexia Advocacy Rhode Island in conjunction with the division of motor vehicles and with final approval from the Rhode Island state police.
(d)
The Dyslexia Advocacy Rhode Island plates shall be subject to compliance with § 31-3-117 relating to the number of minimum prepaid orders of plates per plate type (i.e., passenger, commercial, etc.) and any required payment. The Dyslexia Advocacy Rhode Island plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by Dyslexia Advocacy Rhode Island and shall not be submitted to the division of motor vehicles for production until the minimum order(s) has been met and the proper paperwork submitted to the division.
(e)
The administrator of the division of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fees, the Dyslexia Advocacy Rhode Island plates shall be subject to a forty dollar ($40.00) issuance surcharge.
(g)
The forty dollar ($40.00) issuance surcharge shall be allocated as follows: Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to Dyslexia Advocacy Rhode Island to assist in the fiscal needs and in furtherance of its mission.
(h)
A ten dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to Dyslexia Advocacy Rhode Island.
(i)
In consideration of the receipt of funds from the registration of the Dyslexia Advocacy Rhode Island license plate, Dyslexia Advocacy Rhode Island must use any Rhode Island-sourced funds in and for the benefit of Rhode Island-based charitable

organizations to benefit dyslexic children, through tuition grants and teacher reimbursement for Orton-Gillingham training.
(j)
Dyslexia Advocacy Rhode Island will be required to submit an annual accounting report before such monies are distributed.
(k)
There shall be no refunds for early cancellation of Dyslexia Advocacy Rhode Island plates.
History of Section.
P.L. 2024, ch. 63, § 1, effective December 10, 2024; P.L. 2024, ch. 64, § 1, effective December 10, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-128. - Special plate for the Newport Festivals Foundation, Inc.

§ 31-3-128. Special plate for the Newport Festivals Foundation, Inc.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the not-for-profit entity, Newport Festivals Foundation, Inc. The plates shall be designed to reference the not-for-profit entity, Newport Festivals Foundation, Inc.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Newport Festivals Foundation, Inc. motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed by Newport Festivals Foundation, Inc. in conjunction with the division of motor vehicles, and which license plate design shall include references to both the Newport Folk and Newport Jazz festivals with the design approved by the Rhode Island state police.
(d)
The Newport Festivals Foundation, Inc. plates shall be subject to compliance with § 31-3-117 relating to the number of minimum prepaid orders of plates per plate type (i.e., passenger, commercial, etc.) and any required payment. The Newport Festivals Foundation, Inc. plates shall not be issued unless the minimum order requirements are met. The initial order will be handled by the Newport Festivals Foundation, Inc. and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paper work submitted to the division.
(e)
The administrator of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, Newport Festivals Foundation, Inc. plates shall be subject to a forty dollar ($40.00) issuance surcharge.
(g)
The forty dollar ($40.00) issuance surcharge shall be allocated as follows: twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Newport Festivals Foundation, Inc. to preserve the historic Newport Jazz and Folk Festivals and provide access to music education programs in Rhode Island to ensure that every person can experience the benefits of music.
(h)
A ten dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to the Newport Festivals Foundation, Inc.
(i)
In consideration of the receipt of funds from the registration of Newport Festivals Foundation, Inc. plates, the Newport Festivals Foundation, Inc. must use any Rhode Island-sourced funds in and for the benefit of Rhode Island-based charitable organizations.
(j)
Newport Festivals Foundation, Inc. will be required to submit an annual accounting report before such monies are distributed.
(k)
There shall be no refunds for early cancellation of Newport Festivals Foundation, Inc. plates.
History of Section.
P.L. 2024, ch. 85, § 1, effective December 12, 2024; P.L. 2024, ch. 86, § 1, effective December 12, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-129. - Special plate for the Commercial Fisheries Research Foundation.

§ 31-3-129. Special plate for the Commercial Fisheries Research Foundation.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the

not-for-profit entity Commercial Fisheries Research Foundation. The plates shall be designed to reference the not-for-profit entity Commercial Fisheries Research Foundation.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Commercial Fisheries Research Foundation motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed by the Commercial Fisheries Research Foundation in conjunction with the division of motor vehicles, with the design approved by the Rhode Island state police.
(d)
The Commercial Fisheries Research Foundation plates shall be subject to compliance with § 31-3-117 relating to the number of minimum prepaid orders of plates per plate type (i.e., passenger, commercial, etc.) and any required payment. The Commercial Fisheries Research Foundation plates shall not be issued unless the minimum order requirements are met. The initial order will be handled by the Commercial Fisheries Research Foundation and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met and the proper paper work submitted to the division.
(e)
The administrator of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, Commercial Fisheries Research Foundation plates shall be subject to a forty dollar ($40.00) issuance surcharge.
(g)
The forty dollar ($40.00) issuance surcharge shall be allocated as follows: twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Commercial Fisheries Research Foundation to conduct collaborative fisheries research and education projects to advance the achievement of sustainable fisheries.
(h)
A ten dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to the Commercial Fisheries Research Foundation.
(i)
In consideration of the receipt of funds from the registration of Commercial Fisheries Research Foundation plates, the Commercial Fisheries Research Foundation must use any Rhode Island-sourced funds in and for the benefit of Rhode Island-based charitable organizations.
(j)
Commercial Fisheries Research Foundation will be required to submit an annual accounting report before such monies are distributed.
(k)
There shall be no refunds for early cancellation of Commercial Fisheries Research Foundation plates.
History of Section.
P.L. 2024, ch. 113, § 1, effective December 15, 2024; P.L. 2024, ch. 114, § 1, effective December 15, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-13. - Plates for rental or leased vehicles.

§ 31-3-13. Plates for rental or leased vehicles.
The division of motor vehicles shall issue for every passenger motor vehicle rented or leased without a driver, the same type of registration plates as the type of plates issued for private passenger vehicles. However, if the renter or lessee uses his or her own registration plate on the rented or leased vehicle, that registration plate shall be promptly returned to him or her upon termination of the rental or lease agreement. Should the registration plate not be returned, the division of motor vehicles may be notified by the renter or lessor and the registration shall be cancelled by the division of motor vehicles and the registration plate shall be reissued to the person who rented or leased the motor vehicle.
History of Section.
P.L. 1950, ch. 2595, art. 3, § 8; G.L. 1956, § 31-3-13; P.L. 1986, ch. 223, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-14. - Bailee and in transit plates.

§ 31-3-14. Bailee and in transit plates.
(a) Bailee plates.
The division of motor vehicles shall issue plates designated as “bailee plates” to garages, automobile repairers, or any person in the

business requiring repossession of motor vehicles, trailers, or semitrailers.
(b) In transit plates.
The division of motor vehicles shall issue plates designated as “in transit” plates for use on special mobile equipment.
History of Section.
P.L. 1950, ch. 2595, art. 3, § 8; G.L. 1956, § 31-3-14; P.L. 1959, ch. 123, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-15. - Special plates for state officers and mayors.

§ 31-3-15. Special plates for state officers and mayors.
(a)
The administrator of the division of motor vehicles has the right to issue a special registration plate for the use of the governor, the lieutenant governor, the secretary of state, the attorney general, the state treasurer, the president pro tem of the senate, the speaker of the house, and mayors of Rhode Island cities. The plates will be furnished without additional cost. If mayors of Rhode Island cities choose to use city motor vehicle registration plates, the mayors may place on the plates the official seals of the respective city in a manner that does not obstruct the numbering or lettering.
(b)
The administrator of the division of motor vehicles is authorized and directed to issue, in addition to a regular registration plate, a special registration plate for the private passenger motor vehicle of each former speaker of the house of representatives, each former majority and minority leader of the house of representatives, and of each former majority and minority leader of the senate and president of the senate. Each of these plates is to bear the identification “house speaker emeritus”, “house majority leader emeritus”, “house minority leader emeritus”, “senate majority leader emeritus”, “senate minority leader emeritus”, or “senate president emeritus” with a seal of the state imprinted on the plate and shall be financed without additional registration charge for a period of time as each former speaker and senate majority leader and president of the senate desires.
History of Section.
P.L. 1950, ch. 2595, art. 3, § 8; G.L. 1956, § 31-3-15; P.L. 1974, ch. 208, § 1; P.L. 1996, ch. 430, § 1; P.L. 1999, ch. 350, § 1; P.L. 2001, ch. 180, § 65; P.L. 2006, ch. 310, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-16. - General assembly plates.

§ 31-3-16. General assembly plates.
(a)
The administrator of the division of motor vehicles is directed to make available to each duly elected member of the senate and of the house of representatives of the general assembly of the state of Rhode Island, so long as the member is serving during the term for which he or she has been elected as a member of the general assembly and no longer, two (2) special motor vehicle registration plates carrying on the first plate as a courtesy the word “senate” in the case of the senate, and the word “house” in the case of the house of representatives. On the second set of plates, in addition to the wording above, the letter “a” denoting auxiliary shall be placed on the plates. The plates are to have special identifying numbers corresponding to the number of the senatorial or representative district from which the member was elected.
(b)
The special motor vehicle registration plates shall carry thereon the design and the seal of the state of Rhode Island and shall be designed, sold, and attached to the motor vehicle without cost to the state.
(c)
Each member of any general assembly, at the expiration of his or her term as member, unless reelected, may retain the special motor vehicle registration plates in his or her own keeping, provided he or she does not display the plates upon any motor vehicle or any other form of transportation owned or operated by the member.
(d)
Any violation of the provisions of subsection (c) of this section shall be deemed a civil violation, and any person displaying a special motor vehicle registration plate upon any vehicle shall, upon conviction, be fined ten dollars ($10.00) for each offense.
(e)
The administrator of the division of motor vehicles shall reserve for the future use of each member of the general assembly the private registration plates which he or she turns into the division of motor vehicles in return for legislator’s plates. The administrator of the division of motor vehicles shall annually, during the month of January, submit a written notice to each member of the general assembly notifying him or her of the private registration plates which are being reserved for his or her future use. The notice shall indicate the registration plate designation and the legislator for which it is being reserved.
(f)
In a state of emergency, any member of the general assembly driving a vehicle bearing a special motor vehicle registration plate shall be authorized and empowered to travel upon the highways of the state notwithstanding any driving ban imposed by any state or municipal authority.
History of Section.

P.L. 1950, ch. 2595, art. 3, § 8; P.L. 1951, ch. 2826, § 7; G.L. 1956, § 31-3-16; P.L. 1967, ch. 6, § 1; P.L. 1969, ch. 13, § 1; P.L. 1978, ch. 381, § 1; P.L. 1987, ch. 310, § 1; P.L. 1999, ch. 218, art. 6, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-17.1. - Courtesy plates.

§ 31-3-17.1. Courtesy plates.

(a)

The administrator of the division of motor vehicles shall design and issue under regulations that he or she deems appropriate, special courtesy automobile, motorcycle, and commercial registration plates to be used on passenger motor vehicles, motorcycles, and all commercial vehicles whose gross weight is not more than nine thousand pounds (9,000 lbs.) in lieu of other number plates. Special plates shall be of such design and shall bear such letters or combinations of letters and numbers as the administrator of the division of motor vehicles shall prescribe, and shall be made of light-reflecting sheeting applied on a metal base, provided that no automobile set of plates shall contain more than six (6) letters and numbers in a combination of letters and numbers, or less than two (2) letters, and that no motorcycle plate shall contain more than five (5) letters or more than five (5) letters and numbers in a combination or less than two (2) letters, and that a commercial courtesy plate shall be marked “commercial,” and shall contain no more than six (6) letters or more than six (6) letters and numbers in a combination or less than two (2) letters, and provided further, that there shall be no duplication of identification and the administrator of the division of motor vehicles shall, in his or her discretion, refuse to issue any letter or combination of letters and numbers that might carry connotations offensive to good taste and decency. A special automobile or commercial courtesy plate shall be issued upon application using forms furnished by the administrator of the division of motor vehicles, and upon payment, in addition to the regular prescribed motor vehicle registration fee, a service charge of sixty dollars ($60.00) for each issue and for each registration renewal. For motorcycles, a special courtesy plate shall be issued upon application using forms furnished by the division of motor vehicles, and upon payment, in addition to the regular prescribed motor vehicle registration fee, a service charge of thirty-four dollars ($34.00) for each issue and for each registration renewal. The service charge shall be paid to the administrator of the division of motor vehicles prior to the administrator’s acceptance of the application. The Rhode Island state lottery commission shall not be required to pay the service charge for any special courtesy plate issued pursuant to this section for motor vehicles owned or used by the lottery commission, and may utilize the special courtesy plates on all types of vehicles owned or operated by the lottery commission.

(b)

For any vehicle that is registered in accordance with § 31-1-3(a), the division of motor vehicles may also issue or approve, subject to rules and regulations that may be promulgated by the administrator, a courtesy registration plate in accordance with the provisions of this section.

History of Section.

P.L. 1961, ch. 79, § 1; P.L. 1963, ch. 133, § 1; P.L. 1967, ch. 63, § 1; P.L. 1968, ch. 97, § 1; P.L. 1968, ch. 101, § 1; P.L. 1969, ch. 2, § 1; P.L. 1975, ch. 301, § 1; P.L. 1976, ch. 214, § 1; P.L. 1979, ch. 250, § 1; P.L. 1981, ch. 338, § 1; P.L. 1990, ch. 10, art. 3, § 1; P.L. 1995, ch. 73, § 1; P.L. 1999, ch. 305, § 1; P.L. 2004, ch. 559, § 1; P.L. 2007, ch. 73, art. 7, § 11; P.L. 2012, ch. 47, § 1; P.L. 2012, ch. 53, § 1; P.L. 2018, ch. 134, § 1; P.L. 2018, ch. 249, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-17.2. - Civil defense plates.

§ 31-3-17.2. Civil defense plates.

The administrator of the division of motor vehicles may issue to the civil defense preparedness director of each city and town, for as long as such person remains a civil defense preparedness director, a special identifying number plate in place of any regular number plate assigned to each director at the time of the registration of a motor vehicle. The number shall be in numerical sequence preceded by the words “civil defense” or some similar appropriate designation, and the numbers shall be issued to the directors in alphabetical order according to the names of their respective city or town.

History of Section.

P.L. 1964, ch. 212, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-17.3. - Temporary plates.

§ 31-3-17.3. Temporary plates.

(a)

The administrator of motor vehicles may design and issue, under such regulations as he or she shall deem appropriate, temporary registration plates. Any vehicle issued a temporary plate may be operated on the public highways for a period of five (5) days from the date of issuance.

(b)

The administrator of motor vehicles shall design and issue, under such regulations as he or she shall deem appropriate, temporary registration plates to be issued by horse trailer dealers for the use on horse trailers. Any horse trailer issued a temporary plate may be operated on the public highways for a period of twenty (20) days from the date of issuance.

(c)
Temporary plates shall be issued at a charge of ten dollars ($10.00) per plate.
History of Section.
P.L. 1991, ch. 285, § 1; P.L. 1993, ch. 138, art. 29, § 2; P.L. 1995, ch. 328, § 1; P.L. 1996, ch. 178, § 1; P.L. 1998, ch. 296, § 1; P.L. 2004, ch. 113, § 1; P.L. 2004, ch. 122, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-17.4. - Firefighter plates.

§ 31-3-17.4. Firefighter plates.
(a)
The administrator of the division of motor vehicles is empowered and authorized to make available to all active firefighters and retired firefighters a special motor vehicle registration plate for any motor vehicle eligible for registration as an automobile, or commercial vehicle having a gross weight of ten thousand pounds (10,000 lbs.) or less, or vehicle eligible for a combination registration plate, pursuant to § 31-3-64.
(b)
The special motor vehicle registration plate shall carry on it the designation “Firefighter” and a Maltese cross with the design provided by the Rhode Island Association of Fire Chiefs.
(c)
The administrator of the division of motor vehicles shall issue the plate upon payment of a service charge of twenty-five dollars ($25.00) and a transfer charge of five dollars ($5.00) for the plate, of which fifteen dollars ($15.00) shall be deposited to the division of motor vehicles manufacturing account.
(d)
For the purpose of this section, an active or retired member of any fire department shall be defined as any person certified by the chief of the fire department as currently a member of said department with at least one year active service or retired under honorable condition as a firefighter.
(e)
In a state of emergency, any active member of a fire department driving a vehicle bearing the special motor vehicle registration plate shall be authorized and empowered to travel upon the highways of the state notwithstanding any driving ban imposed by the state or municipal authority in accordance with their official duties.
History of Section.
P.L. 2004, ch. 605, § 1; P.L. 2005, ch. 188, § 1; P.L. 2005, ch. 220, § 1; P.L. 2016, ch. 378, § 1; P.L. 2016, ch. 394, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-17. - Volunteer fire company plates.

§ 31-3-17. Volunteer fire company plates.
(a)
The administrator of the division of motor vehicles shall, upon approved application, issue annually to any member of any duly incorporated volunteer fire company in this state, so long as he or she remains a member of the volunteer fire company, a special identifying number plate which shall be attached to the motor vehicle of the member of the volunteer fire company in conjunction with the regular number plates assigned to the member of the fire company at the time of the registration of the vehicle. There shall be a one time charge of ten dollars ($10.00) for these special number plates, of which five dollars ($5.00) shall be deposited to the division of motor vehicles manufacturing account. The member of the volunteer fire company shall attach and display the special identifying number plate in accordance with such rules and regulations as the administrator of the division of motor vehicles shall promulgate.
(b)
The design of the plates shall be provided by the Rhode Island Association of Fire Chiefs, and shall be approved by the administrator of the division of motor vehicles.
(c)
Every plate issued shall bear an individual number to identify the vehicle to which it is attached. The administrator of the division of motor vehicles is empowered to promulgate any rules and regulations that are required in determining the manner by which the individual numbers will be selected and issued.
History of Section.
P.L. 1950, ch. 2595, art. 3, § 8; G.L. 1956, § 31-3-17; P.L. 1992, ch. 38, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-18. - Display of plates — Penalties.

§ 31-3-18. Display of plates — Penalties.
(a)
Registration plates issued for a motor vehicle other than a motorcycle, trailer, transporter vehicle, in-transit vehicle, or a bailee

engaged in a business as defined in § 31-1-17(a), or other than a motor vehicle owned by a duly authorized dealer in motor vehicles and which is used in the dealer's business shall be attached thereto one in the front and the other in the rear. The registration plate issued for a motorcycle, trailer, bailee, or a dealer's motor vehicle as defined in this subsection shall be attached to the rear of the vehicle.
(b)
Every registration plate shall at all times be securely fastened in a horizontal position to the vehicle for which it is issued so as to prevent the plate from swinging at a height of not less than twelve inches (12") from the ground, measuring from the bottom of the plate; in a place and position to be clearly visible and shall be maintained free from foreign materials and in a condition to be clearly legible.
(c) Penalties.
Any person who shall violate the provisions of this section shall be guilty of a violation and subject to a fine as enumerated in § 31-41.1-4.
(d)
All vehicles registered as passenger, commercial, trailer, motorcycle, suburban, farm, combination, taxi, radio operator, camper, public, racer tow, jitney, and antique must have displayed on them the registration plate(s) as described in § 31-3-11. This subsection does not apply to those registrants in possession of an alternative design plate as described in § 31-3-60 or any other specially authorized plate described in this chapter.
History of Section.
P.L. 1950, ch. 2595, art. 3, § 9, G.L. 1956, § 31-3-18; P.L. 1968, ch. 103, § 1; P.L. 1970, ch. 108, § 2; P.L. 1978, ch. 386, § 1; P.L. 1987, ch. 165, § 1; P.L. 1997, ch. 45, § 1; P.L. 2000, ch. 109, § 56; P.L. 2006, ch. 216, § 7; P.L. 2008, ch. 100, art. 12, § 5; P.L. 2009, ch. 245, § 1; P.L. 2009, ch. 261, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-19. - Registration of race cars.

§ 31-3-19. Registration of race cars.
The administrator of the division of motor vehicles is authorized to issue a special registration certificate and marker for any motor vehicle constructed to be used for racing, and that must be towed over the public highways to and from such places where those vehicles are to be raced; however, these motor vehicles shall be equipped with adequate brakes and a rear light that shows a red light to the rear and also provides a source of white light to illuminate the rear number plate or marker. The fee for this registration shall be fifteen dollars ($15.00), and the registration shall expire March 31st following the date of issue. The registration plate or marker issued for this motor vehicle shall, in addition to the number assigned, bear a symbol to indicate that the vehicle is to be towed while on the public highways.
History of Section.
P.L. 1949, ch. 2299, § 1; G.L. 1956, § 31-3-19; P.L. 1960, ch. 75, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-2.1. - Out-of-state motorized bicycles.

§ 31-3-2.1. Out-of-state motorized bicycles.
Out-of-state residents owning motorized bicycles, whose state of residence does not require the registration of those vehicles, shall register the vehicles in the state of Rhode Island and upon payment of the registration fee shall be issued stickers to be placed on the vehicle evidencing registration.
History of Section.
P.L. 1981, ch. 327, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-2.2. - Registration of motorcycles, motorized bicycles, and motorized tricycles.

§ 31-3-2.2. Registration of motorcycles, motorized bicycles, and motorized tricycles.
(a)
Every motorcycle, motorized bicycle, and motorized tricycle owned by a resident of this state shall be subject to the registration provisions of chapters 3 — 9 of this title whether the motorcycle, motorized bicycle, or motorized tricycle is operated or drawn upon a highway within this state or upon private property. An electric personal assistive mobility device ("EPAMD") and electric motorized bicycles shall not be required to register under this chapter; provided, however, that an EPAMD and/or electric motorized bicycles shall not be operated in this state by a person under the age of sixteen (16) years.
(b)
Notwithstanding any general law to the contrary, cities and towns are empowered to enact ordinances that permit the use and regulation of electric personal assistive mobility devices ("EPAMD").
History of Section.
P.L. 1988, ch. 589, § 2; P.L. 2002, ch. 56, § 3; P.L. 2002, ch. 136, § 2; P.L. 2002, ch. 397, § 2; P.L. 2003, ch. 252, § 1; P.L. 2003, ch. 304, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-2. - Vehicles subject to registration.

§ 31-3-2. Vehicles subject to registration.

Every motor vehicle, trailer, semi-trailer, pole trailer, motorized camper, tent trailer, travel trailer, pick-up coach, and pick-up camper, owned by a resident of this state when operated or drawn upon a highway within this state for a period of thirty (30) days, shall be subject to the registration provisions of chapters 3 — 9 of this title except:

(1)

Any vehicle operated upon a highway in conformance with the provisions of the chapters relating to manufacturers, transporters, dealers, lien holders, or nonresidents;

(2)

Any vehicle that is operated upon a highway only for the purpose of crossing the highway but not along the highway from one property to another;

(3)

Any farm vehicle, whether or not of a type otherwise subject to registration under this chapter, that is only incidentally operated upon a highway. For purposes of this title, the phrase “incidentally operated upon a highway” shall mean the operation upon a highway of a slow-moving motor vehicle that is designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry, between agricultural operations owned or managed by the owner of the motor vehicle. Unless the incidental operation is only for purposes of crossing the highway but not traveling along it, the farm vehicle engaged in the incidental operation shall display a “Slow Moving Vehicle” emblem in a manner that complies with requirements established by the division of motor vehicles;

(4)

Any special mobile equipment as defined in § 31-1-9;

(5)

Any vehicle that is propelled exclusively by electric power obtained from overhead trolley wires, though not operated upon rails;

(6)

Any low-speed motor vehicle or low-speed vehicle as defined in § 31-1-3.

History of Section.

P.L. 1950, ch. 2595, art. 3, § 2; P.L. 1952, ch. 2937, § 2; G.L. 1956, § 31-3-2; P.L. 1959, ch. 123, § 2; P.L. 1966, ch. 105, § 1; P.L. 1967, ch. 217, § 2; P.L. 1976, ch. 64, § 3; P.L. 1978, ch. 377, § 2; P.L. 1988, ch. 589, § 1; P.L. 2016, ch. 389, § 1; P.L. 2016, ch. 401, § 1; P.L. 2023, ch. 207, § 2, effective July 1, 2024; P.L. 2023, ch. 224, § 2, effective July 1, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-20.1. - Operation with auto body repair shop plates.

§ 31-3-20.1. Operation with auto body repair shop plates.

(a)(1)

An auto body repair shop, officially licensed by the department of business regulations, may loan a motor vehicle to a client/customer whose registered motor vehicle is undergoing auto body repair on the premises of the respective auto body repair shop, and may affix to the loaned motor vehicle number plates registered to the motor vehicle undergoing auto body repair when the number plates are of the same classification. The licensed auto body repair shop may issue a temporary certificate of registration to the loaned motor vehicle under which the loaned vehicle may be operated upon the public highways for a period of twenty (20) days from the date of issuance. The certificate shall be issued on a form obtained from the division of motor vehicles and shall be titled “agreement — temporary loan of motor vehicle”.

(2)

The certificate shall be issued under any conditions that the division of motor vehicles may impose. The certificate shall be carried in the loaned vehicle for which it is issued and the operator or person in control of the loaned vehicle shall display the certificate for examination upon demand of any proper officer. The client/customer shall furnish proof to the auto body repair shop that he or she has liability and property damage insurance which will cover any damage to any person or property caused by the operation of the loaned vehicle for which the client/customer would have been liable if he or she had been the owner.

(3)

This proof of insurance shall be set forth on the certificate issued by the division of motor vehicles and shall be subject to any conditions that the division of motor vehicles may impose. In the event the client/customer to whom the vehicle is loaned shall not have proper insurance in effect, then any liability or property damage shall be covered by the auto body repair shop’s insurance policy. Section 31-47-12(d) shall apply to loaned motor vehicles, and the acceptable evidence of financial responsibility as filed in the rules and regulations relative to compulsory insurance or financial responsibility shall apply.

(b)

An auto body repair shop may not extend the use of “agreement — temporary loan of motor vehicle” certificates to anyone who is not a client/customer whose registered motor vehicle is undergoing auto body repair on the premises of the respective auto body repair shop. This legislation does not apply to any motor vehicle owned by a dealer, manufacturer, or operator of an auto body repair

shop which is rented or leased for compensation to any person for any purpose.
(c)
Every auto body repair shop shall keep a record of each loaned vehicle showing the date loaned, date returned, name, address, and operator's license number of the client/customer, the number plate transferred to the loaned vehicle, and the number of the certificate issued. This record shall be available during business hours for examination by any police officer or inspector designated by the administrator of the division of motor vehicles. This legislation does not apply to any motor vehicle owned by a dealer, manufacturer, or operator of an auto body repair shop which is rented or leased for compensation to any person for any purpose.
(d) Penalties.
Any owner and/or employee of any auto body repair shop or customer who violates the provisions of this section shall be guilty of a violation and subject to a fine of two hundred dollars ($200) and have the authority to issue "agreement — temporary loan of motor vehicle" certificates revoked.
History of Section.
P.L. 1997, ch. 373, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-20. - Operation with manufacturer's or dealer's plates.

§ 31-3-20. Operation with manufacturer's or dealer's plates.
(a)
A manufacturer or dealer owning any vehicle of a type otherwise required to be registered under this chapter, or any bona fide employee of a manufacturer or dealer, or any other appropriate persons as defined by this chapter, or by regulations issued pursuant to this chapter, may operate or move the vehicle upon the highways for any purpose without registering the vehicle upon condition that the vehicle has displayed on it, in the manner prescribed in § 31-3-18, a special plate issued to the owner as provided in §§ 31-3-23 — 31-3-25.
(b)
Any manufacturer or dealer may loan a motor vehicle, the special plates, or both to any person for the purpose of demonstration of a motor vehicle, when a motor vehicle owned by the person is undergoing repairs, or when the person has purchased a motor vehicle the registration of which by him or her is pending, and in any case for not more than twenty (20) days in any year, provided the person operating the loaned motor vehicle or a motor vehicle bearing such loaned number plate shall furnish proof to the dealer or manufacturer that he or she has liability and property damage insurance which will cover any damage to any person or property caused by the operation of the loaned vehicle for which the operator would have been liable if he or she had also been the owner. This proof of insurance shall be set forth on a form to be obtained from the division of motor vehicles and the form shall be subject to any conditions that the division of motor vehicles may impose; provided that, in the event the person loaned the vehicle does not have an insurance policy in effect, then any liability or property damage shall be covered by the dealer's insurance policy.
(c)
Any manufacturer or dealer may also loan a motor vehicle, under the circumstances outlined in this section, and the vehicle may be affixed plates belonging to the person operating the loaned motor vehicle when the number plates would be of the same classification. The dealer may issue a temporary certificate of registration of the vehicle and the vehicle may be operated upon the public highways under this certificate for a period of twenty (20) days from the date of issuance. The certificate shall be issued on a form obtained from the division of motor vehicles and shall be issued under any conditions that the division of motor vehicles may impose. The certificate shall be carried in the vehicle for which it is issued and the operator or person in control of the vehicle shall display the certificate for examination upon demand of any proper officer. Any damage to any person or property caused by the operation of the loaned vehicle shall be the responsibility of the operator or person in control of the vehicle and the dealer or manufacturer shall be in no way liable for it.
(d)
Every manufacturer or dealer shall keep a record of each loaned vehicle or number plate showing the date loaned, date returned, and the name and operator's license number of the person operating any loaned vehicle or vehicle with the loaned number plates. This record shall be available during business hours for examination by any police officer or inspector designated by the administrator of the division of motor vehicles. Any licensed dealer or manufacturer may operate or cause to be operated by a bona fide employee a motor vehicle for his or her personal use and for use in connection with his or her business as a dealer or repairer for any length of time, provided that the dealer's insurance policy shall at all times cover the motor vehicle while in use by the employee.
History of Section.
P.L. 1951, ch. 2595, art. 6, § 1; G.L. 1956, § 31-3-20; P.L. 1964, ch. 164, § 1; P.L. 1968, ch. 103, § 2; P.L. 1984, ch. 437, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-21. - Use of bailee, transporter, and in transit plates.

§ 31-3-21. Use of bailee, transporter, and in transit plates.
(a)
A bailee may operate or move any vehicle of a type otherwise required to be registered under this chapter upon the highways solely for the purpose of delivery, upon displaying on the vehicle the plates issued to him or her as provided in §§ 31-3-23 — 31-3-25.

(b)
In transit plates may be used to operate or move special mobile equipment upon the highways solely for the purpose of moving that equipment to and from the location of any type of construction.
(c)
A transporter may operate or move any vehicle of a type otherwise required to be registered under this chapter upon the highway solely for the purpose of delivering, upon displaying on the vehicle the plates issued to him or her as provided in §§ 31-3-23 — 31-3-25.
History of Section.
P.L. 1950, ch. 2595, art. 6, § 1; G.L. 1956, § 31-3-21; P.L. 1959, ch. 123, § 2; P.L. 1966, ch. 189, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-22. - Service vehicles owned by dealer.

§ 31-3-22. Service vehicles owned by dealer.
The provisions of §§ 31-3-20 — 31-3-27 shall not apply to work or service vehicles owned by a manufacturer, bailee, transporter, or dealer.
History of Section.
P.L. 1950, ch. 2595, art. 6, § 1; G.L. 1956, § 31-3-22; P.L. 1966, ch. 189, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-23.1. - Limitation on number of plates.

§ 31-3-23.1. Limitation on number of plates.
Notwithstanding any other provision of law, the motor vehicle dealers' license commission shall limit the number of plates allowable to any dealer in accordance with the provisions of §§ 31-5-1 — 31-5-20, and the plates shall be issued by the administrator of the division of motor vehicles up to such limit upon application by the dealer.
History of Section.
P.L. 1964, ch. 165, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-23. - Application for dealer's plates.

§ 31-3-23. Application for dealer's plates.
Any manufacturer, bailee, transporter, or dealer may apply to the division of motor vehicles on the appropriate form to obtain a certificate containing a general distinguishing number and for one or more special plates as appropriate to various types of vehicles subject to registration pursuant to this chapter. The applicant shall also submit proof of his or her status as a bona fide manufacturer, bailee, transporter, or dealer as may reasonably be required by the division of motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 6, § 2; G.L. 1956, § 31-3-23; P.L. 1966, ch. 189, § 4; P.L. 1968, ch. 103, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-24. - Dealer's certificate.

§ 31-3-24. Dealer's certificate.
The division of motor vehicles, upon granting any application shall issue to the applicant a certificate containing the applicant's name and address and the general distinguishing number assigned to the applicant.
History of Section.
P.L. 1950, ch. 2595, art. 6, § 2; G.L. 1956, § 31-3-24.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-25.1. - Cost of dealer's plates.

§ 31-3-25.1. Cost of dealer's plates.
The cost for the annual issuance of the new plates shall be an additional one dollar and fifty cents ($1.50) per set per year.
History of Section.
P.L. 1978, ch. 122, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-25.2. - Issuance of motorcycle dealer's plates.

§ 31-3-25.2. Issuance of motorcycle dealer's plates.
The division of motor vehicles shall issue special motorcycle dealer's plates as applied for, which shall bear the following: "motorcycle dealer". The provisions of this chapter regarding application for, and display of "dealer's plates" shall apply to motorcycle dealer's plates. The plates shall be issued annually at a charge of twelve dollars and fifty cents ($12.50) per plate.

History of Section.
P.L. 1979, ch. 22, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-25.3. - Issuance of boat dealer's plates.

§ 31-3-25.3. Issuance of boat dealer's plates.
The division of motor vehicles shall issue special boat dealer's plates as applied for, which shall bear the following: "boat dealer". The "boat dealer" plates shall be used only on boat trailers used by the boat dealer in the course of his or her business. With respect to trailers, the provisions of this chapter regarding application for, operation with, and display of "dealer's plates" shall apply to boat dealer's plates. Without limiting the general applicability of the preceding provisions, §§ 31-3-40 and 31-4-3 shall apply to boat dealers with respect to trailers. The plates shall be issued annually at a charge of twelve dollars and fifty cents ($12.50) per plate.
History of Section.
P.L. 1983, ch. 325, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-25. - Issuance of dealer's plates.

§ 31-3-25. Issuance of dealer's plates.
(a)
The division of motor vehicles shall issue special "dealer's plates" as applied for, which shall have displayed on them the general distinguishing number assigned to the applicant. Each plate so issued shall also contain a number or symbol identifying the plate from every other plate bearing the same general distinguishing number. The division of motor vehicles shall issue dealer's plates every three (3) years in clearly distinguishable colors, one color to be used by new vehicle dealers, another color for used vehicles dealers, and another color for transporter and bailee plates. The color for each category enumerated in this section shall be changed every three (3) years with the issuance of the plates, and vehicle identification devices will be provided annually.
(b)
The dealer plate issuance scheduled for January 1, 2017, shall be deferred until January 1, 2018 to coincide with the dealer license renewal cycle.
History of Section.
P.L. 1950, ch. 2595, art. 6, § 2; G.L. 1956, § 31-3-25; P.L. 1968, ch. 103, § 1; P.L. 1978, ch. 122, § 1; P.L. 1995, ch. 150, § 1; P.L. 2014, ch. 356, § 2; P.L. 2014, ch. 409, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-26. - Expiration of dealer's plates.

§ 31-3-26. Expiration of dealer's plates.
Every special plate issued pursuant to this chapter shall expire at midnight on the thirty-first (31st) day of December of each year. A new plate or plates for the ensuing year may be obtained by the person to whom any expired plate or plates was issued by applying to the division of motor vehicles and paying the fee provided by law.
History of Section.
P.L. 1950, ch. 2595, art. 6, § 3; G.L. 1956, § 31-3-26; P.L. 1984, ch. 296, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-27. - Responsibility for use of dealer's plates.

§ 31-3-27. Responsibility for use of dealer's plates.
Every manufacturer, bailee, transporter, or dealer shall be at all times fully responsible and aware as to the use of special plates and the identity of the vehicles to which they are attached, and shall make this information immediately available to any proper officer.
History of Section.
P.L. 1950, ch. 2595, art. 6, § 4; G.L. 1956, § 31-3-27; P.L. 1966, ch. 189, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-28. - Rules and regulations as to plates.

§ 31-3-28. Rules and regulations as to plates.
(a)
The administrator of the division of motor vehicles is authorized and empowered to make, alter, or amend, such rules and regulations that he or she may deem necessary, pertaining to the use, size, design, color scheme, and the material to be used in the manufacture of the number plates to be displayed on automobiles, motor trucks, trailers, semi-trailers, or other motor vehicles, except that at the next general issuance and each subsequent issuance. To promote safety and to facilitate the identification of registration plate letters and numerals at night, the department of revenue shall require that all registration plates shall be treated with special materials so as to make the background fully reflective and the letters and numerals on them readable at night for a

minimum distance of one hundred feet (100′) with other illumination. An additional fee of one dollar ($1.00) shall be payable upon the initial issuance of the above described illuminated plates.
(b)
All rules and regulations made under the provisions of this section shall, after being approved by the governor and published at least once in each county of the state, have the effect of law.
History of Section.
P.L. 1943, ch. 1302, §§ 1-3; G.L. 1956, § 31-3-28; P.L. 1971, ch. 120, § 1; P.L. 2008, ch. 98, § 4; P.L. 2008, ch. 145, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-29. - Licensing of tow cars and tow trucks.

§ 31-3-29. Licensing of tow cars and tow trucks.
The administrator of the division of motor vehicles shall require that every tow car or tow truck shall be licensed with a special registration certificate.
History of Section.
P.L. 1950, ch. 2595, art. 10, § 1; G.L. 1956, § 31-3-29.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-3.1. - Notice to division of motor vehicles of vehicle lease agreement.

§ 31-3-3.1. Notice to division of motor vehicles of vehicle lease agreement.
(a)
Every owner of a vehicle subject to registration or renewal of registration under this chapter shall notify the division of motor vehicles, at the time of registration of the vehicle on the proper registration form, of any agreement to lease the registered vehicle for a period of six (6) months duration, or longer, except for those commercial motor vehicles covered under the federal motor carrier safety regulations, 49 CFR Part 390 as may be amended from time to time.
(b)
The division of motor vehicles shall cause the name and address of the lessee as well as the owner of the vehicle to be entered on the division of motor vehicles records as provided in this chapter.
(c)
The name and address of both the owner and lessee shall be made available by the division of motor vehicles upon a registration inquiry from any law enforcement officer, department, or agency.
History of Section.
P.L. 1996, ch. 357, § 1; P.L. 1999, ch. 475, § 1; P.L. 2005, ch. 77, § 1; P.L. 2005, ch. 82, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-3. - Application for registration.

§ 31-3-3. Application for registration.
(a)
Every owner of a vehicle subject to registration under this chapter shall apply to the division of motor vehicles for the registration of it using the appropriate form or forms furnished by the division of motor vehicles. Every application shall bear the signature of the owner written with pen and ink and the signature shall be acknowledged by the owner before a person authorized to administer oaths or as authorized in accordance with subsection (b) and the application shall contain:
(1)
The name, city or town of bona fide residence, actual residence address, and mail address of the owner as appearing on the owner's motor vehicle operator's license or state identification card issued pursuant to the provisions of chapter 8 of title 3, or business address of the owner if a firm, association, or if a corporation, the name of the city or town in which the vehicle is physically and primarily housed. For purposes of this section, "physically and primarily housed" is defined as that city or town in which the vehicle is housed for a period or periods of time greater than in any other city or town in the state of Rhode Island. The division of motor vehicles may substitute other indicators of residence when necessary.
(2)
A description of the vehicle, including, insofar as this specified data may exist with respect to a given vehicle, the make, model, type of body, the number of cylinders, the serial number of the vehicle, and the engine or other number of the vehicle. In the event a vehicle is designed, constructed, converted, or rebuilt for the transportation of property, the application shall include a statement of its capacity in terms of maximum gross vehicle weight rating as authorized by the manufacturer of the chassis or the complete vehicle.
(3)
A statement whether liability insurance is carried on the vehicle, and, if there is liability insurance, the name of the carrier, policy number, and effective dates of the policy.
(4)
Any further information as may reasonably be required by the division of motor vehicles to enable it to determine whether the

vehicle is lawfully entitled to registration.
(5)
The exact mileage reading from the motor vehicle on the date of application.
(b)
The administrator of the division of motor vehicles shall prescribe and/or approve a limited power-of-attorney form, which may be used in connection with applications for vehicle registrations in satisfaction of the provision of subsection (a).
(c)
The administrator of the division of motor vehicles shall promulgate rules and regulations in order to effectuate the purpose and requirements of using a limited power of attorney form to register a vehicle. The rules and regulations shall require that the limited power of attorney form includes an attestation of the owner of the vehicle granting another identified person permission to register the vehicle on behalf of the owner. The limited power of attorney shall be witnessed and executed before a notary public and identify the information described in subsections (a)(1) through (a)(5).
History of Section.
P.L. 1950, ch. 2595, art. 3, § 3; G.L. 1956, § 31-3-3; P.L. 1961, ch. 187, § 1; P.L. 1965, ch. 207, § 1; P.L. 1969, ch. 74, § 1; P.L. 1970, ch. 16, § 1; P.L. 1985, ch. 392, § 4; P.L. 1991, ch. 251, § 1; P.L. 1993, ch. 392, § 1; P.L. 1998, ch. 31, art. 28, § 1; P.L. 2023, ch. 237, § 1, effective January 1, 2024; P.L. 2023, ch. 238, § 1, effective January 1, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-30. - Accident chasing by tow trucks.

§ 31-3-30. Accident chasing by tow trucks.
It shall be unlawful for any tow car or tow truck to be at the scene of a motor vehicle accident unless summoned by the participants in that accident or by the owners of the respective vehicles involved in that accident. Any owner of any tow car or tow truck or his or her duly authorized agent, if found guilty of violating the provisions of this section, shall be fined not exceeding twenty dollars ($20.00) for the first offense and for any subsequent offense shall be fined not exceeding twenty dollars ($20.00) and have his or her special registration certificate suspended by the administrator of the division of motor vehicles for such period as the administrator of the division of motor vehicles shall determine.
History of Section.
P.L. 1950, ch. 2595, art. 10, § 1; G.L. 1956, § 31-3-30.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-31.1. - Registration of street rods.

§ 31-3-31.1. Registration of street rods.
(a)
Definition of terms:
(1)
A “street rod” means a motor vehicle that:
(i)
Is a 1948 or older vehicle; or the vehicle was manufactured after 1948 to resemble a vehicle manufactured before 1949; and
(ii)
Has been altered from the manufacturer’s original design; or has a body constructed from nonoriginal materials.
(2)
The model year and the year of manufacture that are listed on the registration certificate of a street rod vehicle shall be the model year and year of manufacture that the body of such vehicle resembles.
(b)
Registration fee and application for street rods shall be as follows:
(1)
For each such street rod, there shall be a one-time pre-registration surcharge of fifty dollars ($50.00) which said sum(s) shall be accumulated by the division of motor vehicles until such time as said sum reaches an aggregate of twenty-three thousand dollars ($23,000) whereupon said division is authorized to proceed with the ordering/manufacturing of plates as required by subsection (b)(3) of this section. In addition thereto, and from hence forth, there shall be paid regular registration fees required for standard passenger vehicles as determined by the division of motor vehicles.
(2)(i)
In applying for registration of a street rod under this section, the owner of the street rod shall submit with the application a certification that the vehicle for which the application is made:
(A)
Will be maintained for occasional transportation, exhibitions, club activities, parades, tours, and similar uses; and
(B)
Will not be used for general daily transportation.
(ii)

In addition to the certification required under subsection (b)(2)(i) of this section, when applying for registration of a street rod, the new owner of the street rod shall provide proof acceptable to the administration that the street rod passed a safety inspection that has been approved by the administration in consultation with the street rod community in this state.
(3)
On registration of a vehicle under this section, the administration shall issue a special street rod vehicle registration plate of the size and design that the administration determines in consultation with the street rod community in this state.
(4)
Unless the presence of the equipment was specifically required by a statute of this state as a condition of sale in the year listed as the year of manufacture on the certificate of title, the presence of any specific equipment is not required for the operation of a vehicle registered under this section.
(5)
A vehicle registered under this section is exempt from any statute that requires periodic vehicle inspections and from any statute that requires the use and inspection of emission controls.
History of Section.
P.L. 2004, ch. 310, § 1; P.L. 2004, ch. 457, § 1; P.L. 2023, ch. 280, § 1, effective June 22, 2023; P.L. 2023, ch. 318, § 1, effective June 22, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-31.2. - Custom vehicles — Definition — Registration and fees.

§ 31-3-31.2. Custom vehicles — Definition — Registration and fees.
(a)
A custom vehicle means any motor vehicle that:
(1)
Is at least twenty-five (25) or more years old and of a model year after 1948; or was manufactured to resemble a vehicle twenty-five (25) years old and of a model year after 1948; and
(2)
Has been altered from the manufacturer’s original design; or has a body constructed from nonoriginal materials.
(3)
The model year and the year of manufacture that are listed on the certificate of title or registration certificate of a custom vehicle shall be the model year and year of manufacture that the body of such vehicle resembles.
(b)
For each such custom vehicle, there shall be a one-time pre-registration surcharge of fifty dollars ($50.00) which said sum(s) shall be accumulated by the division of motor vehicles until such time as said sum reaches an aggregate of twenty-three thousand dollars ($23,000) whereupon said division is authorized to proceed with the ordering/manufacturing of plates as required by subsection (d) herein. In addition thereto, and from hence forth, there shall be paid regular registration fees required for standard passenger vehicles as determined by the division of motor vehicles.
(c)(1)
In applying for registration of a custom vehicle under this section, the owner of the custom vehicle shall submit with the application a certification that the vehicle for which the application is made:
(i)
Will be maintained for occasional transportation, exhibitions, club activities, parades, tours, and similar uses; and
(ii)
Will not be used for general daily transportation.
(2)
In addition to the certification required under subsection (c)(1) of this section, when applying for registration of a custom vehicle, the new owner of the custom vehicle shall provide proof acceptable to the administration that the custom vehicle passed a safety inspection that has been approved by the administration in consultation with the custom vehicle community in this state.
(d)
On registration of a vehicle under this section, the administration shall issue a special custom vehicle registration plate of the size and design that the administration determines in consultation with the custom vehicle community of this state.
(e)
Unless the presence of the equipment was specifically required by a statute of this state as a condition of sale in the year listed as the year of manufacture on the certificate of title, the presence of any specific equipment is not required for the operation of a vehicle registered under this section.
(f)
A vehicle registered under this section is exempt from any statute that requires periodic vehicle inspections and from any statute that requires the use and inspections of emission controls.
(g)
Signal lamps and devices — Street rod vehicles and custom vehicles:

(1)
“Blue dot tail light” means a red lamp installed in the rear of a motor vehicle containing a blue or purple insert that is not more than one inch in diameter.
(2)
A street rod or custom vehicle may use blue dot tail lights for stop lamps, rear turning indicator lamps, rear hazard lamps, and rear reflectors.
History of Section.
P.L. 2004, ch. 310, § 1; P.L. 2004, ch. 457, § 1; P.L. 2023, ch. 280, § 1, effective June 22, 2023; P.L. 2023, ch. 318, § 1, effective June 22, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-31.3. - Registration of specially constructed vehicles.

§ 31-3-31.3. Registration of specially constructed vehicles.
(a)
A “specially constructed vehicle” means every vehicle of a type that must be registered under chapters 3 through 9 of this title, but not originally constructed under a distinctive name, make, model, or type by a generally recognized manufacturer of vehicles.
(b)
Specially constructed vehicles shall be subject to the registration fees in § 31-6-1.
(c)
Before a specially constructed vehicle can be registered, it must undergo an inspection by the division of motor vehicles to determine whether the vehicle was designed for and may be safely operated on public roads, and meets all necessary safety standards. Only those specially constructed vehicles that are deemed by the division of motor vehicles to be designed for use on public roads and meeting all necessary safety standards shall be registered. Specially constructed vehicles that are registered shall be subject to inspection pursuant to § 31-38-4 to ensure that the vehicle continues to meet all necessary safety standards.
History of Section.
P.L. 2013, ch. 188, § 2; P.L. 2013, ch. 203, § 2; P.L. 2021, ch. 395, § 8, effective July 14, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-31. - Registration of farm vehicles.

§ 31-3-31. Registration of farm vehicles.
(a)
Farm vehicles, as defined in § 31-1-8, equipped with rubber tires while being used in farming and operated on highways shall be registered on a form furnished by the administrator of the division of motor vehicles and shall be assigned a special number plate with a suitable symbol or letter indicating the usage of the farm vehicle.
(b)
The director of the department of revenue shall promulgate rules and regulations for the inspection of farm vehicles.
(c)
Farm plates may not be utilized on: (1) Vehicles eligible for registration as private passenger automobiles; provided, however, that any vehicle eligible for registration as a private passenger and registered with farm plates prior to July 1, 2002, may continue to be registered with farm plates by the owner to whom the farm plates were issued; or (2) On any vehicle that is not a farm vehicle as defined in § 31-1-8.
(d)
Farm plates may be displayed on vehicles used in the delivery of agricultural products produced by the farmer; however, farm plates shall not be displayed on vehicles used for deliveries by persons, as defined in § 31-1-17(g), that do not raise agricultural products.
(e)
Any farm vehicle, as defined in § 31-1-8, that is not required to be registered and that is covered by an insurance policy applicable to farm property and operations and that includes liability coverage, shall be deemed to have liability insurance as required by § 31-3-3(c) and to meet liability insurance requirements set forth in this title as long as such a policy is in effect. Documentation of such insurance, including the name of the carrier, policy, number, and effective date, may be required by the division for the registration of said vehicle and for the renewal of such registration.
History of Section.
P.L. 1950, ch. 2595, art. 11, § 1; G.L. 1956, § 31-3-31; P.L. 1984, ch. 287, § 1; P.L. 2002, ch. 404, § 2; P.L. 2008, ch. 98, § 4; P.L. 2008, ch. 145, § 4; P.L. 2014, ch. 66, § 1; P.L. 2014, ch. 72, § 1; P.L. 2016, ch. 387, § 1; P.L. 2016, ch. 399, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-32. - Expiration of registration.

§ 31-3-32. Expiration of registration.
Every vehicle registration under chapters 3 — 9 of this title and every registration card and registration plate issued under this chapter shall expire at midnight on the thirty-first (31st) day of March of each year, except that the director of the department of

revenue, division of motor vehicles shall implement a staggered registration system and a staggered distribution system for fully reflective plates required to be on all vehicles pursuant to § 31-3-10. Implementation of the staggered registration system and distribution system shall be by rules and regulations promulgated by the director of revenue, division of motor vehicles. Every registration card and registration plate issued to apportioned vehicles shall expire on the thirty-first (31st) day of May of each year. A fee for the initial issuance of fully reflective plates and each reissuance thereafter shall be charged in accordance with § 31-6-1(a). However, the requirements for the reissue of fully reflective plates shall apply only to those standard plates described in § 31-3-11 and not to plates authorized by any other section of the general or public laws. Violations of this section are subject to fines enumerated in § 31-41.1-4.

History of Section.

P.L. 1950, ch. 2595, art. 3, § 10; G.L. 1956, § 31-3-32; P.L. 1979, ch. 195, § 1; P.L. 1990, ch. 10, art. 5, § 1; P.L. 1995, ch. 135, § 1; P.L. 1996, ch. 100, art. 30, § 1; P.L. 2000, ch. 109, § 56; P.L. 2002, ch. 292, § 103; P.L. 2002, ch. 321, § 1; P.L. 2008, ch. 98, § 4; P.L. 2008, ch. 145, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-33. - Renewal of registration.

§ 31-3-33. Renewal of registration.

(a)

Application for renewal of a vehicle registration shall be made by the owner on a proper application form and by payment of the registration fee for the vehicle as provided by law.

(b)

The division of motor vehicles may receive applications for renewal of registration, and may grant the renewal and issue new registration cards and plates at any time prior to expiration of registration.

(c)

Upon renewal, owners will be issued a renewal sticker for each registration plate that shall be placed at the bottom, right-hand corner of the plate. Owners shall be issued a new, fully reflective plate beginning July 1, 2022, at the time of initial registration or at the renewal of an existing registration and reissuance will be conducted no less than every ten (10) years.

(d)

No later than August 15, 2019, and every fifteenth day of the month through August 15, 2020, the division of motor vehicles shall submit a report outlining the previous month’s activity and progress towards the implementation of the license plate reissuance to the chairpersons of the house finance and senate finance committee, the house fiscal advisor, and the senate fiscal advisor. The report shall include, but not be limited to, information on the status of project plans, obstacles to implementation, and actions taken toward implementation.

History of Section.

P.L. 1950, ch. 2595, art. 3, § 11; G.L. 1956, § 31-3-33; P.L. 1979, ch. 195, § 1; P.L. 1990, ch. 13, § 1; P.L. 1995, ch. 135, § 1; P.L. 2009, ch. 245, § 1; P.L. 2009, ch. 261, § 1; P.L. 2011, ch. 151, art. 13, § 2; P.L. 2013, ch. 144, art. 6, § 1; P.L. 2015, ch. 141, art. 4, § 1; P.L. 2016, ch. 142, art. 9, § 1; P.L. 2017, ch. 302, art. 4, § 2; P.L. 2018, ch. 47, art. 8, § 1; P.L. 2019, ch. 88, art. 7, § 2; P.L. 2021, ch. 162, art. 3, § 4, effective July 6, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-34. - Notice of change of address.

§ 31-3-34. Notice of change of address.

Whenever any person after applying for or obtaining the registration of a vehicle shall move from the address named in the application or shown upon a registration card, that person shall within ten (10) days subsequent to moving notify the division of motor vehicles in writing of his or her former and current addresses. Violations of this section are subject to fines enumerated in § 31-41.1-4.

History of Section.

P.L. 1950, ch. 2595, art. 3, § 12; G.L. 1956, § 31-3-34; P.L. 2002, ch. 292, § 103.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-35. - Notice of change of name.

§ 31-3-35. Notice of change of name.

Whenever the name of any person who has applied for or obtained the registration of a vehicle is subsequently changed by marriage or otherwise, that person shall within ten (10) days notify the division of motor vehicles of the former and current names. Violations of this section are subject to fines enumerated in § 31-41.1-4.

History of Section.

P.L. 1950, ch. 2595, art. 3, § 12; G.L. 1956, § 31-3-35; P.L. 2002, ch. 292, § 103.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-36. - Replacement of lost or mutilated registration card or plates.

§ 31-3-36. Replacement of lost or mutilated registration card or plates.
In the event any registration card or plate is lost, mutilated, or becomes illegible, the owner, legal representative, or successor in interest of the owner of the vehicle for which the registration card or plate was issued as shown by the records of the division of motor vehicles shall immediately apply for and may obtain a duplicate, substitute, or a new registration under a new registration number, as determined to be most advisable by the division of motor vehicles, upon the applicant furnishing information satisfactory to the division of motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 3, § 13; G.L. 1956, § 31-3-36.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-37. - Assignment of new identifying numbers.

§ 31-3-37. Assignment of new identifying numbers.
The division of motor vehicles is authorized to assign a distinguishing number to a motor vehicle whenever the motor or serial number thereon is destroyed or obliterated and to issue to the owner a special plate bearing such distinguishing number which shall be affixed to the vehicle in a position to be determined by the administrator of the division of motor vehicles. The motor vehicle shall be registered under this distinguishing number in lieu of the former serial number.
History of Section.
P.L. 1950, ch. 2595, art. 3, § 14; G.L. 1956, § 31-3-37.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-38. - Change of engines.

§ 31-3-38. Change of engines.
The administrator of the division of motor vehicles is authorized to adopt and enforce such registration rules and regulations that are deemed necessary and compatible with the public interest with respect to the change or substitution of one engine in place of another in any motor vehicle.
History of Section.
P.L. 1950, ch. 2595, art. 3, § 15; G.L. 1956, § 31-3-38.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-39. - Amateur radio operator plates.

§ 31-3-39. Amateur radio operator plates.
The administrator of the division of motor vehicles shall issue for any motor vehicle eligible for registration as an automobile or eligible for registration as a commercial vehicle and having a gross weight of nine thousand (9,000) pounds or less for the motor vehicle of a radio amateur, other than a novice, licensed by the federal communications commission, as long as he or she shall remain so licensed, and such registration plates as issued shall identify the registrant by the station and operator "call sign" assigned to him or her by the federal communications commission. This issuance of special plates shall be in accordance with the statutory requirements relating to the registration of motor vehicles and upon the payment of the regular registration fee. Application for the special plates shall be made in advance and upon the special form or forms as the administrator of the division of motor vehicles shall designate.
History of Section.
P.L. 1958, ch. 196, § 1; P.L. 1986, ch. 485, § 1; P.L. 1998, ch. 241, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-4. - Proof of payment of sales or use tax.

§ 31-3-4. Proof of payment of sales or use tax.
Each person, before obtaining an original or transferral registration for a motor vehicle in this state, shall furnish evidence that any tax due with reference to the motor vehicle pursuant to the provisions of chapters 18 and 19 of title 44 has been paid in accordance with regulations prescribed by the tax administrator, and on any forms that are approved by the tax administrator and the state administrator of the division of motor vehicles. The administrator of the division of motor vehicles shall, upon the request of the tax administrator, and after due hearing by the tax administrator, suspend or revoke a motor vehicle registration of any person who fails to pay any tax due in connection with the sale, storage, use, or other consumption of the motor vehicle pursuant to the provisions of chapters 18 and 19.
History of Section.
P.L. 1947, ch. 1887, art. 2, § 57; P.L. 1956, ch. 3740, § 1; G.L. 1956, § 31-3-4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-40. - Special use identification tags.

§ 31-3-40. Special use identification tags.

(a)
A new car dealer or used car dealer may apply to the administrator of the division of motor vehicles for special use identification tags for use on vehicles sold by him or her pending the registration of the vehicles, and provided that all vehicles upon which special use identification tags are to be used conform to the standards for general safety. Special use identification tags shall be of a size and type determined by the administrator of the division of motor vehicles, and shall be sold to dealers at a cost to be determined by the administrator of the division of motor vehicles, not to exceed twenty-five dollars ($25.00) per plate.
(b)
Special use certificates and special use identification tags may be used on a vehicle sold by the dealer to a resident or nonresident. The special use certificate and special use identification tags shall be valid for no more than twenty (20) days including the date of delivery of the certificate and tags by the dealer, and no dealer or any other person shall extend the expiration date thereof, nor shall any person other than the administrator of the division of motor vehicles issue another similar certificate or tag. The special certificate shall be carried in the vehicle bearing the special use identification tags whenever the vehicle is being operated on a public highway. Special use identification tags shall be displayed in the same manner as required in this chapter for the display of registration plates. Upon the removal of special use identification tags from a vehicle, they shall be destroyed immediately by the person to whom issued or his or her agent.
(c)
Upon the issuance of a special use certificate and special use identification tags, the dealer shall prepare the special use certificate in triplicate and shall print or type all of the information required on the certificate. The dealer shall imprint legibly with a rubber date stamp, in black ink, upon the special use identification tag, the date of expiration of the tag in letters and numerals not less than one inch (1″) in height, nor less than one-fourth of an inch (¼″) in width. The special use identification tag shall also contain the vehicle identification number of the car on which it is displayed and the dealer's identification number. The original copy of the special use certificate shall be given to the person named in the certificate. The duplicate copy shall become the notice required by subsection (d) of this section. The third copy shall be held in the dealer's files and shall be exhibited upon demand of the administrator of the division of motor vehicles or of any peace officer.
(d)
Notice of delivery of the special use certificate and special use identification tags shall be mailed to the administrator of the division of motor vehicles not later than the next business day after delivery.
(e)
In the event that a dealer goes out of business, or transfers his or her business to any other person, firm, or corporation, the dealer shall return to the administrator of the division of motor vehicles within five (5) days all special use certificates and special use identification tags held by him or her.
(f)
No dealer shall make any use of special use certificates or special use identification tags except in accordance with the provisions of this section.
(g)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1960, ch. 33, § 1; P.L. 1963, ch. 86, § 1; P.L. 1976, ch. 69, § 1; P.L. 1978, ch. 324, § 1; P.L. 1988, ch. 360, § 1; P.L. 1989, ch. 126, art. 11, § 1; P.L. 1993, ch. 138, art. 29, § 2; P.L. 1998, ch. 296, § 1; P.L. 2002, ch. 292, § 103; P.L. 2011, ch. 151, art. 13, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-41. - Return of registration card and plates — Receipt.

§ 31-3-41. Return of registration card and plates — Receipt.
Whenever, under any of the provisions of title 31, entitled "motor and other vehicles," a person surrenders, returns, or delivers to any person in the division of motor vehicles, any registration card or plate, a receipt shall be given, sufficiently identifying the registration card or plate and showing the date it was received. As soon as practical after January 1st, in every year, the division of motor vehicles shall furnish, without charge, to the tax assessors of each city or town in this state a statement of cancellation, surrendering or returns of registration plates of motor vehicles whose owners have addresses in the respective cities or towns on or after January 1st and through the thirty-first (31st) day of December of the previous year and the inclusive dates of their registration with this period.
History of Section.
P.L. 1962, ch. 193, § 1; P.L. 1992, ch. 451, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-42. - Camper plates.

§ 31-3-42. Camper plates.
The administrator of the division of motor vehicles shall issue plates designated as "camper plates" to any person who shall register a travel trailer, pick-up coach, pick-up camper, motorized camper, or tent trailer. In addition, the administrator of the division of motor vehicles shall issue a registration certificate to any person registering a pick-up coach or pick-up camper, which shall be

affixed to the coach or camper portion of the vehicle and for which there shall be an additional registration fee of three dollars ($3.00). The design of the certificate shall be prescribed by the administrator of the division of motor vehicles and the certificate shall be maintained in a manner and location prescribed by the administrator of the division of motor vehicles.
History of Section.
P.L. 1967, ch. 217, § 3; P.L. 1977, ch. 218, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-43. - Sheriffs' department plates.

§ 31-3-43. Sheriffs' department plates.
The administrator of the division of motor vehicles shall issue to the sheriffs' departments of the various counties, for use on state owned vehicles used by the departments, a special identifying number plate in numerical sequence preceded by the words "sheriff's department."
History of Section.
P.L. 1969, ch. 155, § 1; P.L. 2014, ch. 59, § 1; P.L. 2014, ch. 62, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-44. - Ambulance or rescue vehicles.

§ 31-3-44. Ambulance or rescue vehicles.
The administrator of the division of motor vehicles shall issue passenger car registration plates for any ambulance or rescue vehicle, used in transporting sick or injured patients, owned by a city or town or as part of a volunteer ambulance or rescue corps.
History of Section.
P.L. 1976, ch. 218, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-45.1. - Police registration plates.

§ 31-3-45.1. Police registration plates.
(a)
The administrator of the division of motor vehicles shall upon request issue to all police departments within this state, as listed in § 12-7-21 but, excluding the Rhode Island state police, and Rhode Island sheriffs' department, police registration plates.
(b)
The above described plates shall be imprinted with the word "police" and shall be of a distinctive color to distinguish them from standard registration plates.
History of Section.
P.L. 1992, ch. 433, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-45. - Police motorcycle plates.

§ 31-3-45. Police motorcycle plates.
The administrator of the division of motor vehicles shall issue to all police departments police motorcycle registration plates. These plates shall be imprinted with the words "police motorcycle" and shall be a distinctive color to distinguish them from standard motorcycle plates.
History of Section.
P.L. 1980, ch. 233, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-46. - P.O.W. plates.

§ 31-3-46. P.O.W. plates.
The administrator of the division of motor vehicles shall issue plates designated as "Ex-P.O.W." upon application on proper forms furnished by the administrator of the division of motor vehicles to former prisoners of war (P.O.W.) of World Wars I and II, the Korean conflict, and Vietnam conflict. The plates may be issued for any motor vehicle eligible for registration as an automobile, or a commercial vehicle having a gross weight of twelve thousand pounds (12,000 lbs.) or less. The applicant shall not be required to pay a registration fee or service charge for the plate. Upon the death of the holder of any P.O.W. plates, the plates shall be transferred to the holder's surviving spouse for the spouse's lifetime until the spouse remarries.
History of Section.
P.L. 1983, ch. 127, § 1; P.L. 1985, ch. 253, § 2; P.L. 1987, ch. 588, § 1; P.L. 1990, ch. 34, § 1; P.L. 1991, ch. 30, § 1; P.L. 2005, ch. 188, § 1; P.L. 2005, ch. 220, § 1; P.L. 2023, ch. 53, § 1, effective June 12, 2023; P.L. 2023, ch. 54, § 1, effective June 12, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-47. - Judiciary plates.

§ 31-3-47. Judiciary plates.

(a)

The administrator of the division of motor vehicles is empowered to make available to each justice of the supreme, superior, family, and district courts, to each judge of the workers' compensation court, the general magistrate of the family court, and to each judge or magistrate of the traffic tribunal of the state of Rhode Island, so long as that member is serving, a special motor vehicle registration plate.

(b)

Each special motor vehicle registration plate shall carry thereon the design and the seal of the state of Rhode Island and the word, "judiciary."

(c)

The special motor vehicle registration plate shall have consecutive numbers starting with one through the combined number of people entitled to said plates. Numbers one through five (5) shall be assigned to the supreme court; numbers six (6) through eight (8) shall be assigned to the presiding justice of superior court, chief judge of family court, and chief judge of district court, number nine (9) shall be assigned to the chief judge of the workers' compensation court; number ten (10) shall be assigned to the chief magistrate of the traffic tribunal. Each remaining member of the judiciary, and the remaining members of the workers' compensation court, and the remaining judges and magistrates of the traffic tribunal and the general magistrate of the family court will then be awarded a number according to seniority. The administrator of the division of motor vehicles shall reassign numbers no more than every four (4) years after the initial distribution.

(d)

Each member of the judiciary, workers' compensation court, the general magistrate of the family court and traffic tribunal, as provided in this section, shall have the option of displaying at any time that plate or the private registration plate assigned to his or her vehicle.

(e)

The administrator of the division of motor vehicles shall issue the judiciary plate upon payment, in addition to the regular prescribed motor vehicle registration fee, of a service charge of ten dollars ($10.00) for each issue and for each registration renewal.

History of Section.

P.L. 1983, ch. 195, § 1; P.L. 1987, ch. 52, § 2; P.L. 1998, ch. 442, § 4; P.L. 2008, ch. 1, § 9; P.L. 2021, ch. 77, § 14, effective June 23, 2021; P.L. 2021, ch. 78, § 14, effective June 23, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-48.1. - Plates for recipients of Distinguished Service Cross.

§ 31-3-48.1. Plates for recipients of Distinguished Service Cross.

(a)

The administrator of motor vehicles is empowered to make available to recipients of the United States Army Distinguished Service Cross medal a special motor vehicle registration plate for any motor vehicle eligible for registration as an automobile or commercial vehicle having a gross weight of twelve thousand pounds (12,000 lbs.) or less, indicating the owner as a recipient of the Distinguished Service Cross. The applicant shall be required to pay a registration fee and a transfer charge of five dollars ($5.00) for the plate.

(b)

The plate shall contain the words "Distinguished Service Cross" across the top of the plate, shall bear an insignia for the distinguished service cross, and then a numeral or numerals.

(c)

Upon the death of the holder of any "Distinguished Service Cross" plate, the plate shall be transferred to the surviving spouse for the spouse's lifetime or until remarriage.

History of Section.

P.L. 2001, ch. 246, § 1; P.L. 2023, ch. 53, § 1, effective June 12, 2023; P.L. 2023, ch. 54, § 1, effective June 12, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-48.2. - Plates for recipients of the Bronze Star Medal.

§ 31-3-48.2. Plates for recipients of the Bronze Star Medal.

(a)

The administrator of the division of motor vehicles is empowered to make available to recipients of the United States Bronze Star Medal a special motor vehicle registration plate for any motor vehicle eligible for registration as an automobile or commercial vehicle having a gross weight of twelve thousand pounds (12,000 lbs.) or less, indicating the owner as a recipient of the Bronze Star Medal. The applicant shall be required to pay a registration fee and a transfer charge of five dollars ($5.00) for the plate.

(b)

The plate shall contain the words "Bronze Star Medal" across the top of the plate, shall bear an insignia for the Bronze Star Medal, and then a numeral or numerals.

(c)

Upon the death of the holder of any “Bronze Star Medal” plate, the plate shall be transferred to the surviving spouse for the spouse’s lifetime or until remarriage.
History of Section.
P.L. 2022, ch. 71, § 1, effective June 15, 2022; P.L. 2022, ch. 72, § 1, effective June 15, 2022; P.L. 2023, ch. 53, § 1, effective June 12, 2023; P.L. 2023, ch. 54, § 1, effective June 12, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-48. - Plates for recipients of Purple Heart.

§ 31-3-48. Plates for recipients of Purple Heart.
(a)
The administrator of the division of motor vehicles is empowered to make available to recipients of the Purple Heart Medal up to two (2) sets of special motor vehicle registration plates for any motor vehicle eligible for registration as an automobile or commercial vehicle having a gross weight of twelve thousand pounds (12,000 lbs.) or less, indicating the owner as a recipient of the Purple Heart.
(b)
The plate shall contain the words “combat wounded” across the top of the plate and shall have an insignia for the Purple Heart and be followed by the letters “P H”, followed by a numeral or numerals. The Purple Heart insignia may be reproduced on the plate in the color purple.
(c)
Upon the death of the holder of any Purple Heart plates, the plates shall be transferred to the holder’s surviving spouse for the spouse’s lifetime until the spouse remarries.
(d)
The applicant is not required to pay a registration fee or service charge for the plates.
(e)
Upon the death of the holder of any Purple Heart plates, if there is no surviving spouse, a family member of the recipient may retain one of the special motor vehicle registration plates in the family member’s own keeping, provided the family member does not display the plate upon any motor vehicle or any other form of transportation owned or operated by the family member. The other Purple Heart plate must be returned to the division of motor vehicles.
(f)
Any violation of the provisions of subsection (e) of this section shall be deemed a civil violation, and any person displaying a special motor vehicle registration plate upon any vehicle shall, upon conviction, be fined five hundred dollars ($500) for each offense. Each day in which the special motor vehicle registration plate is displayed upon any vehicle shall be a separate offense punishable by the same penalty.
History of Section.
P.L. 1987, ch. 53, § 1; P.L. 1987, ch. 345, § 2; P.L. 1989, ch. 482, § 1; P.L. 1990, ch. 186, § 1; P.L. 1994, ch. 188, § 1; P.L. 2000, ch. 109, § 56; P.L. 2002, ch. 254, § 1; P.L. 2015, ch. 137, § 1; P.L. 2015, ch. 149, § 1; P.L. 2022, ch. 334, § 1, effective June 29, 2022; P.L. 2022, ch. 335, § 1, effective June 29, 2022; P.L. 2023, ch. 53, § 1, effective June 12, 2023; P.L. 2023, ch. 54, § 1, effective June 12, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-49. - Chief Judge Emeritus — Charles F. Trumpetto.

§ 31-3-49. Chief Judge Emeritus — Charles F. Trumpetto.
The division of motor vehicles of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of former district court judge, Charles F. Trumpetto. This plate is to bear the identification “Chief Judge Emeritus” with a seal of the state imprinted on it and shall be furnished without additional registration charge for such period of time as Judge Trumpetto so desires.
History of Section.
P.L. 1987, ch. 611, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-5. - Grounds for refusal of registration.

§ 31-3-5. Grounds for refusal of registration.
The division of motor vehicles shall refuse registration or any transfer of registration upon any of the following grounds:
(1)
That the application contains any false or fraudulent statement, or that the applicant has failed to furnish required information, or reasonable additional information requested by the division of motor vehicles, or that the applicant is not entitled to the issuance of registration of the vehicle under chapters 3 — 9 of this title;
(2)
That the vehicle is mechanically unfit or unsafe to be operated upon the highways;

(3)
That the division of motor vehicles has reasonable ground to believe that the vehicle is a stolen or embezzled vehicle, or that the granting of registration would constitute a fraud against the rightful owner;
(4)
That the registration of the vehicle stands suspended or revoked for any reason as provided in the motor vehicle laws of this state;
(5)
That the vehicle has been reported by any city or town to the division of motor vehicles as having unpaid fines in the aggregate amount of two hundred dollars ($200) or more, including any and all interest, penalties, or other monetary amount that may be imposed for failure to pay the fines by a specified date; provided, the registration shall be issued upon presentation of proof of payment of the outstanding fines, including any and all interest, penalties, or other monetary amount owed to the cities or towns reporting the unpaid fines. When the division of motor vehicles denies a registration to any person pursuant to this subsection, the city or town requesting the denial of registration shall add a five-dollar ($5.00) fee to the aggregate value of the sum of the fines and, upon payment, shall transmit the fee to the division of motor vehicles. The provisions of this subsection shall not apply to any vehicle owned by a rental company, as defined in § 31-34.1-1;
(6)
That the vehicle does not comply with regulations promulgated pursuant to § 23-23-5(18);
(7)
That the vehicle does not comply with the provisions of chapter 47.1 of this title and any rules and regulations promulgated under that chapter;
(8)
That a commercial motor vehicle is being operated by a commercial motor carrier that has been prohibited from operating in interstate commerce by a federal agency with authority to do so under federal law;
(9)
That the registered owner of a vehicle failed to pay the required toll amounts, administrative fees, and fines as prescribed in § 24-12-37; or
(10)
That the vehicle is a “Kei car” or “Kei truck”. Provided, however, that the registrant of any “Kei car” or “Kei truck” which was validly registered prior to June 1, 2024, shall not be denied renewal of that registration based solely on the vehicle type; and further, provided that, any such registrations shall not be permitted to be transferred. Every person lawfully operating a “Kei car” or “Kei truck” shall have the right to use the public highways in the state including any state highway, through highway, limited-access highway or public highway or roadway with a posted speed limit of thirty-five miles per hour (35 m.p.h.) or less. Nothing in this subsection, however, shall be construed to prohibit a “Kei car” or “Kei truck” from crossing a public highway at an intersection where the public highway to be crossed has a posted speed limit between thirty-five miles per hour (35 m.p.h.) and forty-five miles per hour (45 m.p.h.); provided the public highway the “Kei car” or “Kei truck” is traveling on and the public highway the “Kei car” or “Kei truck” is crossing the intersection toward both have a speed limit no higher than thirty-five miles per hour (35 m.p.h.) and the intersection is controlled by traffic signals or stop signs.
History of Section.
P.L. 1950, ch. 2595, art. 3, § 4; G.L. 1956, § 31-3-5; P.L. 1980, ch. 312, § 1; P.L. 1981, ch. 250, § 1; P.L. 1983, ch. 221, § 8; P.L. 1987, ch. 448, § 1; P.L. 1992, ch. 361, § 2; P.L. 1993, ch. 254, § 3; P.L. 2000, ch. 276, § 1; P.L. 2010, ch. 193, § 2; P.L. 2016, ch. 383, § 1; P.L. 2016, ch. 397, § 1; P.L. 2017, ch. 217, § 1; P.L. 2018, ch. 349, § 1; P.L. 2024, ch. 414, § 2, effective July 1, 2024; P.L. 2024, ch. 415, § 2, effective July 1, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-50. - Chief Judge Emeritus 8 — William R. Goldberg.

§ 31-3-50. Chief Judge Emeritus 8 — William R. Goldberg.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of former family court chief judge, William R. Goldberg. This plate is to bear the identification “Chief Judge Emeritus 8” with a seal of the state thereon imprinted and shall be furnished without additional registration charge for such period of time as Judge Goldberg so desires.
History of Section.
P.L. 1987, ch. 481, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-51. - Police Chief Emeritus — Matthew Lynch.

§ 31-3-51. Police Chief Emeritus — Matthew Lynch.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of former police chief of the city of Woonsocket, Matthew Lynch. This plate is to bear the identification “Police Chief Emeritus” and shall be furnished without additional registration charge for such period of time as Matthew Lynch so desires.

History of Section.
P.L. 1987, ch. 611, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-52. - Certificate of prior use.

§ 31-3-52. Certificate of prior use.
Upon the sale or transfer of title by a dealer of any used motor vehicle, the dealer shall execute and deliver to the buyer an instrument in writing in a form prescribed by the Rhode Island automobile dealers licensing commission which shall set forth the nature of the principal prior use of the vehicle when dealers know or have reason to know that the use of vehicle was a taxicab, police vehicle, driver education vehicle, rental vehicle, or vehicle which has been repurchased pursuant to chapter 5.2 or chapter 5.4 of this title, a similar statute of another state, or an arbitration or alternative dispute procedure.
History of Section.
P.L. 1988, ch. 225, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-53. - Veterans' plates.

§ 31-3-53. Veterans' plates.
(a)
The registrar of motor vehicles shall issue for any motor vehicle eligible for registration as an automobile, or for any motorcycle eligible for registration as a motorcycle, or for a commercial vehicle having a gross weight of twelve thousand pounds (12,000 lbs.) or less, plates designated as "Veteran" upon application on proper forms furnished by the administrator of the division of motor vehicles to veterans.
(b)
The special plate designated "Veteran" shall be designed as follows:
(1)
Letters and numbers shall be blue in a white background with the words "Rhode Island" clearly visible at the top center of the plate and the word "Veteran" visible at the bottom center of the plate.
(2)
The background will be a red, white, and blue waving American Flag.
(3)
On the top right corner will be a decal with the military branch of the service in which the Veteran served (Army, Navy, Air Force, Marines, Coast Guard, and Merchant Marines).
(4)
For war veterans, a white decal with blue letters with the words "War Veteran" placed under the military branch decal on the right side of the plate above the validation sticker.
(c)
The applicant shall not be required to pay a service charge or a transfer charge for each plate.
(d)(1)
The applicant shall be entitled to a plate for each vehicle owned by the applicant.
(2)
The applicant shall also be entitled to a plate for one vehicle owned by an entity the applicant owns. The entity must be registered and authorized to conduct business in the state of Rhode Island. The applicant must provide to the division of motor vehicles documentation demonstrating the applicant's ownership of the entity.
(e)
The owner of a motor vehicle eligible for registration as a commercial vehicle and having a gross weight of twelve thousand pounds (12,000 lbs.) or less who is issued veteran plates shall continue to pay the appropriate commercial registration fee for those plates.
(f)(1)
For the purposes of this section, a "veteran" shall be defined as any person who has served on active duty in the armed forces of the United States. The term "veteran" shall also include members of the National Guard and Reserves: (i) Called to active duty authorized by the President of the United States or the Secretary of Defense; or (ii) Who have twenty (20) years of service with a letter and record of separation of service.
(2)
For the purposes of this section, "War Veteran" shall be defined as any veteran of any conflict or undeclared war who has earned a campaign ribbon or expeditionary medal for service in either a declared or undeclared war as noted on the war veteran's DD-214. Upon the death of the holder of any veteran plates, the plates shall be transferred to the surviving spouse for the spouse's lifetime until he or she remarries.
(g)
The "veteran" or "war veteran" described in subdivisions (f)(1)(i) or (ii) and (f)(2) must have been honorably discharged from the armed forces of this nation in order to receive plates pursuant to this section and, for purposes of this section, a medical discharge or

a general discharge shall be deemed an honorable discharge.
(h)
[Deleted by P.L. 2021, ch. 119, § 1 and P.L. 2021, ch. 120, § 1.]
(i)
A person shall be eligible for a veterans' plate if his or her deceased spouse was eligible for a veterans' plate, notwithstanding the fact that the eligible, deceased spouse died prior to the enactment of this section in 1988.
History of Section.
P.L. 1988, ch. 458, § 1; P.L. 1989, ch. 354, § 1; P.L. 1990, ch. 186, § 1; P.L. 1990, ch. 402, § 1; P.L. 1990, ch. 426, § 1; P.L. 1990, ch. 454, § 1; P.L. 1991, ch. 30, § 1; P.L. 1992, ch. 156, § 2; P.L. 1992, ch. 334, § 1; P.L. 1993, ch. 411, § 1; P.L. 1995, ch. 305, § 1; P.L. 1997, ch. 126, § 1; P.L. 2000, ch. 323, § 1; P.L. 2000, ch. 460, § 1; P.L. 2004, ch. 428, § 1; P.L. 2006, ch. 212, § 1; P.L. 2006, ch. 343, § 1; P.L. 2006, ch. 642, § 1; P.L. 2007, ch. 59, § 1; P.L. 2007, ch. 68, § 1; P.L. 2008, ch. 10, § 1; P.L. 2008, ch. 11, § 1; P.L. 2008, ch. 152, § 1; P.L. 2014, ch. 510, § 1; P.L. 2016, ch. 142, art. 9, § 2; P.L. 2021, ch. 119, § 1, effective July 2, 2021; P.L. 2021, ch. 120, § 1, effective July 2, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-54. - Police Chief Emeritus — John C. Beebe III.

§ 31-3-54. Police Chief Emeritus — John C. Beebe III.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the motor vehicle of former police chief of the city of Newport, John C. Beebe III. This plate is to bear the identification "Police Chief Emeritus" along with an appropriate number and shall be furnished without additional registration charge for such period of time as John C. Beebe III so desires.
History of Section.
P.L. 1988, ch. 591, § 1; P.L. 1999, ch. 300, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-56. - Congressman Emeritus — Fernand J. St. Germain.

§ 31-3-56. Congressman Emeritus — Fernand J. St. Germain.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of former United States representative, first district, Fernand J. St. Germain. This plate is to bear the identification "Congressman Emeritus", along with an appropriate number and the plate shall be furnished without additional registration charge for such period of time as Fernand J. St. Germain so desires.
History of Section.
P.L. 1989, ch. 558, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-57. - Police Chief Emeritus — John T. Botelho.

§ 31-3-57. Police Chief Emeritus — John T. Botelho.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of former police chief of the town of East Greenwich, John T. Botelho. This plate is to bear the identification "Police Chief Emeritus", along with an appropriate number and the plate shall be furnished without additional registration charge for such period of time as John T. Botelho so desires.
History of Section.
P.L. 1990, ch. 41, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-58. - Judge Emeritus — Edward J. Plunkett.

§ 31-3-58. Judge Emeritus — Edward J. Plunkett.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of former district court judge, Edward J. Plunkett. This plate is to bear the identification "Judge Emeritus" with an appropriate number and a seal of the state thereon imprinted and the plate shall be furnished without additional registration charge for such period of time as Judge Plunkett so desires.
History of Section.
P.L. 1990, ch. 276, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-59.1. - Congressman Emeritus — Edward Beard.

§ 31-3-59.1. Congressman Emeritus — Edward Beard.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private

passenger motor vehicle of former United States Representative, Second District, Edward Beard. This plate is to bear the identification “Congressman Emeritus” along with an appropriate number and the plate shall be furnished without additional registration charge for such period of time as Edward Beard so desires.
History of Section.
P.L. 1992, ch. 111, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-59. - House Emeritus — Irving Levin.

§ 31-3-59. House Emeritus — Irving Levin.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of former representative Irving Levin. This plate is to bear the identification “Representative Emeritus” along with an appropriate number and the plate shall be furnished without additional registration charge for such period of time as Irving Levin so desires.
History of Section.
P.L. 1991, ch. 41, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-6.1.1. - Denial of registration — Denial of transfer of registration — Failure to file tax returns and/or pay taxes.

§ 31-3-6.1.1. Denial of registration — Denial of transfer of registration — Failure to file tax returns and/or pay taxes.
(a)
On or before October 31 in each year and at least quarterly thereafter, the tax administrator shall furnish the division of motor vehicles, with a list of the names, addresses and social security numbers of persons who have neglected or refused to file a tax return(s) and/or to pay any tax administered by the tax administrator and that there is no administrative or appellate review pending regarding such tax matter.
(b)
Thereafter, the tax administrator, at the times and in the manner mutually agreed to by the tax administrator and the administrator of the division of motor vehicles, shall furnish to the division of motor vehicles the names, addresses and social security numbers of those persons whose names appear on that list but who have subsequently filed all required returns and paid all required taxes, interest and attendant penalties in full or entered into a time payment agreement satisfactory to the tax administrator. Upon receipt of said information, said names, addresses and social security numbers of said persons shall be removed from the list.
(c)
The administrator of the division of motor vehicles shall not register any motor vehicle or transfer the registration of any motor vehicle for any person whose name appears on a list provided by the tax administrator pursuant to subsection (a) above until all state taxes, interest and attendant penalties have been paid in full and the payment has been certified to the division of motor vehicles by the tax administrator.
(d)
If the person thereafter files an overdue return and/or remits past taxes due or enters into a satisfactory time payment agreement with respect to any and all returns due and taxes payable, the tax administrator shall, within five (5) business days of the person’s request, provide the division of motor vehicles with a certificate of good standing specified in § 5-76-5. Within five (5) business days of receiving such a certificate, the division of motor vehicles shall register or transfer the person’s registration.
(e)
If a person files an overdue return and/or remits past due taxes in order to register a motor vehicle or transfer the registration of a motor vehicle, said late filing and/or payment shall not be an admission of a violation of any criminal tax statute regarding late filing and/or late payment. The tax administrator shall not refer such person to the attorney general for prosecution based solely upon said late filing and/or payment of past due taxes.
History of Section.
P.L. 2014, ch. 145, art. 12, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-6.1. - List of vehicles and licenses on which taxes delinquent — Denial of renewal of registration and licenses.

§ 31-3-6.1. List of vehicles and licenses on which taxes delinquent — Denial of renewal of registration and licenses.
(a)
The administrator/division of motor vehicles shall furnish to the Tax Administrator a listing showing the names, addresses and social security numbers of persons whose operator’s license and/or motor vehicle registration is subject to renewal within ninety (90) days. If within ninety (90) days prior to the renewal date the tax administrator determines that any person seeking to renew his/her operator’s license and/or registration has neglected or refused to file any tax returns or to pay any tax administered by the tax administrator and that such tax matter is not pending administrative or appellate review, the tax administrator shall send a written notice to such person informing him/her of the tax administrator’s intention to inform the division of motor vehicles not to renew the person’s operator license and/or motor vehicle registration and of the procedures available to the person to contest that

determination.
(b)
Within twenty-one (21) days from the date of such notice, the licensee or registrant may request, in writing, a conference with the tax administrator or his/her designee, in order to show proof of payment of all taxes or for the purpose of entering into a time payment agreement for the delinquent taxes satisfactory to the tax administrator.
(c)
If upon the expiration of twenty-one (21) days from the date of the notice to the licensee or registrant or, if a conference has been requested, after a conference has been held, the licensee or registrant has not demonstrated to the satisfaction of the tax administrator that he/she has filed all required returns and paid all required taxes, or that the licensee or registrant has not entered into time payment arrangement satisfactory to the tax administrator, the tax administrator shall notify the administrator/division of motor vehicles that the licensee or registrant is delinquent in filing tax returns and/or remitting taxes due. The tax administrator shall send a copy of the notification to the licensee or registrant.
(d)
The administrator/division of motor vehicles shall not renew any operator's license or registration upon expiration thereof until all state taxes, interest and attendant penalties have been paid in full or the licensee or registrant has entered into a time payment agreement satisfactory to the tax administrator.
(e)
If the licensee thereafter files an overdue return and/or remits past taxes due or enters into a satisfactory time payment agreement with respect to any and all returns due and taxes payable, the tax administrator shall, within five (5) business days of a licensee's request, provide the appropriate agency or authority the certificate of good standing specified in § 5-76-5. Within five (5) business days of receiving such a certificate, the agency or authority shall reinstate, reissue, renew or otherwise extend the licensee's license.
(f) Payment of tax not an admission.
If the licensee or registrant files an overdue return and/or remits past due taxes in order to apply for or renew a license or registration, said late filing and/or payment shall not be an admission of a violation of any criminal tax statute regarding late filing and/or late payment. The tax administrator shall not refer such person to the Attorney General for prosecution based solely upon said late filing and/or payment of past due taxes.
History of Section.
P.L. 2004, ch. 595, art. 39, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-6.2. - List of vehicles and licenses on which court costs owed delinquent — Denial of renewal of registration and licenses.

§ 31-3-6.2. List of vehicles and licenses on which court costs owed delinquent — Denial of renewal of registration and licenses.
(a)
The administrator/division of motor vehicles shall furnish to the State Court Administrator a listing showing the names, addresses and social security numbers of persons whose operator's license and/or motor vehicle registration is subject to renewal within ninety (90) days. If within ninety (90) days prior to the renewal date the state court administrator determines that any person seeking to renew his/her operator's license and/or registration has neglected or refused to pay any cash assistance benefit overpayments, court costs owed, fines owed, obligations owed or restitution owed, as such terms are defined in § 44-30.1-1, the state court administrator shall send a written notice to such person informing him/her of the state court administrator's intention to inform the division of motor vehicles not to renew the person's operator license and/or motor vehicle registration and of the procedures available to the person to contest the determination. For the purposes of this section, the terms cash assistance benefit overpayments, court costs owed, fines owed, obligations owed or restitution owed by a debtor as defined in § 44-30.1-1, are referred to as "costs owed".
(b)
Within twenty-one (21) days from the date of such notice, the licensee or registrant may request, in writing, a conference with the state court administrator or his/her designee, in order to show proof of payment of all costs owed or for the purpose of entering into a time payment agreement for the delinquent costs owed satisfactory to the state court administrator.
(c)
If upon the expiration of twenty-one (21) days from the date of the notice to the licensee or registrant or, if a conference has been requested, after a conference has been held, the licensee or registrant has not demonstrated to the satisfaction of the state court administrator that he/she has paid all required costs owed or that the licensee or registrant has not entered into time payment arrangement satisfactory to the state court administrator, the state court administrator shall notify the administrator/division of motor vehicles that the licensee or registrant is delinquent in paying costs owed. The state court administrator shall send a copy of the notification to the licensee or registrant.
(d)
The administrator/division of motor vehicles shall not renew any operator's license or registration upon expiration thereof until all costs owed have been paid in full or the licensee or registrant has entered into a time payment agreement satisfactory to the state court administrator.
(e)
If the licensee thereafter files an overdue return and/or remits past taxes due or enters into a satisfactory time payment agreement

with respect to any and all returns due and taxes payable, the tax administrator shall, within five (5) business days of a licensee's request, provide the appropriate agency or authority the certificate of good standing specified in § 5-76-5. Within five (5) business days of receiving such a certificate, the agency or authority shall reinstate, reissue, renew or otherwise extend the licensee's license.
History of Section.
P.L. 2004, ch. 595, art. 39, § 3; P.L. 2006, ch. 246, art. 23, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-6.3. - Unpaid out-of-state toll amounts, administrative fees, and fines — Denial of registration — Denial of transfer of registration — Denial of renewal of registration and licenses.

§ 31-3-6.3. Unpaid out-of-state toll amounts, administrative fees, and fines — Denial of registration — Denial of transfer of registration — Denial of renewal of registration and licenses.
(a)
Upon receipt of a request from another state or other entity with similar tolling authority with which the Rhode Island turnpike and bridge authority has entered into an agreement providing for the reciprocal treatment of out-of-state toll violators to take action against a toll violator, the Rhode Island turnpike and bridge authority shall conduct an independent review of each toll violation that forms the basis for such request, which shall include a review of photographic, video, or other visual evidence, to determine that the requesting state or other entity with similar tolling authority imposed any toll amounts, administrative fees, and/or fines against the actual registered owner of the motor vehicle.
(b)
As part of its independent review, the Rhode Island turnpike and bridge authority shall provide written notice to the registered owner of the motor vehicle in question. The registered owner shall have ten (10) days from the date on the written notice to contact the Rhode Island turnpike and bridge authority and to provide information, documentation, and any other evidence contesting the requested action against the out-of-state toll violator. Thereafter, the Rhode Island turnpike and bridge authority shall consider all of the information, documentation, and any other evidence provided as part of its independent review.
(c)
If after its independent review the Rhode Island turnpike and bridge authority is satisfied that any toll amounts, administrative fees, and/or fines are properly imposed against the actual registered owner of the motor vehicle and the registered owner could be subject to reporting to the division of motor vehicles pursuant to § 24-12-37 if such toll violations had occurred on tolled projects in this state, the Rhode Island turnpike and bridge authority may report the registered owner to the division of motor vehicles.
(d)
The division of motor vehicles shall not renew any operator's license or registration upon expiration thereof; register any motor vehicle; or transfer the registration of any motor vehicle of any person reported to it pursuant to subsection (c) of this section until any toll amounts, administrative fees, and/or fines owed to the other state or other entity with similar tolling authority have been paid in full or the person has entered into, and is in current compliance with, a repayment agreement with respect to any amounts owed. The Rhode Island turnpike and bridge authority shall provide a copy of any notification received from the other state or other entity with similar tolling authority regarding full payment of amounts owed or the existence of a repayment agreement to the division of motor vehicles within five (5) business days of receipt. Within five (5) business days of receiving such notification, the division of motor vehicles shall renew the person's license and renew, transfer, or issue the person's registration.
History of Section.
P.L. 2017, ch. 336, § 1; P.L. 2017, ch. 340, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-6. - List of vehicles on which taxes delinquent — Denial of registration.

§ 31-3-6. List of vehicles on which taxes delinquent — Denial of registration.
(a)
On or before October 31 in each year, the collector of taxes of each city or town shall furnish the division of motor vehicles, with a listing showing the registration plate numbers, names, and addresses of the taxpayers of the city or town whose personal property and/or excise tax on motor vehicles, the assessment of which were made the prior December 31 in the case of the property tax, and the tax levied in the current year in the case of the excise tax, remained unpaid as of the date of the list. Subsequently, the collector of taxes in each city or town shall, at the times and in the manner prescribed by the administrator of the division of motor vehicles, furnish to the division of motor vehicles the names and addresses of those persons whose names appeared on that list who have subsequently paid the personal property, and/or excise taxes on motor vehicles, and the division shall remove from the list the names and addresses of those persons. No city or town treasurer or tax collector shall refuse to accept personal property, and/or excise taxes on a motor vehicle, or refuse to remove the names and addresses of the owners of the vehicle from the list because of any other taxes owing the city or town. No person, corporation, partnership, joint stock company, or association whose name appears on the list and whose name has not been subsequently removed from the list shall be permitted to register any motor vehicle until all the excise and attendant penalties have been paid in full and the payment has been certified to the division of motor vehicles by the tax collector. The provisions of this section shall not be construed so as to prevent the payment of taxes on motor vehicles in quarterly installments as provided in chapter 5 of title 44. The provisions of this section shall apply in all respects in the case of taxes assessed

upon motor vehicles by any fire district.
(b)
The division of motor vehicles (the “division”) shall provide a written notice to those persons or other taxpayers (the “person”) whose name appears on the list generated in accordance with the provisions of subsection (a). This notice shall include:
(1)
The name of the municipality or other entity providing the person’s name to the division; and
(2)
A statement that the person identified on the list shall not be permitted to register any motor vehicle until the tax matter has been resolved and the person’s name is removed from the list as provided for under subsection (a).
History of Section.
P.L. 1950, ch. 2595, art. 2, § 7; P.L. 1956, ch. 3714, § 1; P.L. 1956, ch. 3714, § 3; G.L. 1956, § 31-3-6; R.P.L. 1957, ch. 142, § 1; P.L. 1978, ch. 341, § 6; P.L. 1979, ch. 379, § 2; P.L. 1988, ch. 84, § 61; P.L. 2018, ch. 175, § 1; P.L. 2018, ch. 293, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-60. - Alternative design plates.

§ 31-3-60. Alternative design plates.
(a)
The administrator of the division of motor vehicles is empowered and authorized to make available to every owner of a motor vehicle eligible for registration as an automobile or commercial vehicle plates designated as “alternative design” upon application on proper forms furnished by the administrator of the division of motor vehicles. The alternative plates shall display upon them the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the registration plates issued to the vehicle for the period the registration remains active. Upon issuance of said alternative plates, the original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles for destruction.
(b)
The alternative plates shall be designed as follows:
(1)
White reflective background;
(2)
Top border shall be red stripes except the words “Rhode Island” which shall be solid red;
(3)
Letters and numbers shall be blue;
(4)
Bottom border shall be blue stripes with thirteen (13) white stars;
(5)
On the bottom above the border the words “Ocean State” in blue except commercial plates which shall have the word “Commercial” in place of the words “Ocean State”;
(6)
Background shall contain the picture of a sailboat and water in grey.
(c)
The applicant shall be required to pay a service charge of twenty dollars ($20.00) for the plate.
(d)
The owner of a motor vehicle eligible for registration as an automobile that is issued alternative plates shall continue to pay the appropriate automobile registration fee for the plates. The owner of a motor vehicle eligible for registration as a commercial vehicle that is issued alternative plates shall continue to pay the appropriate commercial registration fee for the plates pursuant to § 31-3-11.
History of Section.
P.L. 1991, ch. 114, § 1; P.L. 1993, ch. 138, art. 85, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-61. - Fire Chief Emeritus — Gerald Landry.

§ 31-3-61. Fire Chief Emeritus — Gerald Landry.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of former fire chief of the city of Woonsocket, Gerald Landry. This plate is to bear the identification “Fire Chief Emeritus” along with an appropriate number and the plate shall be furnished without additional registration charge for such period of time as Gerald Landry so desires.
History of Section.
P.L. 1991, ch. 142, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-62.

- National Guard plates.

§ 31-3-62. National Guard plates.

(a)

The administrator of the division of motor vehicles is empowered and authorized to make available to all active and retired members of the Rhode Island Army and Air National Guard a special motor vehicle registration plate for any motor vehicle eligible for registration as an automobile or a commercial vehicle having a gross weight of twelve thousand pounds (12,000 lbs.) or less. Upon the death of the holder of "National Guard" plates, the plates may be transferred to the surviving spouse of the member of the National Guard for the spouse's lifetime or until the spouse remarries.

(b)

The special motor vehicle registration plate shall carry on it the designation "National Guard" and shall also carry on it an emblem on the left-hand side of the plate to be designed and provided by the office of the adjutant general, with the numerals to the right of it.

(c)

The administrator of the division of motor vehicles shall issue the plate upon the payment of a service charge of twenty dollars ($20.00) and a transfer charge of five dollars ($5.00) for the plate. All revenues shall be deposited as general revenues.

(d)

For the purposes of this section an active or retired member of the Rhode Island Army and Air National Guard shall be defined as any person certified by the adjutant general as currently serving or having retired under honorable conditions in either the Rhode Island Army or Air National Guard.

(e)

In a state of emergency, any active member of the Army or Air National Guard driving a vehicle bearing the special motor vehicle registration plate shall be authorized and empowered to travel upon the highways of the state notwithstanding any driving ban imposed by any state or municipal authority.

History of Section.

P.L. 1992, ch. 143, § 1; P.L. 1993, ch. 97, § 1; P.L. 1995, ch. 370, art. 40, § 101; P.L. 2003, ch. 130, § 1; P.L. 2003, ch. 144, § 1; P.L. 2023, ch. 53, § 1, effective June 12, 2023; P.L. 2023, ch. 54, § 1, effective June 12, 2023; P.L. 2024, ch. 146, § 1, effective June 17, 2024; P.L. 2024, ch. 147, § 1, effective June 17, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-63. - High Sheriff Emeritus — Anthony A. Giorgio.

§ 31-3-63. High Sheriff Emeritus — Anthony A. Giorgio.

The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of the former high sheriff of Kent County, Anthony A. Giorgio. This plate is to bear the identification "High Sheriff Emeritus" along with an appropriate number and the plate shall be furnished without additional registration charge for such period of time as Anthony A. Giorgio so desires.

History of Section.

P.L. 1992, ch. 193, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-64. - Combination plates.

§ 31-3-64. Combination plates.

(a)

The administrator of the division of motor vehicles shall issue:

(1)

For any motor vehicle eligible for registration as a commercial vehicle having a gross weight of eight thousand eight hundred pounds (8,800 lbs.) or less, plates designated as "combination" upon application and proper form furnished by the administrator of the division of motor vehicles to applicants. The combination plates will allow those vehicles to drive for both commercial and pleasure purposes; or

(2)

For any motor vehicle eligible for registration as a commercial vehicle having a gross weight over eight thousand eight hundred pounds (8,800 lbs.) up to eleven thousand eight hundred pounds (11,800 lbs.) plates designated as "combination" upon application, proof of ownership of a camping trailer, fifth-wheel camper trailer, travel trailer, or truck camper as defined in § 31-1-3, and proper form furnished by the administrator of the division of motor vehicles to applicants. The combination plates will allow those vehicles to drive for pleasure purposes only.

(b)

The fees for commercial vehicles registering for a combination plate shall be identical to those established for other commercial vehicles of the same weight. A combination registration transaction shall be considered a change to a new registration classification and not a plate change transaction. A combination registration shall be renewable during the month of March each year.

History of Section.
P.L. 1992, ch. 220, § 1; P.L. 1997, ch. 108, § 1; P.L. 2004, ch. 581, § 1; P.L. 2017, ch. 448, § 1; P.L. 2017, ch. 464, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-65. - Judge Emeritus — Paul DelNero.

§ 31-3-65. Judge Emeritus — Paul DelNero.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of former district court judge, Paul DelNero. This plate is to bear the identification “Judge Emeritus” with an appropriate number and a seal of the state thereon imprinted and the plate shall be furnished without additional registration charge for such period of time as Judge DelNero so desires.
History of Section.
P.L. 1992, ch. 290, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-67. - Judge Emeritus — Carmine R. DiPetrillo.

§ 31-3-67. Judge Emeritus — Carmine R. DiPetrillo.
The administrator of the division of the motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of former family court judge Carmine R. DiPetrillo. This plate is to bear the identification “Judge Emeritus” with an appropriate number and a seal of the state thereon imprinted and the plate shall be furnished without additional registration charge for such period of time as Judge DiPetrillo so desires.
History of Section.
P.L. 1994, ch. 240, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-68. - Police Chief Emeritus — Vincent A. Acciardo.

§ 31-3-68. Police Chief Emeritus — Vincent A. Acciardo.
The administrator of the division of the motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of former police chief Vincent A. Acciardo of the town of Johnston. The plate shall bear the identification “Police Chief Emeritus” with an appropriate number and seal of the state imprinted on the plate and the plate shall be furnished without additional registration charge for any period of time that former Chief Acciardo desires.
History of Section.
P.L. 1999, ch. 292, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-69. - Registration suspension based on federal determination.

§ 31-3-69. Registration suspension based on federal determination.
The division of motor vehicles is authorized to suspend the registration of a commercial motor vehicle if the commercial motor vehicle is being operated by a commercial motor carrier that has been prohibited from operating in interstate commerce by a federal agency with authority to do so under federal law.
History of Section.
P.L. 2000, ch. 276, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-7. - Registration — Indexing of records.

§ 31-3-7. Registration — Indexing of records.
The division of motor vehicles shall file each application received and when satisfied as to its genuineness and regularity, and that the applicant is entitled to register the vehicle, shall register the vehicle and keep a record of it in suitable books or on index cards as follows:
(1)
Under a distinctive regulation number assigned to the vehicle;
(2)
Alphabetically, under the name of the owner;
(3)
Under the motor number if available, otherwise any other identifying number of the vehicle; and
(4)
In the discretion of the division of motor vehicles, in any other manner it may deem desirable.
History of Section.
P.L. 1950, ch. 2595, art. 3, § 5; G.L. 1956, § 31-3-7; P.L. 2010, ch. 239, § 26.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-70. - Police Lieutenant Emeritus — John J. Sinotte.

§ 31-3-70. Police Lieutenant Emeritus — John J. Sinotte.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of Jeanna Sinotte, the widow of deceased Police Lieutenant John J. Sinotte of the town of Johnston. The plate is to bear the identification "Police Lt. Emeritus" with the designation number "20" and the seal of the state imprinted on it. The plate shall be furnished without additional registration charge for as long as Jeanna Sinotte desires.
History of Section.
P.L. 2001, ch. 104, § 1; P.L. 2001, ch. 345, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-71. - Chief Justice Emeritus — Joseph R. Weisberger.

§ 31-3-71. Chief Justice Emeritus — Joseph R. Weisberger.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of former State Supreme Court Chief Justice Joseph R. Weisberger. The plate to bear the designation "Chief Justice Emeritus", with an appropriate designation number and the seal of the state imprinted on it. The plate shall be furnished without additional registration charge for as long as Chief Justice Weisberger desires.
History of Section.
P.L. 2001, ch. 401, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-72. - Special plate for Mr. Potato Head.

§ 31-3-72. Special plate for Mr. Potato Head.
(a)
The administrator of the division of motor vehicles is empowered to make available a special motor vehicle registration plate commemorating the fiftieth (50th) anniversary of Mr. Potato Head. The plate shall bear the designation "Mr. Potato Head — 50th anniversary" and shall bear the seal of the state imprinted on it. The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the original registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and the registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(b)
A special automobile or commercial commemorative Mr. Potato Head — 50th anniversary plate shall be issued upon application using forms furnished by the administrator upon payment in addition to the regular prescribed motor vehicle registration fee, and a service charge of forty dollars ($40.00) for each issue. The service charge shall be paid to the administrator prior to the administrator's acceptance of the application. Twenty dollars ($20.00) of the service charge shall be paid to the Rhode Island Community Food Bank and twenty dollars ($20.00) shall be allocated to the division of motor vehicles for its costs in manufacturing and distributing the special plates.
History of Section.
P.L. 2002, ch. 138, § 1; P.L. 2002, ch. 382, § 1; P.L. 2005, ch. 66, § 1; P.L. 2005, ch. 178, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-73. - Police Major Emeritus, City of East Providence.

§ 31-3-73. Police Major Emeritus, City of East Providence.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of Brooke McGregor, the widow of deceased Police Major Alister McGregor of the city of East Providence Police Department. The plate is to bear the identification "Police Major Emeritus" with the designation number to be chosen by the widow and the seal of the state imprinted on it. The plate shall be furnished without additional registration charge for as long as Brooke McGregor desires.
History of Section.
P.L. 2002, ch. 220, § 1; P.L. 2002, ch. 252, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-74. - Police chief emeritus.

§ 31-3-74. Police chief emeritus.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the motor vehicle of the former police chief of the town of Coventry, Roger J. Laliberte. This plate is to bear the identification "Police Chief Emeritus," along with an appropriate designation number imprinted on it and shall be furnished without additional registration

charge for long as Roger J. Laliberte so desires.
History of Section.
P.L. 2003, ch. 52, § 1; P.L. 2003, ch. 243, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-75. - Senator Emeritus — William Zuccarelli.

§ 31-3-75. Senator Emeritus — William Zuccarelli.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of former senator William Zuccarelli. This plate is to bear the identification “Senator Emeritus” along with an appropriate number and the plate shall be furnished without additional registration charge for such period of time as William Zuccarelli so desires.
History of Section.
P.L. 2003, ch. 401, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-76. - Special license plate decal.

§ 31-3-76. Special license plate decal.
(a)
Notwithstanding any general law or regulation to the contrary, the administrator of the division of motor vehicles is hereby directed to make available a special license plate decal of the American flag made of the same material as the year sticker.
(b)
Upon the registration or renewal of a motor vehicle registration, the division of motor vehicles shall provide the owner the option to purchase for five dollars ($5.00), the American flag decal. Such decal shall be affixed at the lower left corner of the rear license plate and shall not obscure the reading of any part of the license plate.
(c)
After payment for the cost of production of the American flag decals, the next fifty thousand dollars ($50,000) generated from sales, shall be used to advertise and promote the purchase of these decals. All funds generated which exceed the production and promotion costs shall be contributed to the Rhode Island Military Family Relief Fund.
History of Section.
P.L. 2005, ch. 255, § 1; P.L. 2005, ch. 260, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-77. - Adjutant General Emeritus — Reginald A. Centracchio.

§ 31-3-77. Adjutant General Emeritus — Reginald A. Centracchio.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of the former Adjutant General of the Rhode Island National Guard, Reginald A. Centracchio.
This plate is to bear the identification “Adjutant General Emeritus” along with an appropriate number and the plate shall be furnished without additional registration charge for such period of time as Reginald A. Centracchio so desires.
History of Section.
P.L. 2005, ch. 312, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-78. - Special plate for Rotary International.

§ 31-3-78. Special plate for Rotary International.
(a)
The administrator of the division of motor vehicles is empowered to make available to the owners of private passenger motor vehicles who are members of Rotary Club International, District 7950, State of Rhode Island, special motor vehicle registration plates.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and the registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
Rotary Club motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed by the Rotary Club in conjunction with the division of motor vehicles.
(d)
Rotary Club plates shall be subject to a minimum pre-paid order of at least three hundred and sixty (360) plates. Rotary Club plates

shall not be issued unless the minimum order requirements are met.
(e)
The administrator of motor vehicles shall develop application forms, pre-payment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, Rotary Club plates shall be subject to a one-time fifty dollar ($50.00) issuance surcharge.
History of Section.
P.L. 2006, ch. 317, § 1; P.L. 2006, ch. 436, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-79. - Special plate for Audubon Society of Rhode Island/Save the Bay.

§ 31-3-79. Special plate for Audubon Society of Rhode Island/Save the Bay.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates based upon two (2) not-for-profit entities, the Audubon Society of Rhode Island and Save the Bay. The plate shall be designed to reference both entities.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and the registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Audubon Society of Rhode Island/Save the Bay motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed in conjunction with the division of motor vehicles.
(d)
Audubon Society of Rhode Island/Save the Bay plates shall be subject to a minimum pre-paid order of at least nine hundred (900) plates. Audubon Society of Rhode Island/Save the Bay plates shall not be issued unless the minimum order requirements are met.
(e)
The administrator of motor vehicles shall develop application forms, pre-payment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, Audubon Society of Rhode Island/Save the Bay plates shall be subject to a forty dollar ($40.00) issuance surcharge.
(g)
The forty dollar ($40.00) issuance surcharge shall be allocated as follows: twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually and equally; ten dollars ($10.00) per plate to the Audubon Society of Rhode Island; and ten dollars ($10.00) per plate to Save the Bay, to assist the Audubon Society of Rhode Island and Save the Bay in furtherance of their mission of preserving the state’s natural scenic beauty, fish and wildlife, and to continue the educational efforts of these respective entities. The distributions to the Audubon Society of Rhode Island and Save the Bay shall be placed in separate restricted accounts for each entity and shall be paid to the Audubon Society of Rhode Island and Save the Bay.
(h)
A ten dollar ($10.00) surcharge for subsequent registration renewals shall be allocated equally; five dollars ($5.00) per registration to the Audubon Society of Rhode Island; and five dollars ($5.00) per registration to Save the Bay.
(i)
Both the Audubon Society of Rhode Island and Save the Bay will be required to submit an annual audit, prepared by a certified public accountant before such monies are distributed.
(j)
There shall be no refunds for early cancellation of Audubon Society of Rhode Island/Save the Bay plates.
History of Section.
P.L. 2006, ch. 384, § 1; P.L. 2006, ch. 437, § 1; P.L. 2009, ch. 353, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-8. - Registration card — Contents.

§ 31-3-8. Registration card — Contents.
The division of motor vehicles, upon registering a vehicle, shall issue a registration card. The registration card shall be delivered to the owner and shall contain upon the its face, the date issued, the name and address of the owner, the registration number assigned to the vehicle, and such description of the vehicle as determined by the administrator of the division of motor vehicles, and, upon its reverse side, a form for endorsement of notice to the division of motor vehicles upon transfer of the vehicle.

History of Section.
P.L. 1950, ch. 2595, art. 3, § 6; G.L. 1956, § 31-3-8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-80. - Reserve Forces plates.

§ 31-3-80. Reserve Forces plates.
(a)
The administrator of the division of motor vehicles is empowered and authorized to make available to all active and retired members of the United States Reserve Forces of Rhode Island a special motor vehicle registration plate for any motor vehicle eligible for registration as an automobile or a commercial vehicle having a gross weight of eight thousand five hundred pounds (8,500 lbs.) or less.
(b)
The special motor vehicle registration plate shall carry on it the designation "US Reserve Forces" and shall carry on it the titles, (Army, Marines, Navy, Air Force and Coast Guard) arranged on the left hand side of the plate from top to bottom in this order of precedence, with numerals to the right of the titles.
(c)
The administrator of the division of motor vehicles shall issue the plate upon payment of a service charge of twenty dollars ($20.00) and a transfer charge of five dollars ($5.00) for the plate. All revenues shall be deposited as general revenues.
(d)
For the purposes of this section an active or retired member of the United States Reserve Forces shall be defined as currently serving or having retired under honorable conditions from any of the Reserve Forces other than the Rhode Island Army or Air National Guard.
(e)
In a national state of emergency, any active member of the United States Reserve Forces driving a vehicle bearing the special motor vehicle registration plate shall be authorized and empowered to travel upon the highways of the state notwithstanding any driving ban imposed by any state or municipal authority.
(f)
No US Reserve Forces plates shall be issued until at least nine hundred (900) such plates have been ordered.
History of Section.
P.L. 2006, ch. 643, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-81. - General state officers emeritus.

§ 31-3-81. General state officers emeritus.
The administrator of the division of motor vehicles is authorized and directed upon request to issue a special registration plate in recognition of honorable service to the state of a former state general officer for the private passenger motor vehicle of said officer to bear the identification of "Governor Emeritus", "Lieutenant Governor Emeritus", "Treasurer Emeritus", "Secretary of State Emeritus", or "Attorney General Emeritus", whichever applies, along with an appropriate number and the seal of the state imprinted on it. The plate shall be furnished without an additional registration charge for such period as the qualified former general officer so desires.
History of Section.
P.L. 2007, ch. 381, § 1; P.L. 2007, ch. 487, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-82. - Special plate for WaterFire Providence.

§ 31-3-82. Special plate for WaterFire Providence.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the not-for-profit WaterFire Providence.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and the registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
WaterFire motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed by WaterFire Providence in conjunction with the division of motor vehicles.
(d)
WaterFire plates shall be subject to a minimum pre-paid order of at least nine hundred (900) plates. WaterFire plates shall not be

issued unless the minimum order requirements are met.
(e)
The administrator of motor vehicles shall develop application forms, pre-payment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, WaterFire plates shall be subject to a forty dollar ($40.00) issuance surcharge.
(g)
The forty dollar ($40.00) issuance surcharge shall be allocated as follows: twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to WaterFire Providence to assist in the fiscal needs required to keep this event free for all to enjoy, and to continue in the fostering of WaterFire's presence as an asset to Rhode Island's economic growth and prosperity. The distribution to WaterFire Providence shall be placed in a restricted account and shall be paid to WaterFire Providence.
(h)
WaterFire Providence will be required to submit an annual audit prepared by a certified public accountant before such monies are distributed.
(i)
There shall be no refunds for early cancellation of WaterFire plates.
History of Section.
P.L. 2008, ch. 262, § 1; P.L. 2008, ch. 468, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-83. - Judge Emeritus — Vincent A. Ragosta.

§ 31-3-83. Judge Emeritus — Vincent A. Ragosta.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of former Superior Court Judge, Vincent A. Ragosta. This plate is to bear the identification "Judge Emeritus" with an appropriate number and a seal of the state thereon imprinted and the plate shall be furnished without an additional registration charge for such period of time as Judge Ragosta so desires.
History of Section.
P.L. 2008, ch. 181, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-84. - Special plate in honor of Dr. Martin Luther King, Jr.

§ 31-3-84. Special plate in honor of Dr. Martin Luther King, Jr.
(a)
The administrator of the division of motor vehicles is empowered to make available a special motor vehicle registration plate in honor of Dr. Martin Luther King, Jr. The plate shall bear the designation "Dr. Martin Luther King, Jr. 1929-1968" and shall bear the seal of the state imprinted on it. The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the original registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and the registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(b)
A special automobile or commercial commemorative Dr. Martin Luther King, Jr. plate shall be issued upon application using forms furnished by the administrator upon payment in addition to the regular prescribed motor vehicle registration fee, and a service charge of forty dollars ($40.00) for each issue. The service charge shall be paid to the administrator prior to the administrator's acceptance of the application. The forty dollar ($40.00) service charge shall be allocated to the division of motor vehicles for its costs in manufacturing and distributing the special plates.
History of Section.
P.L. 2008, ch. 247, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-85. - Special plate for the New England Patriots Charitable Foundation.

§ 31-3-85. Special plate for the New England Patriots Charitable Foundation.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for passenger vehicles based upon the not-for-profit entity, the New England Patriots Charitable Foundation, for any motor vehicle eligible for registration as an automobile, commercial vehicle having a gross weight of ten thousand pounds (10,000 lbs.) or less, or combination vehicle.
(b)

The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and the registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate. The administrator shall be authorized to retain newly issued plate numbers, at his or her discretion, for the purpose of conducting auctions of the right to use and display those numbers under such terms and conditions as the administrator may permit.
Auction proceeds shall be apportioned and distributed for charitable purposes, in the discretion of the administrator, in accordance with such agreements as may be entered into with those entities holding ownership rights to the logos. The administrator is hereby authorized to enter into agreements for the use of logos on Rhode Island registration plates.
(c)
The New England Patriots Charitable Foundation motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed in conjunction with the division of motor vehicles, with design approval by the Rhode Island State Police.
(d)
New England Patriots Charitable Foundation plates shall be subject to a minimum pre-paid order of at least nine hundred (900) plates with respect to each plate type authorized pursuant to this section. New England Patriots Charitable Foundation plates shall not be issued unless the minimum order requirements are met. The initial order will be handled by the New England Patriots Charitable Foundation and shall not be submitted to the division of motor vehicles for the production until the minimum order has been met and the proper paperwork submitted to the division. Subsequent New England Patriots Charitable Foundation plate orders will be handled by the division of motor vehicles.
(e)
The administrator of motor vehicles shall develop application forms, prepayment procedures, and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, New England Patriots Charitable Foundation plates shall be subject to a forty-dollar ($40.00) issuance surcharge.
(g)
The forty-dollar ($40.00) issuance surcharge shall be allocated as follows: twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the New England Patriots Charitable Foundation in furtherance of its mission of assisting the youth and families of New England through donations that foster cultural diversity, education, family, and health.
(h)
A ten-dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to the New England Patriots Charitable Foundation.
(i)
In consideration of the receipt of funds from the registration of New England Patriots Charitable Foundation plates, the foundation must use any Rhode Island sourced funds in and for the benefit of Rhode Island-based charitable organizations.
(j)
The New England Patriots Charitable Foundation will be required to submit an annual accounting report before such monies are distributed.
(k)
There shall be no refunds for early cancellation of New England Patriots Charitable Foundation plates.
History of Section.
P.L. 2009, ch. 191, § 1; P.L. 2009, ch. 193, § 1; P.L. 2017, ch. 224, § 1; P.L. 2017, ch. 249, § 1; P.L. 2018, ch. 346, § 21.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-86. - Special plate for Friends of Plum Beach Lighthouse, Inc.

§ 31-3-86. Special plate for Friends of Plum Beach Lighthouse, Inc.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the not-for profit Friends of Plum Beach Lighthouse, Inc. The plates shall be designed to reference Friends of Plum Beach Lighthouse, Inc.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued, and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Friends of Plum Beach Lighthouse, Inc. motor vehicle plates shall be the same size as regular motor vehicle plates, and shall be designed by the Friends of Plum Beach Lighthouse, Inc. in conjunction with the division of motor vehicles, with the design

approved by the Rhode Island state police.
(d)
The Friends of Plum Beach Lighthouse, Inc. plates shall be subject to a minimum pre-paid order of at least nine hundred (900) sets of plates per plate type (i.e. passenger, commercial, etc.). The Friends of Plum Beach Lighthouse, Inc. plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the Friends of Plum Beach Lighthouse, Inc., and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met, and the proper paperwork submitted to the division.
(e)
The administrator of the division of motor vehicles shall develop application forms, pre-payment procedures, and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, the Friends of Plum Beach Lighthouse, Inc. plates shall be subject to a forty dollar ($40.00) issuance surcharge.
(g)
The forty dollar ($40.00) issuance surcharge shall be allocated as follows:
Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Friends of Plum Beach Lighthouse, Inc. to assist in the fiscal needs required to maintain and protect this historic site for all to enjoy, and to continue in the fostering of the Friends of Plum Beach Lighthouse's, Inc. presence as an asset to Rhode Island's economic growth and prosperity. The distribution to the Friends of Plum Beach Lighthouse, Inc. shall be placed in a restricted account and shall be paid to the Friends of Plum Beach Lighthouse, Inc.
(h)
An additional ten dollar ($10.00) surcharge for subsequent registration renewals shall apply to holders of the plate. All proceeds shall be distributed annually to the Friends of Plum Beach Lighthouse, Inc., to assist in the fiscal needs required to maintain and protect the iconic Plum Beach Lighthouse. The distribution to the Friends of Plum Beach Lighthouse, Inc., shall be placed in a restricted account and shall be paid to the Friends of Plum Beach Lighthouse, Inc.
(i)
The Friends of Plum Beach Lighthouse, Inc. will be required to submit an annual accounting report before such monies are distributed.
(j)
There shall be no refunds for early cancellation of Friends of Plum Beach Lighthouse, Inc. plates.
History of Section.
P.L. 2009, ch. 221, § 1; P.L. 2009, ch. 222, § 1; P.L. 2013, ch. 446, § 1; P.L. 2013, ch. 483, § 1; P.L. 2018, ch. 115, § 1; P.L. 2018, ch. 227, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-87. - Special plate for breast cancer support.

§ 31-3-87. Special plate for breast cancer support.
(a)
The administrator of the division of motor vehicles is empowered to make available a special motor vehicle registration plate for victims and survivors of breast cancer. The plate shall bear the designation "www.breastcancerRI.org", and shall bear the pink ribbon associated with breast cancer support.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued, and shall be used in place of, and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and the registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The "Breast Cancer Support" motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed in conjunction with the division of motor vehicles, with the design approved by the Rhode Island state police.
(d)
The "Breast Cancer Support" motor vehicle plates shall be subject to a minimum pre-paid order of at least nine hundred (900) plates. Rhode Island breast cancer coalition plates shall not be issued unless the minimum order requirements are met.
(e)
The administrator of motor vehicles shall develop application forms, prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, "Breast Cancer Support" motor vehicle plates shall be subject to a forty dollar ($40.00) issuance surcharge.
(g)

The forty dollar ($40.00) issuance surcharge shall be allocated as follows: twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Rhode Island Breast Cancer Coalition.
(h)
A ten dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to the Rhode Island Chapter Breast Cancer Coalition.
(i)
The Rhode Island Breast Cancer Coalition shall be required to submit an annual audit, prepared by a certified public accountant before such monies are distributed.
(j)
There shall be no refunds for early cancellation of “Breast Cancer Support” motor vehicle plates.
History of Section.
P.L. 2009, ch. 226, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-88. - Special plate in support of public education.

§ 31-3-88. Special plate in support of public education.
(a)
The administrator of the division of motor vehicles is empowered to make available a special motor vehicle registration plate in support of public education. The plate shall bear the designation “Support Public Education”, and shall bear a design chosen by the commissioner of elementary and secondary education and which shall depict a ruler and an apple.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued, and shall be used in place of, and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and the registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The “Support Public Education” motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed in conjunction with the division of motor vehicles, with the design approved by the Rhode Island state police.
(d)
The “Support Public Education” motor vehicle plates shall be subject to a minimum pre-paid order of at least nine hundred (900) sets of plates. The Rhode Island “Support Public Education” plates shall not be issued unless the minimum order requirements are met.
(e)
The administrator of motor vehicles shall develop application forms, prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, “Support Public Education” motor vehicle plates shall be subject to a forty dollar ($40.00) issuance surcharge.
(g)
The forty dollar ($40.00) issuance surcharge shall be allocated as follows: twenty dollars ($20.00) shall be allocated to the division of motor vehicles for its costs in manufacturing and distributing the special plates and the remaining twenty dollars ($20.00) shall be distributed annually, based upon the vehicle registration, to the local school districts for educational purposes.
(h)
There shall be no refunds for early cancellation of “Support Public Education” motor vehicle plates.
History of Section.
P.L. 2010, ch. 207, § 1; P.L. 2010, ch. 214, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-89. - Rhode Island law enforcement memorial benefit fund license plates.

§ 31-3-89. Rhode Island law enforcement memorial benefit fund license plates.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates honoring law enforcement officers that have been killed in the line of duty. The plate shall be designed to reference Rhode Island Law Enforcement Memorial Benefit Fund plates.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and the registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.

(c)
The special motor vehicle plate shall be the same size as regular motor vehicle plates and shall be designed in conjunction with the division of motor vehicles and with the final approval from the Rhode Island state police.
(d)
Rhode Island Law Enforcement Memorial Benefit Fund plates shall be subject to a minimum pre-paid order of at least nine hundred (900) sets of plates. Rhode Island Law Enforcement Memorial Benefit Fund plates shall not be issued unless the minimum order requirements are met.
(e)
The administrator of the division of motor vehicles shall develop application forms, pre-payment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, Rhode Island Law Enforcement Memorial Benefit Fund plates shall be subject to a forty dollar ($40.00) issuance surcharge.
(g)
The forty dollar ($40.00) issuance surcharge shall be as follows: twenty dollars ($20.00) shall be deposited in the division of motor vehicles manufacturing account, and the remaining twenty dollars ($20.00) shall be allocated to the Rhode Island Law Enforcement Memorial Benefit Fund.
(h)
There shall be no refunds for early cancellation of Rhode Island Law Enforcement Memorial Benefit Fund.
(i)
A five dollar ($5.00) surcharge for subsequent registration renewals shall be allocated to the Rhode Island Law Enforcement Memorial Benefit Fund.
History of Section.
P.L. 2010, ch. 224, § 1; P.L. 2012, ch. 49, § 1; P.L. 2012, ch. 52, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-9. - Registration card carried in vehicle.

§ 31-3-9. Registration card carried in vehicle.
(a)
Every registration card shall at all times be carried in the vehicle to which it refers, or shall be carried by the person driving or in control of such vehicle who shall display it upon demand of a proper officer.
(b)
The provisions of this section requiring that a registration card be carried in the vehicle to which it refers or by the person driving the vehicle shall not apply to vehicles bearing dealer or bailee registration plates, or when the card is used for the purpose of making a transfer of registration of the vehicle.
History of Section.
P.L. 1950, ch. 2595, art. 3, § 7; G.L. 1956, § 31-3-9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-90. - Special plate for the Red Sox Foundation.

§ 31-3-90. Special plate for the Red Sox Foundation.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for passenger vehicles based upon the not-for-profit entity, the Red Sox Foundation for any motor vehicle eligible for registration as an automobile or commercial vehicle having a gross weight of ten thousand pounds (10,000 lbs.) or less.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and the registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate. The administrator shall be authorized to retain newly issued plate numbers, at his or her discretion, for the purpose of conducting auctions of the right to use and display those numbers under such terms and conditions as the administrator may permit.
Auction proceeds shall be apportioned and distributed for charitable purposes, in the discretion of the administrator, in accordance with such agreements as may be entered into with those entities holding ownership rights to the logos. The administrator is hereby authorized to enter into agreements for the use of logos on Rhode Island registration plates.
(c)
The Red Sox Foundation motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed in conjunction with the division of motor vehicles, with design approval by the Rhode Island State Police.
(d)

Red Sox Foundation plates shall be subject to a minimum pre-paid order of at least nine hundred (900) plates. Red Sox Foundation plates shall not be issued unless the minimum order requirements are met. The initial order will be handled by the Red Sox Foundation and shall not be submitted to the division of motor vehicles for the production until the minimum order has been met and the proper paperwork submitted to the division. Subsequent Red Sox Foundation plate orders will be handled by the division of motor vehicles.

(e)

The administrator of motor vehicles shall develop application forms, prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.

(f)

In addition to the regular prescribed motor vehicle registration fee, Red Sox Foundation plates shall be subject to a forty dollar ($40.00) issuance surcharge.

(g)

The forty dollar ($40.00) issuance surcharge shall be allocated as follows: twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Red Sox Foundation in furtherance of their mission of assisting the youth and families of New England through donations that foster cultural diversity, education, family and health.

(h)

A ten dollar ($10.00) surcharge for subsequent registration renewals shall be allocated to the Red Sox Foundation.

(i)

In consideration of the receipt of funds from the registration of Red Sox Foundation, the foundation must use any Rhode Island sourced funds in and for the benefit of Rhode Island based charitable organizations.

(j)

The Red Sox Foundation will be required to submit an annual accounting report before such monies are distributed.

(k)

There shall be no refunds for early cancellation of Red Sox Foundation plates.

History of Section.

P.L. 2011, ch. 21, § 1; P.L. 2011, ch. 27, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-91. - Special plate for the Bristol Fourth of July Committee.

§ 31-3-91. Special plate for the Bristol Fourth of July Committee.

(a)

The administrator of the division of motor vehicles is empowered to make available a special motor vehicle registration plate for the Bristol Fourth of July Committee.

(b)

The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued, and shall be used in place of, and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and the registration certificate for the plates shall be carried in the vehicle in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.

(c)

The Bristol Fourth of July Committee motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed by the Bristol Fourth of July Committee in conjunction with the division of motor vehicles, with the design approved by the Rhode Island state police.

(d)

The Bristol Fourth of July Committee plates shall be subject to a minimum pre-paid order of at least nine hundred (900) plates. The Bristol Fourth of July Committee plates shall not be issued unless the minimum order requirements are met. The initial order shall be handled by the Bristol Fourth of July Committee and shall not be submitted to the division of motor vehicles for the production until the minimum order has been met and the proper paperwork submitted to the division. Subsequent Bristol Fourth of July Committee plate orders shall be handled by the division of motor vehicles.

(e)

The administrator of the division of motor vehicles shall develop application forms, pre-payment procedures and any other procedures deemed necessary to carry out the purposes of this section.

(f)

In addition to the regular prescribed motor vehicle registration fee, Bristol Fourth of July Committee plates shall be subject to a forty dollar ($40) issuance surcharge.

(g)

The forty dollar ($40) issuance surcharge shall be allocated as follows: twenty dollars ($20) shall be allocated to the general fund and the remaining twenty dollars ($20) shall be distributed annually to the Bristol Fourth of July Committee to assist in the fiscal needs required to conduct Bristol’s historic Fourth of July celebration. (The distribution to the Bristol Fourth of July Committee

shall be placed in a restricted receipt account and shall be paid to the Bristol Fourth of July Committee.)
(h)
The Bristol Fourth of July Committee will be required to submit an annual financial statement before such monies are distributed.
(i)
There shall be no refunds for early cancellation of Bristol Fourth of July Committee plates.
History of Section.
P.L. 2011, ch. 202, § 1; P.L. 2011, ch. 203, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-92. - Judge Emeritus — Raymond E. Shawcross.

§ 31-3-92. Judge Emeritus — Raymond E. Shawcross.
The administrator of the division of motor vehicles is authorized and directed to issue a special registration plate for the private passenger motor vehicle of former Family Court Judge Raymond E. Shawcross. This plate is to bear the identification "Judge Emeritus" with an appropriate number and seal of the state thereon imprinted and the plate shall be issued subject to the same terms and conditions as contained in § 31-3-47(d) for such period of time as Judge Shawcross so desires. The provisions of § 31-3-17.1 shall apply with respect to the cost of issuance and registration.
History of Section.
P.L. 2012, ch. 398, § 1; P.L. 2012, ch. 410, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-93. - Special plate for the Gloria Gemma Breast Cancer Resource Foundation.

§ 31-3-93. Special plate for the Gloria Gemma Breast Cancer Resource Foundation.
(a)
The administrator of the division of motor vehicles is empowered to make available special design motor vehicle registration plates for the not-for-profit entity the Gloria Gemma Breast Cancer Resource Foundation. The plates shall be designed to reference the Gloria Gemma Breast Cancer Resource Foundation.
(b)
The special design plates shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special design plates.
(c)
The Gloria Gemma Breast Cancer Resource Foundation motor vehicle plates shall be the same size as regular motor vehicle plates and shall be designed in conjunction with the division of motor vehicles and with final approval from the Rhode Island state police.
(d)
The Gloria Gemma Breast Cancer Resource Foundation plates shall be subject to compliance with § 31-3-117 relating to the number of minimum prepaid orders of plates, per plate type (i.e., passenger, commercial, etc.). The Gloria Gemma Breast Cancer Resource Foundation plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the Gloria Gemma Breast Cancer Resource Foundation and shall not be submitted to the division of motor vehicles for production until the minimum order(s) has been met and the proper paperwork submitted to the division.
(e)
The administrator of the division of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fees, the Gloria Gemma Breast Cancer Resource Foundation plates shall be subject to a forty dollar ($40.00) issuance surcharge.
(g)
The forty dollar ($40.00) issuance surcharge shall be allocated as follows: Twenty dollars ($20.00) shall be deposited in the division of motor vehicles manufacturing account and the remaining twenty dollars ($20.00) shall be distributed annually to the Gloria Gemma Breast Cancer Resource Foundation in furtherance of their mission to raise breast cancer awareness, increase breast health education, and generate funding for critical breast health programs that are in desperate need of being brought to fruition.
(h)
A ten-dollar ($10.00) surcharge for subsequent registration renewals will go to the Gloria Gemma Breast Cancer Resource Foundation.
(i)
The Gloria Gemma Breast Cancer Resource Foundation will be required to submit an annual audit, prepared by a certified public accountant before such monies are distributed.
(j)

In consideration of the receipt of funds from the registration of the Gloria Gemma Breast Cancer Resource Foundation, the foundation must use any Rhode Island-sourced funds in and for the benefit of Rhode Island.
(k)
There shall be no refunds for early cancellation of the Gloria Gemma Breast Cancer Resource Foundation plates.
History of Section.
P.L. 2012, ch. 400, § 1; P.L. 2024, ch. 87, § 1, effective December 12, 2024; P.L. 2024, ch. 88, § 1, effective December 12, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-94. - Expiration of authorization of issuance of special motor vehicle plates.

§ 31-3-94. Expiration of authorization of issuance of special motor vehicle plates.
(a)
The statutory authorization of the issuance of any special motor vehicle registration plates after January 1, 2022, shall expire if any statutorily mandated minimum number of prepaid orders of such plates has not been satisfied within five (5) years following the enactment of such authorization.
(b)
The statutory authorization of the issuance of any special motor vehicle registration plates enacted prior to January 1, 2022, shall expire on June 30, 2023, if any statutorily mandated minimum number of prepaid orders of such plates has not been satisfied prior to that date.
History of Section.
P.L. 2013, ch. 256, § 1; P.L. 2013, ch. 355, § 1; P.L. 2022, ch. 269, § 1, effective July 2, 2022; P.L. 2022, ch. 270, § 1, effective July 2, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-95. - Special plate for Woonsocket high school arts and athletics.

§ 31-3-95. Special plate for Woonsocket high school arts and athletics.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the Woonsocket education department. The plates shall be designed to reference Villa Novan Pride.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued, and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Villa Novan Pride motor vehicle plates shall be the same size as regular motor vehicle plates, and shall be designed by the Woonsocket education department in conjunction with the division of motor vehicles, with the design approved by the Rhode Island state police.
(d)
The Villa Novan Pride plates shall be subject to a minimum pre-paid order of at least nine hundred (900) sets of plates per plate type (i.e. passenger, commercial, etc.). The Villa Novan Pride plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the Woonsocket education department, and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met, and the proper paperwork submitted to the division.
(e)
The administrator of the division of motor vehicles shall develop application forms, pre-payment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, the Villa Novan Pride plates shall be subject to a forty dollar ($40.00) issuance surcharge.
(g)
The forty dollar ($40.00) issuance surcharge shall be allocated as follows:
Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Woonsocket high school arts and athletics program to assist in the fiscal needs required to maintain and promote arts and athletics at Woonsocket high school, and to continue in the fostering of Villa Novan Pride throughout the community. The distribution to the Woonsocket education department shall be placed in a restricted account and applied to the Woonsocket high school arts and athletic programs. The superintendent of schools shall supervise the distribution of said funds.
(h)
The Woonsocket education department will be required to submit an annual accounting report before such monies are distributed.
(i)
There shall be no refunds for early cancellation of the Villa Novan Pride plates.

History of Section.
P.L. 2013, ch. 440, § 1; P.L. 2013, ch. 471, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-96. - Emergency medical technician plates.

§ 31-3-96. Emergency medical technician plates.
(a)
The administrator of the division of motor vehicles is empowered and authorized to make available to all licensed emergency medical technicians a special motor vehicle registration plate for any motor vehicle eligible for registration as an automobile or for a commercial vehicle having a gross weight of ten thousand pounds (10,000 lbs.) or less.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and the registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate. The administrator shall be authorized to retain newly issued plate numbers, at his or her discretion, for the purpose of conducting auctions of the right to use and display those numbers under such terms and conditions as the administrator may permit.
(c)
The emergency medical technician plates shall be subject to a minimum prepaid order of at least nine hundred (900) sets of plates per plate type (i.e. passenger, commercial, etc.). Said plates shall not be issued unless the minimum order requirements are met. The initial order will be handled by the Hope Valley Ambulance Squad, Inc., and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met, and the proper paperwork submitted to the division.
(d)
The administrator of the division of motor vehicles shall develop application forms, pre-payment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(e)
The administrator of the division of motor vehicles shall issue the plate upon the payment of a service charge of twenty dollars ($20.00) and a transfer charge of five dollars ($5.00) for the plate. All revenues shall be deposited as general revenues.
History of Section.
P.L. 2013, ch. 453, § 1; P.L. 2013, ch. 484, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-97. - Special plate for home and hospice care of Rhode Island.

§ 31-3-97. Special plate for home and hospice care of Rhode Island.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the not-for-profit entity Home and Hospice Care of Rhode Island. The plates shall be designed to reference Home and Hospice Care of Rhode Island.
(b)
The special plates shall be displayed upon the same registration number assigned to the vehicle for which it was issued, and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Home and Hospice Care of Rhode Island motor vehicle plates shall be the same size as regular motor vehicle plates, and shall be designed by the Home and Hospice Care of Rhode Island in conjunction with the division of motor vehicles, and with final approval from the Rhode Island state police.
(d)
The Home and Hospice Care of Rhode Island plates shall be subject to a minimum prepaid order of at least nine hundred (900) sets of passenger plates per plate type (i.e. passenger, commercial, etc.). The Home and Hospice Care of Rhode Island plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the Home and Hospice Care of Rhode Island, and shall not be submitted to the division of motor vehicles for production until the minimum order(s) has been met, and the proper paperwork submitted to the division.
(e)
The administrator of the division of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fees, the Home and Hospice Care of Rhode Island plates shall be subject to a forty dollar ($40.00) issuance surcharge.

(g)
The forty dollar ($40.00) issuance surcharge shall be allocated as follows:
Twenty dollars ($20.00) shall be allocated to the general fund, and the remaining twenty dollars ($20.00) shall be distributed annually to the Home and Hospice Care of Rhode Island in furtherance of their mission to provide compassionate and skilled care to those who are seriously ill in the state of Rhode Island.
(h)
The Home and Hospice Care of Rhode Island will be required to submit an annual accounting report before such monies are distributed.
(i)
In consideration of the receipt of funds from the registration of the Home and Hospice Care of Rhode Island, the organization must use any Rhode Island sourced funds in and for the benefit of the state of Rhode Island.
(j)
There shall be no refunds for early cancellation of the Home and Hospice Care of Rhode Island plates.
History of Section.
P.L. 2013, ch. 459, § 1; P.L. 2013, ch. 468, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-98. - Special plate for the Autism Project of Rhode Island.

§ 31-3-98. Special plate for the Autism Project of Rhode Island.
(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the Autism Project of Rhode Island. The plates shall be designed to reference The Autism Project of Rhode Island.
(b)
The special plate shall be displayed upon the same registration number assigned to the vehicle for which it was issued, and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Autism Project of Rhode Island motor vehicle plates shall be the same size as regular motor vehicle plates, and shall be designed by the Autism Project of Rhode Island in conjunction with the division of motor vehicles, with design approval by the Rhode Island state police.
(d)
The Autism Project of Rhode Island plates shall be subject to a minimum pre-paid order of at least nine hundred (900) sets of plates per plate type (i.e. passenger, commercial, etc.). The Autism Project of Rhode Island plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the Autism Project of Rhode Island, and shall not be submitted to the division of motor vehicles for production until the minimum order(s) have been met, and the proper paperwork submitted to the division.
(e)
The administrator of motor vehicles shall develop, prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fee, the Autism Project of Rhode Island plates shall be subject to a forty dollars ($40.00) issuance surcharge.
(g)
The forty dollars ($40.00) issuance surcharge shall be allocated as follows:
Twenty dollars ($20.00) shall be allocated to the general fund and the remaining twenty dollars ($20.00) shall be distributed annually to the Autism Project of Rhode Island in furtherance of their mission to develop a comprehensive system of care and resources that meet the needs of children and adults with autism and their families, including education, health, vocational, career, social and community needs in the state of Rhode Island.
(h)
The Autism Project of Rhode Island shall be required to submit an annual accounting report before such monies are distributed.
(i)
There shall be no refunds for early cancellation of the Autism Project of Rhode Island plates.
History of Section.
P.L. 2013, ch. 461, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-3 - Registration of VehiclesSection 31-3-99. - Special plate for the wildlife rehabilitators association of Rhode Island (WRARI).

§ 31-3-99. Special plate for the wildlife rehabilitators association of Rhode Island (WRARI).

(a)
The administrator of the division of motor vehicles is empowered to make available special motor vehicle registration plates for the not-for-profit Wildlife Rehabilitators Association of Rhode Island. The plates shall be designed to reference Wildlife Rehabilitators Association of Rhode Island.
(b)
The special plates shall be displayed upon the same registration number assigned to the vehicle for which it was issued, and shall be used in place of and in the same manner as the registration plates issued to the vehicle. The original registration plates for the vehicle shall be removed from the vehicle and returned to the division of motor vehicles. The registration certificate for the plates shall be carried in the vehicle, in accordance with § 31-3-9. The registration certificate shall be in effect for the special plate.
(c)
The Wildlife Rehabilitators Association of Rhode Island motor vehicle plates shall be the same size as regular motor vehicle plates, and shall be designed by the Wildlife Rehabilitators Association of Rhode Island in conjunction with the division of motor vehicles and with final approval from the Rhode Island state police.
(d)
The Wildlife Rehabilitators Association of Rhode Island plates shall be subject to a minimum prepaid order of at least nine hundred (900) sets of plates per plate type (i.e. passenger, commercial, etc.). The Wildlife Rehabilitators Association of Rhode Island plates shall not be issued unless the minimum order(s) requirements are met. The initial order will be handled by the Wildlife Rehabilitators Association of Rhode Island, and shall not be submitted to the division of motor vehicles for production until the minimum order(s) has been met, and the proper paperwork submitted to the division.
(e)
The administrator of the division of motor vehicles shall develop prepayment procedures and any other procedures deemed necessary to carry out the purposes of this section.
(f)
In addition to the regular prescribed motor vehicle registration fees, the Wildlife Rehabilitators Association of Rhode Island plates shall be subject to a forty dollar ($40.00) issuance surcharge.
(g)
The forty dollar ($40.00) issuance surcharge shall be allocated as follows:
Twenty dollars ($20.00) shall be allocated to the general fund, and the remaining twenty dollars ($20.00) shall be distributed to the Wildlife Rehabilitators Association of Rhode Island to help further their efforts in caring for injured and orphaned wildlife. All of the money raised shall be spent in Rhode Island.
(h)
The Wildlife Rehabilitators Association of Rhode Island will be required to submit an annual accounting report before such monies are distributed.
(i)
There shall be no refunds for early cancellation of the Wildlife Rehabilitators Association of Rhode Island plates.
History of Section.
P.L. 2013, ch. 480, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-31 - Safety Responsibility Administration — Security Following AccidentSection 31-31-1. - Administration — Rules and regulations.

§ 31-31-1. Administration — Rules and regulations.
The division of motor vehicles shall administer and enforce the provisions of chapters 31 — 33 of this title, may make rules and regulations necessary for their administration, and shall provide for hearings upon request of persons aggrieved by orders or acts of the division of motor vehicles under the provisions of the aforementioned chapters. The division of motor vehicles shall prescribe and provide suitable forms requisite or deemed necessary for the purposes of this chapter.
History of Section.
P.L. 1993, ch. 4, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-31 - Safety Responsibility Administration — Security Following AccidentSection 31-31-2. - Appeals from division of motor vehicles.

§ 31-31-2. Appeals from division of motor vehicles.
Any person aggrieved by any decision, or order, of the division of motor vehicles, made pursuant to the provisions of chapters 31 — 33 of this title may appeal it to the traffic tribunal by filing, within ten (10) days from the date of the notice to the person of the issuance of the decision, or order, appealed from, a petition in that court stating the ground upon which the appeal is taken. Upon the filing of the petition, the court shall give thirty (30) days' notice of the pendency of it to the division of motor vehicles by serving the administrator of the division of motor vehicles, in the manner in which subpoenas in equity are served, with a certified copy of the petition and the petition shall follow the course of equity so far as is applicable. Upon hearing the petition the court may review the evidence taken at a hearing, or investigator's reports, or other information upon which the division's action was taken and may, in its discretion, affirm or reverse or modify the decision or order, of the division of motor vehicles in whole or in part. The court

shall determine whether the filing of the petition shall operate as a stay of the order or act of the administrator of the division of motor vehicles. A party aggrieved by a final order of the court may seek appellate review of it pursuant to the procedures set forth in § 31-41.1-8.
History of Section.
P.L. 1993, ch. 4, § 2; P.L. 1993, ch. 142, § 1; P.L. 1994, ch. 332, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-31 - Safety Responsibility Administration — Security Following AccidentSection 31-31-22. - Matters not to be evidenced in civil suits.

§ 31-31-22. Matters not to be evidenced in civil suits.
The report required following an accident and the action taken by the division of motor vehicles upon which the action is based shall not be referred to in any way, and shall not be any evidence of the negligence or due care of either party, at the trial of any action at law to recover damages; provided, that the reports and the division action findings shall be admissible in any civil action based upon the uninsured motorist provision of an automobile insurance policy as evidence in proof of the existence of an uninsured motorist.
History of Section.
P.L. 1993, ch. 4, § 2; P.L. 2021, ch. 398, § 4, effective July 14, 2021; P.L. 2021, ch. 399, § 4, effective July 14, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-31 - Safety Responsibility Administration — Security Following AccidentSection 31-31-3. - Abstracts of operating records.

§ 31-31-3. Abstracts of operating records.
The administrator of the division of motor vehicles shall upon request furnish any insurance carrier or any person or surety a certified abstract of the operating record of any person subject to the provisions of chapters 31 — 33 of this title. This abstract shall fully designate the motor vehicles, if any, registered in the name of the person, shall include enumeration of any motor vehicle accidents in which the person has been involved and reference to any convictions of the persons for violation of the motor vehicle laws as reported to the division of motor vehicles, and if there is no record of any conviction of the person of a violation of any provision of any statute relating to the operation of a motor vehicle or of any injury or damage caused by the person as provided in this chapter, the administrator of the division of motor vehicles shall so certify. The administrator of the division of motor vehicles shall collect for each certification the sum of ten dollars ($10.00). The requirements of this section that the certificate be furnished shall not make the certificate admissible as evidence in any legal proceeding.
History of Section.
P.L. 1993, ch. 4, § 2; P.L. 1993, ch. 142, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-1. - Applicability.

§ 31-32-1. Applicability.
The provisions of this chapter requiring the deposit of proof of financial responsibility for the future, subject to certain exemptions, shall apply with respect to persons who have been convicted of or forfeited bail for certain offenses under motor vehicle laws, or who have failed to pay judgments upon causes of action arising out of ownership, maintenance, or use of vehicles of a type subject to registration under the laws of this state.
History of Section.
P.L. 1962, ch. 204, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-10. - Suspension for nonpayment of judgment.

§ 31-32-10. Suspension for nonpayment of judgment.
The division of motor vehicles upon receipt of a certificate copy of a judgment shall immediately suspend the license and registration and any nonresident’s operating privilege, of any person against whom the judgment was rendered, except as otherwise provided in this chapter.
History of Section.
P.L. 1952, ch. 3002, § 13; G.L. 1956, § 31-32-18; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-11. - Exception in relation to certain vehicles.

§ 31-32-11. Exception in relation to certain vehicles.
The provisions of § 31-32-10 shall not apply with respect to any judgment arising out of an accident caused by the ownership or operation, with permission, of a vehicle owned or leased to the United States, this state, or a municipality of it, any ambulance owned by a hospital, or any motor propelled fire engines or other fire apparatus owned by volunteer fire companies whether incorporated or not, any motor vehicle owned by volunteer fire companies whether incorporated or not, any motor vehicle owned by a representative of a foreign country duly accredited to the United States government, nor any motor vehicle which is subject to the

requirements of any of chapters 12 — 14 of title 39.
History of Section.
P.L. 1952, ch. 3002, § 33; P.L. 1955, ch. 3530, § 7; G.L. 1956, § 31-31-17; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-12. - Exception when consent granted by judgment creditor.

§ 31-32-12. Exception when consent granted by judgment creditor.
If the judgment creditor consents in writing, in the form that the division of motor vehicles may prescribe, that the judgment debtor be allowed a license and registration or nonresident's operating privilege, those may be allowed by the division of motor vehicles, in its discretion, for six (6) months from the date of the consent and, until the consent is revoked in writing, notwithstanding default in the payment of the judgment, or of any installments of it as prescribed in § 31-32-17, provided the judgment debtor furnished proof of financial responsibility.
History of Section.
P.L. 1952, ch. 3002, § 13; G.L. 1956, § 31-32-19; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-12.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-13. - Exception when insurer liable.

§ 31-32-13. Exception when insurer liable.
No license, registration, or nonresident's operating privilege of any person shall be suspended under the provisions of this chapter if the division of motor vehicles shall find that an insurer was obligated to pay the judgment upon which the suspension is based, at least to the extent and for the amounts required in this chapter, but has not paid the judgment for any reason. A finding by the division of motor vehicles that an insurer is obligated to pay a judgment shall not be binding upon the insurer and shall have no legal effect whatever except for the purpose of administering this section. Whenever in any judicial proceedings it shall be determined by any final judgment, decree, or order than an insurer is not obligated to pay the judgment, the division of motor vehicles, notwithstanding any contrary finding previously made by it, shall immediately suspend the license and registration and any nonresident's operating privilege of any person against whom the judgment was rendered, as provided in § 31-32-10.
History of Section.
P.L. 1952, ch. 3002, § 13A; P.L. 1955, ch. 3530, § 6; G.L. 1956, § 31-32-20; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-13.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-14. - Duration of suspension for unsatisfied judgment.

§ 31-32-14. Duration of suspension for unsatisfied judgment.
The license, registration, and nonresident's operating privilege shall remain so suspended and shall not be renewed, nor shall the license or registration be thereafter issued in the name of the person, including any person not previously licensed, unless and until the judgment is stayed, satisfied in full, or to the extent provided in this chapter, and until the person gives proof of financial responsibility subject to the exemptions stated in §§ 31-32-12, 31-32-13, and 31-32-17.
History of Section.
P.L. 1952, ch. 3002, § 14; G.L. 1956, § 31-32-21; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-14; P.L. 1964, ch. 218, § 2; P.L. 2021, ch. 398, § 5, effective July 14, 2021; P.L. 2021, ch. 399, § 5, effective July 14, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-15. - Discharge in bankruptcy.

§ 31-32-15. Discharge in bankruptcy.
A discharge in bankruptcy following the rendering of the judgment shall not relieve the judgment debtor from any of the requirements of this chapter.
History of Section.
P.L. 1952, ch. 3002, § 14; G.L. 1956, § 31-32-21; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-15.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-16. - Payment sufficient to satisfy requirements.

§ 31-32-16. Payment sufficient to satisfy requirements.
(a)
Judgments referred to in this chapter shall, for the purpose of this chapter only, be deemed satisfied:
(1)
When twenty-five thousand dollars ($25,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident; or
(2)
When, subject to the limit of twenty-five thousand dollars ($25,000) because of bodily injury to or death of one person, the sum of

fifty thousand dollars ($50,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two (2) or more persons as the result of any one accident; or
(3)
When twenty-five thousand dollars ($25,000) has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident; or seventy-five thousand dollars ($75,000) combined bodily injury and property damage.
(b)
Provided, payments made in settlements of any claims because of bodily injury, death, or property damage arising from the accident shall be credited in reduction of the amounts provided for in this section.
History of Section.
P.L. 1952, ch. 3002, § 15; G.L. 1956, § 31-32-22; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-16; P.L. 1964, ch. 171, § 3; P.L. 1968, ch. 7, § 1; P.L. 1976, ch. 314, § 1; P.L. 1988, ch. 81, § 2; P.L. 1991, ch. 167, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-17. - Installment payment of judgments.

§ 31-32-17. Installment payment of judgments.
(a)
A judgment debtor, upon due notice to the judgment creditor, may apply to the court in which the judgment was rendered for the privilege of paying the judgment in installments. The court, in its discretion and without prejudice to any other legal remedies which the judgment creditor may have, may so order and fix the amounts and times of payment of these installments.
(b)
The division of motor vehicles shall not suspend a license, registration, or nonresident's operating privilege, and shall restore any license, registration, or nonresident's operating privilege suspended following nonpayment of a judgment, when the judgment debtor gives proof of financial responsibility and obtains an order permitting the payment of the judgment installments, and while the payment of any installments is not in default.
History of Section.
P.L. 1952, ch. 3002, § 16; G.L. 1956, §§ 31-32-23, 31-32-24; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-17.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-18. - Action on default.

§ 31-32-18. Action on default.
In the event the judgment debtor fails to pay any installment as specified by the order, then upon notice of default, the division of motor vehicles shall immediately suspend the license, registration, or nonresident's operating privilege of the judgment debtor until the judgment is satisfied, as provided in this chapter.
History of Section.
P.L. 1952, ch. 3002, § 16; G.L. 1956, § 31-32-25; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-18.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-19. - Proof required for each registered vehicle.

§ 31-32-19. Proof required for each registered vehicle.
No vehicle shall be or continue to be registered in the name of any person required to file proof of financial responsibility for the future unless proof shall be furnished for the vehicle.
History of Section.
P.L. 1952, ch. 3002, § 17; G.L. 1956, § 31-32-27; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-19.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-2. - "Proof of financial responsibility for the future" defined.

§ 31-32-2. "Proof of financial responsibility for the future" defined.
(a)
"Proof of financial responsibility for the future", as used in this chapter, means proof of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of the proof, arising out of the ownership, maintenance, or use of a vehicle of a type subject to registration under the laws of this state, in the amount of twenty-five thousand dollars ($25,000) because of bodily injury to or death of one person in any one accident, and, subject to the limit for one person, in the amount of fifty thousand dollars ($50,000) because of bodily injury to or death of two (2) or more persons in any one accident, and in the amount of twenty-five thousand dollars ($25,000) because of injury to or destruction of property of others in any one accident or seventy-five thousand dollars ($75,000) combined single limit.
(b)
Wherever used in this chapter, "proof of financial responsibility" or "proof " is synonymous with the term "proof of financial

responsibility for the future".
History of Section.
P.L. 1952, ch. 3002, § 1; G.L. 1956, § 31-31-2; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-2; P.L. 1964, ch. 171, § 2; P.L. 1968, ch. 7, § 1; P.L. 1976, ch. 314, § 1; P.L. 1988, ch. 81, § 2; P.L. 1991, ch. 167, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-20. - Alternate methods of giving proof.

§ 31-32-20. Alternate methods of giving proof.
Proof of financial responsibility when required under this chapter, with respect to a vehicle or with respect to a person who is not the owner of a vehicle, may be given by filing:
(1)
A certificate of insurance as provided in § 31-32-21 or 31-32-22;
(2)
A bond as provided in 31-32-27;
(3)
A certificate of deposit of money or securities as provided in § 31-32-30;
(4)
A certificate of self-insurance, as provided in § 31-33-9, supplemented by an agreement by the self-insurer that, with respect to accidents occurring while the certificate is in force, the self-insurer will pay the same amounts that an insurer would have been obliged to pay under an owner's motor vehicle liability policy if it had issued a policy to the self-insurer.
History of Section.
P.L. 1952, ch. 3002, § 18; G.L. 1956, § 31-32-30; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-20.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-21. - Certificate of insurance as proof.

§ 31-32-21. Certificate of insurance as proof.
Proof of financial responsibility for the future may be furnished by filing with the division of motor vehicles the written certificate of any insurance carrier duly authorized to do business in this state certifying that there is in effect a motor vehicle liability policy for the benefit of the person required to furnish proof of financial responsibility. The certificate shall give the effective date of the motor vehicle liability policy, which date shall be the same as the effective date of the certificate, and shall designate by explicit description or by appropriate reference all vehicles covered by it, unless the policy is issued to a person who is not the owner of a motor vehicle.
History of Section.
P.L. 1952, ch. 3002, § 19; G.L. 1956, § 31-32-31; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-21.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-22. - Certificate furnished by nonresident as proof.

§ 31-32-22. Certificate furnished by nonresident as proof.
A nonresident may give proof of financial responsibility by filing with the division of motor vehicles a written certificate or certificate of an insurance carrier authorized to transact business in the state in which the vehicle, or vehicles, owned by the nonresident is registered, or in the state in which the nonresident resides, if he or she does not own a vehicle, provided the certificate otherwise conforms with the provisions of this chapter. The division of motor vehicles shall accept the certificate upon condition that the insurance carrier complies with the following provisions with respect to the policies so certified.
(1)
The insurance carrier shall execute a power of attorney authorizing the division of motor vehicles to accept service on its behalf of notice or process in any action arising out of a motor vehicle accident in this state.
(2)
The insurance carrier shall agree in writing that the policies shall be deemed to conform with the laws of this state relating to the terms of motor vehicle liability policies issued in it.
History of Section.
P.L. 1952, ch. 3002, § 20; G.L. 1956, § 31-32-32; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-22.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-23. - Default by nonresident insurer.

§ 31-32-23. Default by nonresident insurer.
If any insurance carrier not authorized to transact business in this state, which has qualified to furnish proof of financial responsibility, defaults in any undertakings or agreements, the division of motor vehicles shall not accept as proof any certificate of the carrier whether filed or tendered as proof after that time, so long as the default continues.

History of Section.
P.L. 1952, ch. 3002, § 20; G.L. 1956, § 31-32-32; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-23.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-24. - “Motor vehicle liability policy” defined.

§ 31-32-24. “Motor vehicle liability policy” defined.
(a) Certification.
“Motor vehicle liability policy” as the term is used in this chapter means an “owner’s policy” or an “operator’s policy” of liability insurance, certified as provided in § 31-32-21 or 31-32-22 as proof of financial responsibility for the future, and issued, except as otherwise provided in § 31-32-22, by an insurance carrier duly authorized to transact business in this state, to or for the benefit of the person named in it as insured.
(b) Owner’s policy.
The owner’s policy of liability insurance:
(1)
Shall designate by explicit description or by appropriate reference all vehicles with respect to which coverage is to be granted by it; and
(2)
Shall insure the person named in it and any other person, as insured, using any vehicle or vehicles with the express or implied permission of the named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance, or use of that vehicle or vehicles within the United States of America or the Dominion of Canada, subject to limits exclusive of interest and costs, with respect to each vehicle, as follows:
(i)
Twenty-five thousand dollars ($25,000) because of bodily injury to or death of one person in any one accident; and
(ii)
Subject to the limit for one person, fifty thousand dollars ($50,000) because of bodily injury to or death of two (2) or more persons in any one accident; and
(iii)
Twenty-five thousand dollars ($25,000) because of injury to or destruction of property of others in any one accident or seventy-five thousand dollars ($75,000) combined single limit.
(c) Operator’s policy.
The operator’s policy of liability insurance shall insure the person named as insured in it against loss from the liability imposed upon him or her by law for damages arising out of the use by him or her of any motor vehicle not owned by him or her, within the same territorial limits and subject to the same limits of liability as are set forth above with respect to an owner’s policy of liability insurance.
(d) Required statements in policies.
The motor vehicle liability policy shall state the name and address of the named insured, the coverage afforded by the policy, the premium charged for that coverage, the policy period, and the limits of liability, and shall contain an agreement or be endorsed that insurance is provided under the policy in accordance with the coverage defined in this chapter as respects bodily injury and death or property damage, or both, and is subject to all the provisions of this chapter.
(e) Policy need not insure under workers’ compensation law or employees.
The motor vehicle liability policy need not insure any liability under any workers’ compensation law nor any liability on account of bodily injury to or death of an employee of the insured while engaged in the employment other than domestic of the insured, or while engaged in the operation, maintenance, or repair of any vehicle, nor any liability for damage to property owned by, rented to, in charge of, or transported by the insured.
(f) Provisions incorporated in policy.
Every motor vehicle liability policy shall be subject to the following provisions which need not be contained in it:
(1)
The liability of the insurance carrier with respect to the insurance required by this chapter shall become absolute whenever injury or damage covered by the motor vehicle liability policy occurs; the policy may not be cancelled or annulled as to the liability by any agreement between the insurance carrier and the insured after the occurrence of the injury or damage; no statement made by the insured or on his or her behalf and no violation of the policy shall defeat or void the policy.
(2)
The satisfaction by the insured of a judgment for an injury or damage shall not be a condition precedent to the right or duty of the insurance carrier to make payment on account of the injury or damage.
(3)
The insurance carrier shall have the right to settle any claim covered by the policy. If the settlement is made in good faith, the amount of it shall be deductible from the limits of liability specified in subsection (b)(2) of this section.
(4)
The policy, the written application for it, if any, and any rider or endorsement which does not conflict with the provisions of this

chapter, shall constitute the entire contract between the parties.
(g) Excess or additional coverage.
Any policy which grants the coverage required for a motor vehicle liability policy may also grant any lawful coverage in excess of or in addition to the coverage specified for a motor vehicle liability policy, and the excess or additional coverage shall not be subject to the provisions of this chapter. With respect to a policy which grants the excess or additional coverage, the term “motor vehicle liability policy” shall apply only to that part of the coverage which is required by this section.
(h) Reimbursement provision permitted.
Any motor vehicle liability policy may provide that the insured shall reimburse the insurance carrier for any payment the insurance carrier would not have been obligated to make under the terms of the policy except for the provisions of this chapter.
(i) Proration of insurance permitted.
Any motor vehicle liability policy may provide for the prorating of the insurance it provides with other valid and collectible insurance.
(j) Multiple policies.
The requirements for a motor vehicle liability policy may be fulfilled by the policies of one or more insurance carriers which policies together meet the requirements.
(k) Binders.
Any binder issued pending the issuance of a motor vehicle liability policy shall be deemed to fulfill the requirements for such a policy.
History of Section.
P.L. 1952, ch. 3002, § 21; G.L. 1956, §§ 31-32-33 — 31-32-40; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-24; P.L. 1968, ch. 7, § 2; P.L. 1976, ch. 314, § 1; P.L. 1991, ch. 167, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-25. - Notice of cancellation or termination of certified policy.

§ 31-32-25. Notice of cancellation or termination of certified policy.
When an insurance carrier has certified a motor vehicle liability policy under § 31-32-21 or 31-32-22, and the certified policy is subsequently cancelled or terminated by the insurance carrier, a notice of cancellation or termination of the insurance so certified shall be filed, by the insurance carrier, in the division of motor vehicles. However, a policy subsequently procured and certified shall, on the effective date of its certification, terminate the insurance previously certified with respect to any vehicle designated in both certificates.
History of Section.
P.L. 1952, ch. 3002, § 22; G.L. 1956, § 31-32-41; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-25; P.L. 2007, ch. 57, § 1; P.L. 2007, ch. 69, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-26. - Chapter not to affect other policies.

§ 31-32-26. Chapter not to affect other policies.
(a)
This chapter shall not be held to apply to or affect policies of automobile insurance against liability which may now or subsequently be required by any other law of this state, and the policies, if they contain an agreement or are endorsed to conform with the requirements of this chapter, may be certified as proof of financial responsibility under this chapter.
(b)
This chapter shall not be held to apply to or affect policies insuring solely the insured named in the policy against liability resulting from the maintenance or use by persons in the insured’s employ or on his or her behalf of vehicles not owned by the insured.
History of Section.
P.L. 1952, ch. 3002, § 23; G.L. 1956, §§ 31-32-42, 31-32-43; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-26.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-27. - Bond as proof.

§ 31-32-27. Bond as proof.
Proof of financial responsibility may be evidenced by the bond of a surety company duly authorized to transact business within this state, or a bond with at least two (2) individual sureties each owning real estate within this state, and together having equities equal in value to at least twice the amount of the bond, which real estate shall be scheduled in the bond approved by a judge of a court of record, which bond shall be conditioned for payment of the amounts specified in § 31-32-2. The bond shall be filed with the division of motor vehicles and shall not be cancelable except after ten (10) days’ written notice to the division of motor vehicles.
History of Section.
P.L. 1952, ch. 3002, § 24; G.L. 1956, § 31-32-44; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-27.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for

the FutureSection 31-32-28. - Recorded bond constitutes a lien.

§ 31-32-28. Recorded bond constitutes a lien.
The bond shall constitute a lien in favor of the state upon the real estate so scheduled of any surety, which lien shall exist in favor of any holder of a final judgment against the person who has filed the bond, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use of it, resulting from the ownership, maintenance, use, or operation of a vehicle of a type subject to registration under the laws of this state after the bond was filed, upon the filing of notice to that effect by the division of motor vehicles in the office of the town clerk or recorder of deeds in the town or city where the real estate shall be located.
History of Section.
P.L. 1952, ch. 3002, § 24; G.L. 1956, § 31-32-44; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-28.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-29. - Action on bond.

§ 31-32-29. Action on bond.
If a judgment, rendered against the principal on the bond, shall not be satisfied within sixty (60) days after it has become final, the judgment creditor may, for his or her own use and benefit and at his or her sole expense, bring an action or actions in the name of the state against the company or persons executing the bond, including an action or proceeding to foreclose any lien that may exist upon the real estate of a person who has executed the bond.
History of Section.
P.L. 1952, ch. 3002, § 24; G.L. 1956, § 31-32-44; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-29.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-3. - Definitions.

§ 31-32-3. Definitions.
The following words and phrases when used in this chapter for the purpose of this chapter, have the meanings respectively ascribed to them in this section:
(1)
“Judgment” means any judgment which shall have become final by expiration without appeal of the time within which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any state or of the United States, upon a cause of action arising out of the ownership, maintenance, or use of any vehicle of a type subject to registration under the laws of this state, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use of it, or upon a cause of action on an agreement of settlement for the damages.
(2)
“State” means any state, territory, or possession of the United States, the District of Columbia, or any province of the Dominion of Canada.
History of Section.
P.L. 1952, ch. 3002, § 1; G.L. 1956, § 31-31-2; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-30. - Money or securities as proof.

§ 31-32-30. Money or securities as proof.
Proof of financial responsibility may be evidenced by the certificate of the general treasurer that the person named in it has deposited with him or her sixty thousand dollars ($60,000) in cash, or securities, that may be legally purchased by savings banks or for trust funds of a market value of sixty thousand dollars ($60,000). The general treasurer shall not accept any deposit and issue a certificate for it and the division of motor vehicles shall not accept the certificate unless accompanied by evidence that there are no unsatisfied judgments of any character against the depositor in the county where the depositor resides.
History of Section.
P.L. 1952, ch. 3002, § 25; G.L. 1956, § 31-32-45; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-30; P.L. 1968, ch. 7, § 3; P.L. 1976, ch. 314, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-31. - Application of deposit.

§ 31-32-31. Application of deposit.
The deposit shall be held by the general treasurer to satisfy, in accordance with the provisions of this chapter, any execution on a judgment issued against the person making the deposit, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use of it, resulting from the ownership, maintenance, use, or operation of a vehicle of a type subject to registration under the laws of this state

after the deposit was made. Money or securities so deposited shall not be subject to attachment or execution unless the attachment or execution shall arise out of a suit for damages.
History of Section.
P.L. 1952, ch. 3002, § 25; G.L. 1956, § 31-32-45; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-31.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-32. - Owner may give proof for others.

§ 31-32-32. Owner may give proof for others.
The owner of a motor vehicle may give proof of financial responsibility on behalf of his or her employee or a member of his immediate family or household in lieu of the furnishing of proof by any person. The furnishing of proof shall permit the person to operate only a motor vehicle covered by the proof. The division of motor vehicles shall endorse appropriate restrictions on the face of the license held by the person or may issue a new license containing the restrictions.
History of Section.
P.L. 1952, ch. 3002, § 26; G.L. 1956, § 31-32-46; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-32.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-33. - Substitution of proof.

§ 31-32-33. Substitution of proof.
The division of motor vehicles shall consent to the cancellation of any bond or certificate of insurance, or the division of motor vehicles shall direct and the general treasurer shall return any money or securities to the person entitled to it upon the substitution and acceptance of other adequate proof of financial responsibility pursuant to this chapter.
History of Section.
P.L. 1952, ch. 3002, § 27; G.L. 1956, § 31-32-47; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-33.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-34. - Requiring additional proof.

§ 31-32-34. Requiring additional proof.
Whenever any proof of financial responsibility filed under the provisions of this chapter no longer fulfills the purposes for which it is required, the division of motor vehicles shall, for the purpose of this chapter, require other proof as required by this chapter and shall suspend the license and registration or the nonresident’s operating privilege pending the filing of other proof.
History of Section.
P.L. 1952, ch. 3002, § 28; G.L. 1956, § 31-32-48; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-34.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-35. - Duration of proof — Cancellation or return.

§ 31-32-35. Duration of proof — Cancellation or return.
(a)
The division of motor vehicles shall upon request consent to the immediate cancellation of any bond or certificate of insurance, or the division of motor vehicles shall direct and the general treasurer shall return to the person entitled to it any money or securities deposited pursuant to this chapter as proof of financial responsibility, or the division of motor vehicles shall waive the requirement of filing proof, in any of the following events:
(1)
At any time after one year from the date the proof was required when, during the one year period preceding the request, the division of motor vehicles has not received record of a conviction or a forfeiture of bail which would require or permit the suspension or revocation of the license, registration, or nonresident’s operating privilege of the person by or for whom the proof was furnished;
(2)
In the event of the death of the person on whose behalf the proof was filed or the permanent incapacity of the person to operate a motor vehicle; or
(3)
In the event the person who has given proof surrenders his or her license and registration to the division of motor vehicles.
(b)
Provided, that the division of motor vehicles shall not consent to the cancellation of any bond or the return of any money or securities in the event any action for damages upon a liability covered by the proof is then pending or any judgment upon any liability is then unsatisfied, or in the event the person who has filed the bond or deposited the money or securities has within one year immediately preceding the request been involved as a driver or owner in any motor vehicle accident resulting in injury or damage to the person or property of others. An affidavit of the applicant as to the non-existence of such facts, or that he or she has been released from all of his or her liability, or has been finally adjudicated not to be liable, for the injury or damage, shall be sufficient evidence of it in the absence of evidence to the contrary in the records of the division of motor vehicles.

(c)
Whenever any person whose proof has been cancelled or returned under subsection (a)(3) of this section applies for a license or registration within a period of the one year from the date proof was originally required, the application shall be refused unless the applicant shall reestablish the proof for the remainder of the one year period.
History of Section.
P.L. 1952, ch. 3002, § 29; P.L. 1953, ch. 3111, § 1; G.L. 1956, § 31-32-49; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-35; P.L. 1978, ch. 309, § 2; P.L. 1986, ch. 494, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-36. - Three-year requirement construed.

§ 31-32-36. Three-year requirement construed.
Whenever in the general laws there is a reference to a three (3) year requirement for financial responsibility, it shall be construed to be a one year requirement except as provided in § 31-32-4(d) of this chapter.
History of Section.
P.L. 1978, ch. 309, § 3; P.L. 1986, ch. 494, § 1; P.L. 1988, ch. 377, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-4. - Proof required under certain circumstances.

§ 31-32-4. Proof required under certain circumstances.
(a)
Whenever the license of any person is revoked pursuant to the provisions of § 31-11-6, and whenever the division of motor vehicles, pursuant to the provisions of § 31-11-7, suspends or revokes the license of an operator or chauffeur upon a showing by its records or other sufficient evidence that the licensee has committed an offense for which mandatory revocation of license is required upon conviction, the division of motor vehicles shall suspend the registration of all vehicles registered in the name of the person as owner.
(b)
Whenever under any other law of this state the license of any person is suspended or revoked by reason of a conviction or a forfeiture of bail, the division of motor vehicles may suspend the registration of all vehicles registered in the name of the person as owner if the administrator of the division of motor vehicles finds that the public safety so requires; provided, that:
(1)
If the owner has previously given or shall immediately give and maintain proof of financial responsibility for the future with respect to all vehicles registered by the person as the owner, the division of motor vehicles shall not suspend the registration unless otherwise required by law.
(2)
If a conviction arose out of the operation, with permission, of a vehicle owned by or leased to the United States, this state, or a municipality of it, the division of motor vehicles shall suspend or revoke the license only with respect to the operation of vehicles not so owned or leased and shall not suspend the registration of any vehicle so owned or leased.
(c)(1)
Whenever the license of any person is revoked pursuant to the provisions of § 31-11-6, the administrator of the division of motor vehicles shall require that person to maintain proof of financial responsibility for the future with respect to all vehicles registered by the person or owner.
(2)
Whenever the license of any person shall have been suspended for having violated any provisions of the motor vehicle laws other than those enumerated in § 31-11-6, once within a period of twenty-four (24) calendar months, the administrator of the division of motor vehicles may in his or her discretion require the person to maintain proof of financial responsibility for the future with respect to all vehicles registered by the person as the owner. Whenever the license of any person shall have been suspended twice within a period of twenty-four (24) calendar months, the administrator of the division of motor vehicles shall require the person to maintain proof of financial responsibility for the future with respect to all vehicles registered by the person as the owner.
(d)
Notwithstanding the provisions of subsection (c) of this section, whenever the license of any person is suspended pursuant to the provisions of § 31-27-2 or 31-27-2.1, the administrator of the division of motor vehicles shall require the person to maintain proof of financial responsibility for three (3) years.
History of Section.
P.L. 1952, ch. 3002, § 17; G.L. 1956, § 31-32-26; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-4; P.L. 1968, ch. 282, § 1; P.L. 1970, ch. 279, § 1; P.L. 1988, ch. 377, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-5. - Suspension until proof furnished.

§ 31-32-5. Suspension until proof furnished.
The suspension or revocation required under § 31-32-4(a), (b), and (c)(1) shall remain in effect and the division of motor vehicles

shall not issue to that person any new or renewal of license, or register or reregister in the name of the person as owner of the vehicle until permitted under the motor vehicle laws of this state, and only if the person shall give and maintain proof of financial responsibility for the future; provided, that for a suspension under § 31-32-4(c)(2) the division of motor vehicles shall in its discretion issue or renew a license of the person without maintaining proof of financial responsibility for the future.
History of Section.
P.L. 1952, ch. 3002, § 17; G.L. 1956, § 31-32-27; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-5; P.L. 1970, ch. 279, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-6. - Action in respect to unlicensed person.

§ 31-32-6. Action in respect to unlicensed person.
If a person has no license, but by final order or judgment is convicted of or forfeits any bail or collateral deposited to secure an appearance for trial for any offense requiring the suspension or revocation of a license, or for driving a motor vehicle upon the highways without being licensed to do so, or for driving an unregistered vehicle upon the highways, no license shall be thereafter issued to that person and no vehicle shall continue to be registered or thereafter be registered in the name of the person as owner, unless he or she shall give and maintain proof of financial responsibility for the future.
History of Section.
P.L. 1952, ch. 3002, § 17; G.L. 1956, § 31-32-28; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-6.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-7. - Action in respect to nonresidents.

§ 31-32-7. Action in respect to nonresidents.
Whenever the division of motor vehicles suspends or revokes a nonresident's operation privilege by reason of a conviction or forfeiture of bail, the privilege shall remain suspended or revoked unless the person shall have previously given or shall immediately give and maintain proof of financial responsibility for the future.
History of Section.
P.L. 1952, ch. 3002, § 17; G.L. 1956, § 31-32-29; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-8. - Courts to report nonpayment of judgments.

§ 31-32-8. Courts to report nonpayment of judgments.
Whenever any person fails within sixty (60) days to satisfy any judgment, then upon the written request of the judgment creditor or his or her attorney, it shall be the duty of the clerk of the court in which the judgment is rendered within this state to immediately upon the request forward to the division of motor vehicles a certified copy of the judgment.
History of Section.
P.L. 1952, ch. 3002, § 12; G.L. 1956, § 31-32-17; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-32 - Proof of Financial Responsibility for the FutureSection 31-32-9. - Division of motor vehicles to notify licensing state.

§ 31-32-9. Division of motor vehicles to notify licensing state.
If the defendant named in any certified copy of a judgment reported to the division of motor vehicles is a nonresident, the division of motor vehicles shall transmit a certified copy of the judgment to the official in charge of the issuance of licenses and registrations in the state of which the defendant is a resident.
History of Section.
P.L. 1952, ch. 3002, § 12; G.L. 1956, § 31-32-17; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-32-9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-1. - Accident reports.

§ 31-33-1. Accident reports.
The operator of every motor vehicle which is in any manner involved in an accident within this state, in which any person is killed or injured, or in which damage to the property of any one person, including the operator, in excess of five hundred dollars ($500) is sustained, shall, within twenty-one (21) days after the accident, report the matter in writing to the division of motor vehicles. The report, the form of which shall be prescribed by the division of motor vehicles, shall contain information to enable the division of motor vehicles to determine whether the requirements for the deposit of security under chapters 31 and 32 of this title are inapplicable by reason of the existence of insurance or other exceptions specified in the chapters, and the administrator of the division of motor vehicles may regard the information given as true, until the contrary reasonably appears. If that operator is physically incapable of making the report, the owner of the motor vehicle involved in the accident shall, within twenty-one (21) days after learning of the accident, make the report. The operator or the owner shall furnish any additional relevant information that the division of motor vehicles shall require.

History of Section.
P.L. 1952, ch. 3002, § 4; G.L. 1956, § 31-32-1; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-1; P.L. 1968, ch. 185, § 1; P.L. 1982, ch. 40, § 2; P.L. 1987, ch. 48, § 2; P.L. 2000, ch. 274, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-10. - Statement as to liability insurance not included in sale of vehicle.

§ 31-33-10. Statement as to liability insurance not included in sale of vehicle.
(a)
Whenever any motor vehicle dealer licensed under chapter 5 of this title sells a motor vehicle at retail other than a cash sale, and the transaction for financing the purchase does not include the sale of liability insurance coverage which will protect the purchaser under the provisions of chapters 31 and 32 of this title, the purchase order or invoice or memorandum of conditional sales contract evidencing the transaction shall contain a statement in the following form:
"It is understood that insurance coverage which would protect the purchaser under the Rhode Island Motor Vehicle Safety Responsibility Act is not included in the purchase of the motor vehicle described here.
The purchaser has received a copy of this statement.

_____
(purchaser's signature)

_____
(seller's signature)"
(b)
The seller shall print or stamp the statement on the purchase order or invoice in distinctive colored ink and with clearly visible letters. The statement shall be signed by the purchaser and the seller in the space provided in it on or before the date of delivery of the motor vehicle described in the purchase order or invoice or memorandum of conditional sales contract, and a copy of the form shall be given to the purchaser by the seller.
History of Section.
P.L. 1952, ch. 3002, § 47; P.L. 1955, ch. 3531, § 1; G.L. 1956, § 31-33-10; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-31-10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-11. - Proof of responsibility for registration of vehicles owned by minors.

§ 31-33-11. Proof of responsibility for registration of vehicles owned by minors.
The division of motor vehicles shall not register any motor vehicle owned by any person under sixteen (16) years of age. The division of motor vehicles shall not register any motor vehicle owned by any person between sixteen (16) and eighteen (18) years of age unless the person shall furnish proof of financial responsibility for the future together with any certificate that the division of motor vehicles may require, signed by either parent, or the guardian of the person, approved or requesting the registration of the vehicle.
History of Section.
P.L. 1952, ch. 3002, § 36; P.L. 1955, ch. 3501, § 1; G.L. 1956, § 31-31-11; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-12. - Proof of responsibility for registration of vehicles for hire.

§ 31-33-12. Proof of responsibility for registration of vehicles for hire.
The division of motor vehicles shall not register any motor vehicle for hire as defined in chapter 1 of this title until the owner of it shall furnish proof of financial responsibility.
History of Section.
P.L. 1952, ch. 3002, § 36; P.L. 1955, ch. 3501, § 1; G.L. 1956, § 31-31-12; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-12.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-13. - Proof of responsibility to obtain dealers' plates.

§ 31-33-13. Proof of responsibility to obtain dealers' plates.
The division of motor vehicles shall not issue a registration under the provisions of §§ 31-3-20 — 31-3-27 until the person applying for the registration shall furnish proof of financial responsibility.
History of Section.
P.L. 1952, ch. 3002, § 36; P.L. 1955, ch. 3501, § 1; G.L. 1956, § 31-31-13; P.L. 1959, ch. 123, § 4; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-13.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-14. - Return of registration plates on disposing of vehicle.

§ 31-33-14. Return of registration plates on disposing of vehicle.

Any person who shall sell, lose possession of, or have destroyed by collision or fire, or who shall junk or otherwise dispose of any motor vehicle owned by or registered to that person, shall, in addition to returning the certificate of registration to the division of motor vehicles as required by chapter 4 of this title, immediately return to the custody of the division of motor vehicles, the number plates or markers issued under the registration certificates. If the number plates or markers are lost or destroyed, the owner of the motor vehicle to whom the number plates or markers were issued, shall file with the division of motor vehicles upon a form furnished by the division of motor vehicles, a statement under oath, satisfactory to the division of motor vehicles as to the circumstances surrounding the loss or destruction of the number plates or markers.
History of Section.
P.L. 1952, ch. 3002, § 37; G.L. 1956, § 31-31-14; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-14.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-15. - Suspension of fraudulent registration of vehicle owned by minor.

§ 31-33-15. Suspension of fraudulent registration of vehicle owned by minor.
The division of motor vehicles shall immediately suspend the registration of any motor vehicle if it appears to the division of motor vehicles that the motor vehicle is owned by a person under eighteen (18) years of age and that the person has secured the registration by a false statement of his or her age or that the motor vehicle has been registered in the name of a person not the true owner of it.
History of Section.
P.L. 1952, ch. 3002, § 37; G.L. 1956, § 31-31-15; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-15.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-16. - Examination of vehicles and licenses on highways.

§ 31-33-16. Examination of vehicles and licenses on highways.
The division of motor vehicles may cause an examination to be made of all motor vehicles which at the time of the examination shall be found upon the public highways, and of the licenses of the operators in charge of the motor vehicles, and may verify numbers upon the engines of the motor vehicles as well as the numbers of the manufacturers thereon, and do and perform any other acts and demand and receive any other information that it may deem necessary to establish the ownership of the motor vehicles and the authority to operate the motor vehicles. For these purposes the division of motor vehicles may request the assistance of the division of state police or police authorities of any city or town.
History of Section.
P.L. 1952, ch. 3002, § 39; G.L. 1956, § 31-31-16; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-16.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-17. - Other process preserved.

§ 31-33-17. Other process preserved.
Nothing in chapters 31 — 33 of this title shall be construed as preventing the plaintiff in any action at law from relying for relief upon the other processes provided by law.
History of Section.
P.L. 1952, ch. 3002, § 42; G.L. 1956, § 31-31-20; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-17.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-18. - Short title.

§ 31-33-18. Short title.
Chapters 31 — 33 of this title may be cited as the “Motor Vehicle Safety Responsibility Act.”
History of Section.
P.L. 1952, ch. 3002, § 45; G.L. 1956, § 31-31-1; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-18.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-2. - Failure to file accident report.

§ 31-33-2. Failure to file accident report.
Failure to report an accident as required in § 31-33-1 shall be punished by a fine as provided for in § 31-41.1-4, and the division of motor vehicles shall suspend the license of the person failing to make report, or the nonresident’s operating privilege of the person, until a report has been filed and for any further period not to exceed thirty (30) days that the division of motor vehicles may fix.
History of Section.
P.L. 1952, ch. 3002, § 32; G.L. 1956, § 31-33-3; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-2; P.L. 2002, ch. 58, § 8; P.L. 2002, ch. 292, § 124; P.L. 2008, ch. 100, art. 12, § 12.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-3. - Falsification of reports or proof of responsibility.

§ 31-33-3. Falsification of reports or proof of responsibility.
Any person who gives information required in a report or otherwise as provided for in § 31-33-1, knowing or having reason to believe that the information is false, or who shall forge or, without authority, sign any evidence of proof of financial responsibility for the future as required by chapter 32 of this title or who files or offers for filing any evidence of proof knowing or having reason to believe that it is forged or signed without authority, shall be fined not more than one thousand dollars ($1,000) or imprisoned for not more than one year, or both.
History of Section.
P.L. 1952, ch. 3002, § 32; G.L. 1956, § 31-33-4; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-4. - Transfer of registration to defeat purpose.

§ 31-33-4. Transfer of registration to defeat purpose.
(a)
If an owner's registration has been suspended under the provisions of chapter 31 or 32 of this title, the registration shall not be transferred, nor the vehicle in respect to which the registration was issued, be registered in any other name until the division of motor vehicles is satisfied that the transfer of registration is proposed in good faith and not for the purpose or with the effect of defeating the purposes of these chapters.
(b)
Nothing in this section shall in any way affect the rights of any conditional vendor, chattel mortgagee, or lessor of a vehicle registered in the name of another as owner who becomes subject to the provisions of this section.
(c)
The division of motor vehicles shall suspend the registration of any vehicle transferred in violation of the provisions of this section.
History of Section.
P.L. 1952, ch. 3002, § 30; G.L. 1956, § 31-33-1; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-5. - Surrender of license and registration.

§ 31-33-5. Surrender of license and registration.
(a)
Any person whose license or registration shall have been suspended under any provision of chapter 31 or 32 of this title, or whose policy of insurance or bond, when required under it, shall have been canceled or terminated, shall immediately return his or her license and registration to the division of motor vehicles. If any person shall fail to return to the division of motor vehicles the license or registration as provided in these chapters, the division of motor vehicles shall immediately direct any peace officer to secure possession of it and to return the same to the division of motor vehicles.
(b)
Any person willfully failing to return a license or registration as required in subsection (a) of this section, shall be fined not more than five hundred dollars ($500) or imprisoned not to exceed thirty (30) days, or both.
History of Section.
P.L. 1952, ch. 3002, §§ 31, 32; G.L. 1956, § 31-33-2; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-6. - Owner's liability for acts of others.

§ 31-33-6. Owner's liability for acts of others.
Whenever any motor vehicle shall be used, operated, or caused to be operated upon any public highway of this state with the consent of the owner, lessee, or bailee, expressed or implied, the driver of it, if other than the owner, lessee, or bailee, shall in the case of an accident be deemed to be the agent of the owner, lessee, or bailee, of the motor vehicle unless the driver shall have furnished proof of financial responsibility in the amount set forth in chapter 32 of this title, prior to the accident. For the purposes of this section, the term "owner" includes any person, firm, copartnership, association, or corporation having the lawful possession or control of a motor vehicle under a written sale agreement.
History of Section.
P.L. 1952, ch. 3002, § 38; G.L. 1956, § 31-31-3; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-6; P.L. 2003, ch. 115, § 1; P.L. 2003, ch. 117, § 1; P.L. 2004, ch. 219, § 5; P.L. 2004, ch. 224, § 5; P.L. 2005, ch. 137, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-7. - Prima facie evidence of consent of owner.

§ 31-33-7. Prima facie evidence of consent of owner.
In all civil proceedings, evidence that at the time of the accident or collision the motor vehicle was registered in the name of the defendant, shall be prima facie evidence that it was being operated with the consent of the defendant, and the absence of consent

shall be an affirmative defense to be set up in the answer and proved by the defendant.
History of Section.
P.L. 1952, ch. 3002, § 38; G.L. 1956, § 31-31-4; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-7; P.L. 1982, ch. 350, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-8.1. - Joint distribution of accident reports.

§ 31-33-8.1. Joint distribution of accident reports.
Notwithstanding any other law to the contrary, nothing shall prevent insurers providing automobile insurance coverage in the state from establishing and maintaining a common system for obtaining publicly filed accident reports and distributing the reports to the insurer or insurers identified on the form as providing coverage to one or more persons, whether through the assigned risk plan or otherwise.
History of Section.
P.L. 1993, ch. 185, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-8. - Assigned risk plans.

§ 31-33-8. Assigned risk plans.
(a)
After consultation with the insurance companies authorized to issue automobile liability and/or physical damage policies in this state, the insurance commissioner shall approve a reasonable plan or plans, fair to the insurers and equitable to their policyholders, for the apportionment among the companies of applicants for motor vehicle liability and/or physical damage insurance who are in good faith entitled to but are unable to procure insurance through ordinary methods.
(b)
The plan or plans shall provide coverage for liability imposed by law for damages arising out of the ownership, maintenance, or use of the vehicle or vehicles within the United States or the Dominion of Canada, up to a limit of two hundred fifty thousand dollars ($250,000) because of bodily injury to or death of one person in any one accident and, up to a limit of five hundred thousand dollars ($500,000) because of bodily injury to or death of two (2) or more persons in any one accident.
(c)
When any plan or plans have been approved, all the insurance companies shall subscribe to it or them and participate with respect to those types of insurance which they write in the state. Licensed non-resident insurance producers shall be allowed to submit applications to the plan or plans, provided that the state in which they hold a resident brokers license allows Rhode Island resident producers access to their respective plan or plans, or similar residual market mechanism.
(d)
Any applicant for insurance, any person insured under the plan, and any insurance company affected, may appeal to the insurance commissioner from any ruling or decision of a manager or committee designated to operate the plan or plans. Any order or act of the insurance commissioner under the provisions of this section shall be subject to review on petition filed by an aggrieved party in the superior court for the counties of Providence and Bristol within ten (10) days after notice of it is given. The court shall determine whether the filing of the petition shall operate as a stay of any order or act of the insurance commissioner, and the court shall summarily hear the matter. The court may, in disposing of the issue before it, modify, affirm, or reverse the order or act of the insurance commissioner in whole or in part.
History of Section.
P.L. 1952, ch. 3002, § 35; G.L. 1956, § 31-31-9; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-8; P.L. 1982, ch. 378, § 1; P.L. 1989, ch. 207, § 1; P.L. 1989, ch. 337, § 1; P.L. 1992, ch. 265, § 1; P.L. 2011, ch. 158, § 1; P.L. 2011, ch. 274, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-33 - Safety Responsibility Violations — General ProvisionsSection 31-33-9. - Self-insurers.

§ 31-33-9. Self-insurers.
(a)
Any person in whose name more than twenty-five (25) vehicles are registered in this state may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the department of business regulation as provided in subsection (b) of this section.
(b)
The department of business regulation may, in its discretion, upon the application of such a person, issue a certificate of self-insurance when it is satisfied that the person is possessed, and will continue to be possessed of, the ability to pay judgment obtained against the person. The certificate may be issued authorizing a person to act as a self-insurer for either property damage or bodily injury, or both.
(c)
Upon not less than five (5) days' notice and a hearing pursuant to notice, the department of business regulation may upon reasonable grounds cancel a certificate of self-insurance. Failure to pay any judgment within thirty (30) days after the judgment shall have become final shall constitute a reasonable ground for the cancellation of a certificate of self-insurance.

(d)
Entities applying to, or previously authorized to, permissibly self-insure are subject to the jurisdiction of the department of business regulation. The department of business regulation is authorized to promulgate and enforce rules and regulations that may be necessary to carry out the provisions of this section including, but not limited to:
(1)
Obtaining and reviewing financial statements and related information necessary to ascertain the applicant's ability to self-insure.
(2)
Apportioning the cost of review to the applicant in a manner similar to that utilized to charge insurance companies for review and analysis of their financial statements.
(3)
Imposing and enforcing upon entities authorized to permissibly self-insure any and all claims handling and settlement practices required of insurers in the settlement of claims.
History of Section.
P.L. 1952, ch. 3002, § 34; G.L. 1956, § 31-31-8; P.L. 1962, ch. 204, § 2; G.L. 1956, § 31-33-9; P.L. 2014, ch. 29, § 1; P.L. 2014, ch. 36, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-34.1 - Rental Vehicle SurchargeSection 31-34.1-1. - Definitions.

§ 31-34.1-1. Definitions.
The following words and phrases used in this chapter, for the purposes of this chapter, have the following meanings:
(1)
"Excise tax" means the tax imposed under chapter 34 of title 44.
(2)
"Gross receipts" means the total amount of money for the value of other consideration received by a renter of motor vehicles from motor vehicles rented in the state of Rhode Island. Gross receipts includes any charges related to the rental including gas, insurance, etc. whether or not set out in separate contract.
(3)
"Motor vehicle" means a private passenger motor vehicle designed to transport fifteen (15) or fewer passengers that is rented without a driver and is part of a fleet of five (5) or more passenger vehicles used for that purpose, owned or leased by the same person or entity.
(4)
"Rental company" means any business entity engaged in the business of renting motor vehicles in the state of Rhode Island.
(5)
"Rented in this state" means any vehicle if it is picked up by or delivered to the renter in this state.
History of Section.
P.L. 1994, ch. 150, § 1; P.L. 1995, ch. 272, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-34.1 - Rental Vehicle SurchargeSection 31-34.1-2. - Rental vehicle surcharge.

§ 31-34.1-2. Rental vehicle surcharge.
(a)
Each rental company shall collect, at the time a motor vehicle is rented in this state, on each rental contract, a surcharge equal to eight percent (8.0%) of gross receipts per vehicle on all rentals for each of the first thirty (30) consecutive days. The surcharge shall be computed prior to the assessment of any applicable sales taxes, provided, however, the surcharge shall be subject to the sales tax.
(b)
The surcharge shall be included on the rental contract and collected in accordance with the terms of the rental contract. Sixty percent (60%) of the surcharge shall be retained by the rental company in accordance with this section and subsection (c), and forty percent (40%) of the surcharge shall be remitted to the state for deposit in the general fund, on a quarterly basis in accordance with a schedule adopted by the tax administration. Each rental company collecting and retaining surcharge amounts may reimburse itself in accordance with this section from the funds retained for the total amount of motor vehicle licensing fees, title fees, registration fees and transfer fees paid to the state of Rhode Island and excise taxes imposed upon the rental companies' motor vehicles during the prior calendar year; provided, that rental companies shall not be authorized to reimburse themselves for title fees, motor vehicles licensing fees, transfer fees, registration fees and excise taxes unless those fees and taxes shall have been assessed and paid in full to the state or appropriate city or town prior to any reimbursement. No reimbursement shall be allowed upon the prepayment of any fees or excise taxes.
(c)
At a date to be set by the state tax administrator, but not later than February 15th of any calendar year, each rental company shall, in addition to filing a quarterly remittance form, file a report with the state tax administrator on a form prescribed by him or her, stating the total amount of motor vehicles licensing fees, transfer fees, title fees, registration fees and excise taxes paid by the rental

company in the previous year. The amount, if any, by which the surcharge collections exceed the amount of licensing fees, title fees, transfer fees, registration fees and excise taxes paid shall be remitted by the rental company to the state of Rhode Island for deposit in the Rhode Island highway maintenance fund beginning in fiscal year 2015.
History of Section.
P.L. 1994, ch. 150, § 1; P.L. 1995, ch. 272, § 1; P.L. 1996, ch. 100, art. 44, § 1; P.L. 2002, ch. 65, art. 16, § 10; P.L. 2012, ch. 297, § 1; P.L. 2012, ch. 340, § 1; P.L. 2014, ch. 145, art. 21, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-34.1 - Rental Vehicle SurchargeSection 31-34.1-3. - Regulations.

§ 31-34.1-3. Regulations.
The tax administrator shall promulgate rules and regulations necessary to implement the provisions of this chapter. All administrative provisions of chapters 18 and 19 of title 44 relating to interest, penalties, assessments and hearings shall apply.
History of Section.
P.L. 1994, ch. 150, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-34.1 - Rental Vehicle SurchargeSection 31-34.1-4. - False reports — Penalties.

§ 31-34.1-4. False reports — Penalties.
Any person making a false report to the tax administrator with the intent to misrepresent the amount of title fees, motor vehicle licensing fees, transfer fees or excise fees paid or the amount of surcharges collected or who knowingly fails to collect the surcharge as required by this section shall be guilty of a misdemeanor and shall upon conviction of each offense be fined not more than one thousand dollars ($1,000) or be imprisoned for not more than one year, or by both fine and imprisonment. In addition to the above penalty, any person convicted of a violation of this section shall forfeit their right to reimbursement for expenses and shall remit the entire six percent (6%) surcharge collected to the state in a manner consistent with § 31-34.1-2.
History of Section.
P.L. 1994, ch. 150, § 1; P.L. 1996, ch. 100, art. 44, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-34 - Responsibility of Owners of Rental VehiclesSection 31-34-1. - Proof of financial responsibility required.

§ 31-34-1. Proof of financial responsibility required.
(a)
It shall be unlawful for the owner of any motor vehicle or truck engaged in the business of renting motor vehicles or trucks without drivers to rent a motor vehicle without a driver otherwise than as a part of a bona fide transaction involving the sale of the motor vehicle or truck, unless the owner has previously notified the division of motor vehicles of the intention to so rent the vehicle and has given proof of financial responsibility, in the following amounts:
(1)
Ten thousand dollars ($10,000) for property damage;
(2)
Twenty-five thousand dollars ($25,000) for injury or death sustained by one person;
(3)
Fifty thousand dollars ($50,000) for all personal injuries or deaths resulting from one accident.
(b)
The division of motor vehicles shall not register the vehicle unless and until the owner gives proof of financial responsibility as provided in this chapter. The division of motor vehicles shall cancel the registration of any motor vehicle or truck rented without a driver whenever the division of motor vehicles ascertains that the owner has failed or is unable to give and maintain proof of financial responsibility.
History of Section.
P.L. 1950, ch. 2595, art. 20, § 1; G.L. 1956, § 31-34-1; P.L. 1965, ch. 214, § 1; P.L. 1982, ch. 28, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-34 - Responsibility of Owners of Rental VehiclesSection 31-34-2.1. - Self-insurers.

§ 31-34-2.1. Self-insurers.
(a)
Any person or company in whose name more than four hundred (400) vehicles are registered in this state may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the department of business regulation as provided in subsection (b).
(b)
Upon the application of the person or company, the department of business regulation may issue a certificate of self-insurance at its discretion if it is satisfied that the person or company has and will have the ability to pay any judgment obtained against the person

or company. The certificate may be issued authorizing a person or company to act as a self-insurer for either property damage or bodily injury, or both.
(c)
Upon not less than five (5) days' notice and a hearing pursuant to notice, the department of business regulation upon reasonable grounds may cancel a certificate of self-insurance. Failure to pay any judgment within thirty (30) days after the judgment has become final constitutes a reasonable ground for the cancellation of a certificate of self-insurance.
(d)
Entities applying to or previously authorized to permissibly self-insure are subject to the jurisdiction of the department of business regulation. The department of business regulation is authorized to promulgate and enforce rules and regulations that may be necessary to carry out the provisions of this section including, but not limited to:
(1)
Obtaining and reviewing financial statements and related information necessary to ascertain the applicant's ability to self-insure.
(2)
Apportioning the cost of review to the applicant in a manner similar to that utilized to charge insurance companies for review and analysis of their financial statements.
(3)
Imposing and enforcing upon entities authorized to permissibly self-insure any and all claims handling and settlement practices required of insurers in the settlement of claims.
History of Section.
P.L. 1998, ch. 339, § 2; P.L. 2014, ch. 29, § 2; P.L. 2014, ch. 36, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-34 - Responsibility of Owners of Rental VehiclesSection 31-34-2. - Maintenance of policies.

§ 31-34-2. Maintenance of policies.
The owner shall maintain the policy or policies or provide proof of financial responsibility or self-insurance during all times that the owner is engaged in the business of renting any motor vehicle without a driver.
History of Section.
P.L. 1950, ch. 2595, art. 20, § 1; G.L. 1956, § 31-34-2; P.L. 1998, ch. 339, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-34 - Responsibility of Owners of Rental VehiclesSection 31-34-3. - Operation by person other than lessee.

§ 31-34-3. Operation by person other than lessee.
Whenever the owner of a motor vehicle rents a vehicle without a driver to another it shall be unlawful for the lessee to permit any other person to operate the vehicle without the permission of the owner.
History of Section.
P.L. 1950, ch. 2595, art. 20, § 1; G.L. 1956, § 31-34-3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-34 - Responsibility of Owners of Rental VehiclesSection 31-34-4. - Liability of owner for negligence of operator.

§ 31-34-4. Liability of owner for negligence of operator.
(a)
Any owner of a for-hire motor vehicle or truck who has given proof of financial responsibility under this chapter or who in violation of this chapter has failed to give proof of financial responsibility, shall be jointly and severally liable with any person operating the vehicle for any damages caused by the negligence of any person operating the vehicle by or with the permission of the owner. Nothing in this section shall be construed to prevent an owner who has furnished proof of financial responsibility or any person operating the vehicle from making defense in an action upon the ground of contributory negligence to the extent to which the defense is allowed in other cases.
(b)
Notwithstanding the provisions of subsection (a) of this section, or any provisions contained under this title to the contrary, the valid and collectible liability insurance or self-insurance providing coverage or liability protection for third-party liability claims arising out of the operation of the rental vehicle shall be primary for the lessor or any person operating the motor vehicle, with the express permission of the lessor unless otherwise stated in at least ten-point (10) type on the face of the rental agreement. That insurance or self-insurance is primary only up to the limits required under § 31-47-2(13)(i)(A).
(c)
"Lessor" includes any entity in the business of renting motor vehicles pursuant to a written rental agreement.
History of Section.
P.L. 1950, ch. 2595, art. 20, § 1; G.L. 1956, § 31-34-4; P.L. 1965, ch. 214, § 1; P.L. 1997, ch. 353, § 1; P.L. 2003, ch. 115, § 2; P.L. 2003, ch. 117, § 2; P.L. 2004, ch. 219, § 6; P.L. 2004, ch. 224, § 6; P.L. 2005, ch. 137, § 6; P.L. 2021, ch. 398, § 6, effective July 14, 2021; P.L. 2021, ch. 399, § 6, effective July 14, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-34 - Responsibility of Owners of Rental VehiclesSection 31-34-5. - Failure to comply.

§ 31-34-5. Failure to comply.
The division of motor vehicles shall cancel the registration of any motor vehicle rented without a driver whenever the division of motor vehicles ascertains that the owner has failed or is unable to comply with the requirements of this chapter.
History of Section.
P.L. 1950, ch. 2595, art. 20, § 1; G.L. 1956, § 31-34-5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-34 - Responsibility of Owners of Rental VehiclesSection 31-34-6. - Violations

§ 31-34-6. Violations
Any person who violates any of the provisions of this chapter shall be subject to the fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 20, § 1; G.L. 1956, § 31-34-6; P.L. 2021, ch. 96, § 1, effective July 1, 2021; P.L. 2021, ch. 97, § 1, effective July 1, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-34 - Responsibility of Owners of Rental VehiclesSection 31-34-7. - Notification to customer regarding insurance coverage.

§ 31-34-7. Notification to customer regarding insurance coverage.
(a)
Whenever any car rental agency offers a collision damage waiver on the vehicle at an additional cost, it shall notify the lessee by providing the following language, (in ten (10) point type) in all rental agreements:
“Notice: This contract offers, for an additional charge, a collision damage waiver to cover your responsibility for damage to the vehicle. Before deciding whether to purchase the collision damage waiver, you may wish to determine whether your own automobile insurance affords you coverage for damage to the rental vehicle and the amount of the deductible under your own insurance coverage. The purchase of collision damage waiver is not mandatory under this contract.
“Read the collision damage waiver disclosure provision contained in this rental agreement before signing this agreement.”
(b)
The following uniform collision damage waiver provision shall be contained in every rental agreement:
Notice About Liability for Damage to the Rental Car
The State of Rhode Island requires us to provide the following information about your liability for damage to the rental car and the purchase of a damage waiver.
Insurance or Credit Card Coverage
Liability for any damage to the rental vehicle may be covered by your personal insurance policy or credit agreement. Check your insurance policy or credit card agreement about coverage.
Damage Waiver Coverage
A damage waiver is not insurance coverage. You do not have to purchase the Collision Damage Waiver. You can decline it.
If you purchase a damage waiver, we will waive our right to hold you or any authorized driver liable for damage. Even if you buy the damage waiver, you and any authorized driver will remain liable for damage if any of the following apply:
(1) Damage or loss caused intentionally, willfully or wantonly by an authorized driver;
(2) Damage or loss occurring while an authorized driver operates the rental vehicle while legally intoxicated or under the influence of any illegal drug or chemical as defined or determined under the law of the state in which the damage occurred;
(3) Damage or loss caused while an authorized driver is engaging in any speed contest;
(4) Damage or loss caused while an authorized driver is using the vehicle to push or tow anything or using the vehicle to carry persons or property for hire, unless expressly authorized in the rental agreement;
(5) Damage or loss incurred while an authorized driver is driving outside the United States or Canada, or, if state restrictions are imposed by the rental agreement if such damage or loss is incurred outside of those states where operation of the vehicle is expressly authorized in the rental agreement;
(6) Damage or loss incurred while the vehicle is driven, with the renter's permission or accession, by anyone other than an authorized driver;
(7) Damage or loss incurred after the private passenger automobile was rented or an authorized driver was approved as a result of fraudulent information provided to the rental company;
(8) Damage or loss incurred as a result of commission of a felony by an authorized driver; and
(9) Damage or loss incurred if the vehicle is stolen and the renter or authorized driver fails to return the original ignition key, fails to file a police report within seventy-two (72) hours of discovering the theft, or fails to cooperate with the rental agency, police or other authorities in all matters connected with the investigation.
History of Section.
P.L. 1989, ch. 295, § 1; P.L. 2002, ch. 250, § 1; P.L. 2004, ch. 28, § 1; P.L. 2004, ch. 100, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-34 - Responsibility of Owners of Rental VehiclesSection 31-34-8. - Basis of charges.

§ 31-34-8. Basis of charges.
Every automobile rental company shall compute rental charges, with the exception of rental charges for temporary replacement vehicles after an accident, based solely on a twenty-four (24) hour period, rather than on a calendar day basis.
History of Section.
P.L. 1989, ch. 295, § 1; P.L. 1999, ch. 510, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-34 - Responsibility of Owners of Rental VehiclesSection 31-34-9. - Vehicles with salvage title.

§ 31-34-9. Vehicles with salvage title.
No rental company shall utilize any vehicle with a salvage title as a rental vehicle.
History of Section.
P.L. 2014, ch. 264, § 1; P.L. 2014, ch. 305, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-35 - Responsibility of Parking LotsSection 31-35-1. - Ordinances requiring theft and damage insurance coverage.

§ 31-35-1. Ordinances requiring theft and damage insurance coverage.
Each city and town in this state is authorized and empowered to pass ordinances requiring every person, firm, or corporation engaged in the business of parking motor vehicles on outdoor parking lots to take out a blanket insurance, by the terms of which any motor vehicle owner, whose motor vehicle has been left in the outdoor parking lot, in the event of theft of or damage to the motor vehicle, may be recompensed from the insurance for the theft or damages.
History of Section.
P.L. 1942, ch. 1209, § 1; G.L. 1956, § 31-35-1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-1. - Statement of purpose.

§ 31-36.1-1. Statement of purpose.
The purpose of this chapter is to assure the payment of tax on fuel consumed by motor carriers in propelling qualified motor vehicles on the public highways in Rhode Island.
History of Section.
P.L. 1981, ch. 220, § 1; P.L. 2006, ch. 246, art. 22, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-11. - Return requirements.

§ 31-36.1-11. Return requirements.
Every motor carrier subject to the tax imposed by this chapter shall on or before the last day of April, July, October, and January of every year make to the administrator any returns of its operations during the quarter ending the last day of the preceding month that the administrator may require and any other reports from time to time that the administrator may deem necessary.
History of Section.
P.L. 1981, ch. 220, § 1; P.L. 1987, ch. 118, art. 18, § 2; P.L. 1987, ch. 173, § 1; P.L. 2006, ch. 246, art. 22, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-12. - Inspection of books and records by administrator — Agreements with other jurisdictions for cooperative audits.

§ 31-36.1-12. Inspection of books and records by administrator — Agreements with other jurisdictions for cooperative audits.
(a)
The tax administrator and the administrator's authorized agents and representatives may, at any reasonable time, inspect the books and records of any motor carrier subject to the tax imposed by this chapter. The administrator may enter into agreements with the appropriate authorities of other jurisdictions having statutes similar to this chapter for the cooperative audit of motor carrier reports and returns.
(b)
In performing the audit or part of it, the officers and employees of the other jurisdiction or jurisdictions shall be deemed authorized agents of this state for that purpose, and the audits or parts of it shall have the same effect as similar audits or parts of them made by the division of taxation.
History of Section.
P.L. 1981, ch. 220, § 1; P.L. 2006, ch. 246, art. 22, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-13. - Computation of tax by administrator.

§ 31-36.1-13. Computation of tax by administrator.

(a)

If the administrator is not satisfied with any report or return of a motor carrier subject to the tax imposed by this chapter, or with the amount of the tax to be paid by the motor carrier, the administrator may compute and assess the amount of the tax on the basis of facts contained in the report and return or on the basis of any other information available to the administrator. One or more deficiency assessments may be made with respect to any return for the tax imposed by this chapter.

(b)

The amount of the deficiency assessment, exclusive of penalties, shall bear interest at the annual rate provided by § 44-1-7, as amended, from the last day of the month succeeding the quarterly period for which the amount of any portion of it should have been returned until the date of payment.

(c)

If any part of the deficiency for which a deficiency assessment is made is due to negligence or intentional disregard of the provisions of this chapter, a penalty of ten percent (10%) of the amount of the deficiency assessment shall be added to it. If any part of the deficiency for which a deficiency assessment is made is due to fraud or intent to evade the provisions of this chapter, a penalty of fifty percent (50%) of the amount of the deficiency assessment shall be added to it.

(d)

The administrator shall give written notice to any motor carrier of the deficiency assessment. If the notice is served by mail, it shall be addressed to the motor carrier at the address appearing in the records of the division of taxation. Except in the case of fraud, intent to evade the provisions of this chapter, or failure to submit a return, the notice of a deficiency assessment shall be mailed within three (3) years after the last day of the month following the quarterly period for which the amount is assessed or within three (3) years after the return for the period is filed, whichever is later.

(e)

If, prior to the expiration of the time prescribed in subsection (d) of this section for the mailing of the notice of a deficiency assessment, the taxpayer has consented in writing to the mailing of notice after that time, the notice may be mailed at any time prior to the expiration of the period agreed upon for the mailing. The period agreed upon may be extended by subsequent agreements in writing made before the expiration of the period.

History of Section.

P.L. 1981, ch. 220, § 1; P.L. 1992, ch. 388, § 13; P.L. 2006, ch. 246, art. 22, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-14. - Average consumption.

§ 31-36.1-14. Average consumption.

In the absence of adequate records or other evidence satisfactory to the administrator, showing the number of miles operated by a motor carrier's qualified motor vehicles per gallon of motor fuel, the motor vehicle shall be deemed to have consumed one gallon of motor fuel for each four (4) miles operated, as prescribed by the International Fuel Tax Agreement.

History of Section.

P.L. 1981, ch. 220, § 1; P.L. 2006, ch. 246, art. 22, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-15. - Credit on tax — Refund.

§ 31-36.1-15. Credit on tax — Refund.

(a)

Every motor carrier shall be entitled to a credit on the tax equivalent to the rate per gallon of the tax in effect under chapter 36 of this title, on all motor fuel purchased by the carrier within this state for use in its operations without this state and upon which motor fuel the tax imposed by the laws of this state has been paid by the carrier. Evidence of the payment of the tax in any form that may be required by, or is satisfactory to, the state tax administrator, shall, be furnished by the carrier claiming the credit allowed in this chapter.

(b)

When the amount of the credit provided in this chapter, to which any motor carrier is entitled for any quarter exceeds the amount of the tax for which the carrier is liable for the same quarter, the excess may, under the regulations of the tax administrator and the International Fuel Tax Agreement be allowed as a credit on the tax for which the carrier would be otherwise liable for any of the eight (8) succeeding quarters.

(c)

The licensee shall receive, on request, a cash refund of any accumulated credits. All requests for refunds of credit balances must be filed in writing.

History of Section.

P.L. 1981, ch. 220, § 1; P.L. 1986, ch. 427, § 1; P.L. 2006, ch. 246, art. 22, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-16. - Reciprocity.

§ 31-36.1-16. Reciprocity.
The tax administrator may enter the International Fuel Tax Agreement or other cooperative compacts or agreements with other states or jurisdictions to permit base state or base jurisdiction licensing of persons using motor fuel in this state. Those agreements may provide for the cooperation and assistance among member states in the administration and collection of motor fuel tax, including, but not limited to, exchanges of information, auditing and assessing of interstate carriers and suppliers, and any other activities necessary to further uniformity.
History of Section.
P.L. 1981, ch. 220, § 1; P.L. 1994, ch. 165, § 1; P.L. 2006, ch. 246, art. 22, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-17. - Penalties.

§ 31-36.1-17. Penalties.
(a)
Any motor carrier failing to secure or display upon demand the license or identification device required in § 31-36.1-3, or under the International Fuel Tax Agreement shall be guilty of a civil violation and subject to a fine not exceeding: (1) eighty-five dollars ($85.00) for the first offense and (2) not exceeding one hundred dollars ($100) for subsequent offenses. Any motor carrier willfully violating any other provisions of this chapter shall be deemed guilty of a civil violation and subject to a fine not exceeding one hundred dollars ($100) for the first offense and not exceeding five hundred dollars ($500) for subsequent offenses.
(b) Filing of a false statement to obtain credit or refund.
Any person who willfully and knowingly makes a false statement orally, in writing, or in the form of a receipt for the sale of motor fuel, for the purpose of obtaining, attempting to obtain, or to assist any other person, partnership, or corporation to obtain or attempt to obtain a credit or refund or reduction of liability for taxes under this chapter, shall be fined not less than five thousand dollars ($5,000) nor more than ten thousand dollars ($10,000), or be imprisoned not more than one year, or both.
(c) Failure to file return or pay tax.
When any motor carrier fails to file a return within the time prescribed by this chapter for the filing of it or fails to pay the amount of taxes due when they are payable, a penalty of ten percent (10%) or fifty dollars ($50.00), whichever is greater, shall be added to the amount of the tax due, and the penalty shall immediately accrue, and the tax shall bear interest at the annual rate provided by § 44-1-7, as amended, until the tax is paid. The tax administrator may waive all or part of the penalties provided in this chapter when it is proved to the tax administrator’s satisfaction that the failure to file the return or pay the taxes on time was due to reasonable cause.
History of Section.
P.L. 1981, ch. 220, § 1; P.L. 1986, ch. 103, § 12; P.L. 1992, ch. 388, § 13; P.L. 1996, ch. 173, § 1; P.L. 1999, ch. 218, art. 6, § 15; P.L. 2002, ch. 58, § 9; P.L. 2006, ch. 246, art. 22, § 1; P.L. 2008, ch. 100, art. 12, § 13.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-18. - Disposition of proceeds.

§ 31-36.1-18. Disposition of proceeds.
All money collected under the provisions of this chapter shall be deposited in the intermodal surface transportation fund as established in § 31-36-20.
History of Section.
P.L. 1981, ch. 220, § 1; P.L. 2006, ch. 246, art. 22, § 1; P.L. 2016, ch. 142, art. 13, § 8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-19. - Out-of-state vehicles.

§ 31-36.1-19. Out-of-state vehicles.
When under the laws of any other jurisdiction, any tax, license, fee, or other obligation in addition to any imposed by Rhode Island, are imposed on motor vehicles registered in Rhode Island, the same tax, license, fee, or other obligation may be imposed on vehicles from those states by Rhode Island.
History of Section.
P.L. 1981, ch. 220, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-2. - Definitions.

§ 31-36.1-2. Definitions.
Terms used in this chapter shall be construed to have the meanings provided for in § 31-36-1 and as follows:

(1)
“Administrator” means the tax administrator.
(2)
“Bond” means:
(i)
A bond duly executed by a motor carrier as principal with a corporate surety qualified under the provisions of the laws of this state, which bond shall be payable to this state, conditioned upon the basic performance of all requirements of this chapter, including the payment of all taxes, penalties and other obligations of the motor carrier arising out of this tax; or
(ii)
A deposit with the state treasury by the motor carrier under any terms and conditions that the administrator may prescribe, in like amount of lawful money of the United States or bonds, or other obligations of the United States, this state, or any county of this state, of an actual market value not less than the amount so fixed by the administrator.
(3)
“Jurisdiction” means a state of the United States of America, the District of Columbia, a province or territory of Canada, or a state of the United Mexican States.
(4)
“Motor carrier” means every person, association of persons, firm, or corporation, or any other legal entity, wherever resident or located, who operates or causes to be operated qualified motor vehicles on the public highways of this state.
(5)
“Qualified motor vehicles” means a motor vehicle used, designed or maintained for transportation of persons or property and:
(A)
Having two (2) axles and a gross vehicle weight or registered gross vehicle weight exceeding twenty-six thousand pounds (26,000 lbs.) or 11,797 kilograms; or
(B)
Having three (3) or more axles regardless of weight; or
(C)
Is used in combination, when the weight of such combination exceeds twenty-six thousand pounds (26,000 lbs.) or 11,797 kilograms gross vehicle or registered gross vehicle weight. Qualified motor vehicle does not include recreational vehicles.
(6)
“Recreational vehicle” means vehicles such as motor homes, pickup trucks with attached campers, and buses when used exclusively for personal pleasure by an individual. In order to qualify as a recreational vehicle, the vehicle shall not be used in connection with any business endeavor.
(7)
“Use” means the consumption by a motor carrier of fuels in the propulsion of qualified motor vehicles over the highways of this state unless the fuel consumed is specifically excluded by law from the tax.
History of Section.
P.L. 1981, ch. 220, § 1; P.L. 1982, ch. 307, § 1; P.L. 1996, ch. 173, § 1; P.L. 2006, ch. 246, art. 22, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-3. - Motor carrier license and identification — Temporary licenses.

§ 31-36.1-3. Motor carrier license and identification — Temporary licenses.
(a)
Each carrier operating a qualified motor vehicle in two (2) or more jurisdictions shall apply to the administrator for a motor carrier fuel use license upon forms approved by the administrator and there shall be no fee for this license. The license shall remain in effect until surrendered or revoked under the provisions of § 31-36.1-4. The tax administrator shall, in addition, provide identification devices in the quantity requested to each licensed motor carrier. One such device must be displayed on the exterior portion of each side of the cab of each qualified motor vehicle. Identification devices shall be issued each year by the administrator and shall be displayed on or before March 1.
(b)
The administrator may refuse to issue a license if the application for it:
(1)
Is filed by a motor carrier whose license at any time theretofore has been revoked by the administrator.
(2)
Contains any misrepresentation, misstatement, or omission of material information required by the application.
(3)
Is filed by some other motor carrier as a subterfuge of the real motor carrier in interest whose license or registration previously has been revoked for cause by the administrator.
(4)
Is filed by any motor carrier who is delinquent in the payment of any fee, tax, penalty, or other amount due the administrator for its

account.
The finding may be made by the administrator after granting the applicant a hearing of which the applicant shall be given ten (10) days' notice in writing, and in which the applicant shall have the right to appear in person or by counsel and present testimony.
(c) Temporary license.
Upon application to the administrator, an unlicensed motor carrier may obtain a temporary license which will authorize one qualified motor vehicle to be operated on the highways of this state, for a period not to exceed ten (10) days, without compliance with the fees imposed in this section, the tax imposed in § 31-36.1-5, and the bond required in § 31-36.1-6. There shall be no fee for this license.
(d)
The administrator may adopt rules and regulations specifying the conditions under which temporary licenses will be issued and providing for their issuance.
History of Section.
P.L. 1981, ch. 220, § 1; P.L. 1982, ch. 307, § 1; P.L. 1987, ch. 118, art. 18, § 1; P.L. 2006, ch. 246, art. 22, § 1; P.L. 2019, ch. 88, art. 3, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-4. - Motor carrier license and identification revocation.

§ 31-36.1-4. Motor carrier license and identification revocation.
The administrator may revoke the license and identification devices of a motor carrier which refuses or neglects to comply with any provision of this chapter or any regulation pursuant to this chapter. Before revoking the license and identification devices, the administrator shall send notice by registered or certified mail to the licensee at his or her address of record ordering the licensee to appear in the office of the administrator on a date not less than ten (10) days after mailing the notice, and show cause why the licensee's license and identification devices should not be revoked.
History of Section.
P.L. 1981, ch. 220, § 1; P.L. 2006, ch. 246, art. 22, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-5. - Imposition of tax.

§ 31-36.1-5. Imposition of tax.
There is levied and imposed upon motor carriers a tax at the rate specified in § 31-36-7 on the use of fuel for the propulsion of qualified motor vehicles on the public highways within this state. The tax, with respect to fuel purchased instate, shall be paid at the time of purchase as provided in chapter 36 of this title. The tax, with respect to fuel purchased outside this state shall be paid when the quarterly returns required in § 31-36.1-11 are filed with the administrator.
History of Section.
P.L. 1981, ch. 220, § 1; P.L. 1986, ch. 427, § 1; P.L. 2006, ch. 246, art. 22, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-6. - Bond requirement.

§ 31-36.1-6. Bond requirement.
Notwithstanding provisions to the contrary, the tax administrator, pursuant to rules and regulations adopted by the tax administrator, in his or her discretion, may require a motor carrier to post a bond. Such bond shall be consistent with the provisions of the International Fuel Tax Agreement.
History of Section.
P.L. 1981, ch. 220, § 1; P.L. 1989, ch. 44, § 1; P.L. 2006, ch. 246, art. 22, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-7. - Discharge of surety.

§ 31-36.1-7. Discharge of surety.
Any surety on a bond furnished by a motor carrier shall be discharged from any liability to the state accruing on the bond after expiration of sixty (60) days from the date which the surety shall have filed with the administrator a written request to be released and discharged, but not from liability already accrued before the expiration of the sixty (60) day period. The administrator, upon receipt of the request, shall promptly notify the motor carrier who furnished the bond in question. Unless the motor carrier, prior to the expiration of the sixty (60) day period, files a new bond satisfactory to the administrator, the administrator shall immediately revoke the motor carrier's license and identification devices.
History of Section.
P.L. 1981, ch. 220, § 1; P.L. 2006, ch. 246, art. 22, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-8. - Records.

§ 31-36.1-8. Records.
Each motor carrier shall make available in this state and retain for a period of not less than four (4) years, any records that may be prescribed and in the manner required by the administrator or the International Fuel Tax Agreement, as are reasonably necessary to substantiate the quarterly returns required by § 31-36.1-11. The administrator or the administrator's agents may examine the books, papers, records, and equipment of any motor carrier during normal business hours in order to determine whether the motor fuel taxes due under this chapter are properly reported and paid. If the records required by this section are not maintained instate, the motor carrier shall either produce the records at a point instate for audit purposes, or provide transportation and reasonable substance for an auditor to audit the records at that point where the records are maintained by the motor carrier.
History of Section.
P.L. 1981, ch. 220, § 1; P.L. 2006, ch. 246, art. 22, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.1 - Fuel Use Reporting LawSection 31-36.1-9. - Enforcement powers of the administrator.

§ 31-36.1-9. Enforcement powers of the administrator.
(a)
The administrator may, in the enforcement of this chapter, hold hearings and take testimony, and for those purposes may issue subpoenas and compel attendance of witnesses, and may conduct investigations which the administrator deems necessary.
(b)
The tax administrator is authorized to avail him or herself of the services of the state police, the department of revenue, and the public utilities commission in enforcing the provisions of this chapter.
History of Section.
P.L. 1981, ch. 220, § 1; P.L. 1982, ch. 307, § 1; P.L. 2008, ch. 98, § 25; P.L. 2008, ch. 145, § 25.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.2 - Promotion of Biofuels Act of 2011Section 31-36.2-1. - Short title.

§ 31-36.2-1. Short title.
This chapter shall be known and may be cited as the "Promotion of Biofuels Act of 2011."
History of Section.
P.L. 2011, ch. 379, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.2 - Promotion of Biofuels Act of 2011Section 31-36.2-2. - Biofuels study commission established.

§ 31-36.2-2. Biofuels study commission established.
(a) Membership.
There is hereby established a special study commission to study the feasibility and effectiveness of various forms of incentives to promote the development and use of advanced biofuels in the state including, but not limited to: production credits, the production and harvesting of woody biomass or woody residue, feedstock incentives, and direct consumer credits for the use of advanced biofuels in various applications. Said commission shall be known as the Biofuels Study Commission and shall be comprised of fifteen (15) members: five (5) of whom shall be members of the house of representatives, not more than four (4) from the same political party, to be appointed by the speaker of the house of representatives; three (3) of whom shall be members of the senate, not more than two (2) from the same political party, to be appointed by the senate president; one of whom shall be the director of the department of environmental management, or his or her designee; one of whom shall be employed by an independent organization in the field of the environment and fuels, to be appointed by the speaker of the house; one of whom shall be the director of the office of energy resources, or his or her designee; three (3) of whom shall be employed by companies that work in and/or who themselves work in the field of advanced biofuels, to be appointed by the speaker of the house of representatives; and one of whom shall be from the University of Rhode Island cooperative extension, to be appointed by the speaker of the house of representatives.
(b) Purpose.
The purpose of the commission shall be to investigate and develop a strategy to increase the use of advanced biofuels as alternatives to conventional carbon-based fuels by the state, its agencies and political subdivisions and regional transit authorities, and also to promote the use of such fuels in all sectors of the state, both private and public. In conducting its investigation and study, the commission shall consider biofuel incentive programs in other states and the states' relative competitiveness in the field.
(c) Information furnished.
All departments and agencies of the state shall furnish any advice and information, documentary and otherwise, to the commission and its agents that is deemed necessary or desirable by the commission to facilitate the purposes of this chapter.
(d)
The commission shall report to the general assembly on the results of its investigations and study and its recommendations, if any, on or before January 23, 2012, and at least every two (2) years thereafter on its continued findings and the results of its studies, and shall make such recommendations to the general assembly as it deems advisable.
History of Section.

P.L. 2011, ch. 379, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.2 - Promotion of Biofuels Act of 2011Section 31-36.2-3. - Further study purposes of biofuels study commission.

§ 31-36.2-3. Further study purposes of biofuels study commission.

(a)

The biofuels study commission established pursuant to the provisions of this chapter shall explore the possibility of developing and entering into, to the extent possible, an agreement among those states participating in the Regional Greenhouse Gas Initiative, for the purpose of implementing a low carbon fuel standard (hereinafter referred to as "LCFS"), for transportation fuels. Provided, the commission is not authorized to, nor shall the commission enter into any form of agreement, contract, compact, memorandum of understanding, or similar document or arrangement.

(b)

By way of guidance, in developing proposed agreements, such agreements should seek to provide for the following, when reasonably possible:

(1)

That LCFS shall be measured on a full fuels lifecycle basis;

(2)

That LCFS may be met through market-based methods by which providers exceeding the performance required by an LCFS shall receive credits that may be applied to future obligations or traded to providers not meeting the LCFS;

(3)

That agreement shall establish a declining standard for greenhouse gas emissions measured in CO2-equivalent grams per unit of fuel energy sold, sufficient to achieve a ten percent (10%) reduction in the carbon content of all passenger vehicle fuels sold in participating states; and

(4)

That the state shall, with the other states participating in the agreement, examine the regulations and implementation of a low carbon fuel standard in California and other states and consider ways to coordinate and issue public findings on both such matters, and if applicable, use in the agreement the life-cycle analysis methods employed by the California Air Resources Board to determine the carbon intensity of fuel. The state shall, with other states, adopt life-cycle emissions accounting standards that are consistent with the EPA's recently revised regulations for the federal renewable fuel standard.

History of Section.

P.L. 2011, ch. 379, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36.2 - Promotion of Biofuels Act of 2011Section 31-36.2-4. - Biofuels as alternatives to carbon-based fuels.

§ 31-36.2-4. Biofuels as alternatives to carbon-based fuels.

(a)

In addition to the preceding provisions of this chapter, the biofuels study commission shall investigate and develop a strategy to increase the use of advanced biofuels as alternatives to conventional carbon-based fuels by the state, its agencies and political subdivisions and regional transit authorities.

(b)

The commission shall develop strategies to increase the use of advanced biofuels by the state, its agencies and political subdivisions and regional transit authorities and methods to advance those strategies. Methods to be considered shall include, but not be limited to: financing mechanisms including grants, loans and other incentive programs for group procurement of advanced biofuels, vehicles using advanced biofuels and distribution infrastructure and technical assistance.

History of Section.

P.L. 2011, ch. 379, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-1. - Definitions.

§ 31-36-1. Definitions.

Terms in this chapter and chapter 37 of this title are construed as follows:

(1)

"Administrator" means the tax administrator.

(2)

"Distributor" includes any person, association of persons, firm, or corporation, wherever resident or located, who or that shall import, or cause to be imported into this state, for use or for sale, fuels, and also any person, association of persons, firm, or corporation who or that shall produce, refine, manufacture, or compound fuels within this state.

(3)

"Filling station" includes any place, location, or station where fuels are offered for sale at retail.

(4)
“Fuels” includes gasoline, benzol, naphtha, and other volatile and inflammable liquids (other than lubricating oils, diesel fuel for the propulsion of marine craft, fuels used for the propulsion of airplanes, oils used for heating purposes, manufactured biodiesel fuel as defined in subdivision (6)), used, or suitable for use, for operating or propelling motor vehicles with internal combustion engines. This does not include benzol and naphtha, sold or used for a purpose other than for the operation or propulsion of motor vehicles, or propane used for the generation of electricity. Any article or product, represented as gasoline, for use in internal combustion-type engines, used in motor vehicles, shall be equal to, or better, in quality and specification than that known as “United States government motor gasoline.”
(5)
“Investigator and examiner” means any person appointed by the tax administrator to act as an investigator and examiner.
(6)
“Manufactured biodiesel fuel” means: (i) Mono-alkyl esters of long-chain fatty acids derived from vegetable oils or animal fats that conform to ASTM D6751 specifications for use in diesel engines; (ii) That results in employment at a fixed location at a manufacturing facility for biodiesel fuel; and (iii) Any volume of biodiesel fuel that is subsequently blended with other fuels and is used for heating purposes, or for operating or propelling motor vehicles, notwithstanding the portion of biodiesel blended into any fuel, only the biodiesel portion of the fuel shall be exempt from taxation under this chapter.
(7)
“Owner” includes any person, association of persons, firm, or corporation offering fuels for sale at retail.
(8)
“Peddlers” means any person, association of persons, firm or corporation, except a distributor as defined in this chapter, who or that shall distribute gasoline by tank wagon in this state.
(9)
“Public highways” includes any state or other highway and any public street, avenue, alley, park, parkway, driveway, or public place in any city or town.
(10)
“Pump” includes any apparatus or machine for raising, driving, exhausting, or compressing fluids, and used in the sale and distribution of fuels.
(11)
“Purchaser” includes any person, association of persons, firm, or corporation, wherever resident or located, who or that purchases fuels from a distributor, for use or resale, and any person, association of persons, firm, or corporation who or that purchases from a distributor, gasoline or other volatile and inflammable liquids (other than lubricating oils and oils used for heating purposes) for use other than for propelling motor vehicles.
(12)
“Retail dealer” means any person, association of persons, firm, or corporation operating a filling station, as herein defined in this chapter, for the sale or dispensing of motor fuel by delivery into service tank, or tanks, of any highway motor vehicle that is propelled by an internal-combustion motor, other than the highway motor vehicle belonging to the person owning or operating the place of business; provided, however, that sales by a manufacturer or distributor shall not constitute them retail dealers.
(13)
“State highways” includes only those public highways, or those parts of them, that shall be constructed or maintained by the department of transportation.
(14)
“United States government motor gasoline” means that gasoline that is, or may be, prescribed by the federal specification board of the United States government for use as a fuel for motor vehicle, motor boat, and similar engines.
History of Section.
P.L. 1925, ch. 679, § 1; P.L. 1929, ch. 1405, § 1; P.L. 1937, ch. 2509, § 1; P.L. 1937, ch. 2510, §§ 1, 2; G.L. 1938, ch. 45, § 1; P.L. 1939, ch. 659, § 2; impl. am. P.L. 1939, ch. 660, § 70; P.L. 1939, ch. 746, § 1; P.L. 1940, ch. 822, § 1; P.L. 1950, ch. 2547, § 1; P.L. 1955, ch. 3583, § 1; G.L. 1956, § 31-36-1; P.L. 1996, ch. 147, § 1; P.L. 1996, ch. 205, § 1; P.L. 1997, ch. 168, § 2; P.L. 2004, ch. 484, § 1; P.L. 2007, ch. 348, § 1; P.L. 2007, ch. 429, § 1; P.L. 2008, ch. 98, § 24; P.L. 2008, ch. 145, § 24; P.L. 2009, ch. 129, § 1; P.L. 2009, ch. 168, § 1; P.L. 2016, ch. 388, § 1; P.L. 2016, ch. 403, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-11.1. - Interest on overpayments.

§ 31-36-11.1. Interest on overpayments.
If it shall be determined that an overpayment has been made with respect to the tax provided for in this chapter, the amount of the overpayment shall bear interest at the annual rate established by § 44-1-7.1. The acceptance of the check shall be without prejudice to any right of the taxpayer to claim any additional overpayment and interest.
History of Section.
P.L. 1982, ch. 159, § 5; P.L. 1983, ch. 104, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-11. - Interest on delinquent taxes — Actions for collections.

§ 31-36-11. Interest on delinquent taxes — Actions for collections.
Any distributor failing to pay the tax provided for in this chapter when payable shall be liable for interest at the annual rate provided by § 44-1-7, as amended, on the amount of the tax from the time when the tax shall become payable until the tax is paid, and suit for the collection of the tax and interest shall be initiated by the tax administrator, under the direction and supervision of the director of administration.
History of Section.
P.L. 1925, ch. 679, § 6; P.L. 1925, ch. 679, § 4; P.L. 1929, ch. 1405, § 1; P.L. 1937, ch. 2500, § 1; P.L. 1938, ch. 2626, § 1; G.L. 1938, ch. 45, § 4; P.L. 1939, ch. 745, § 1; impl. am. P.L. 1951, ch. 2727, art. 1, § 3; G.L. 1956, § 31-36-11; P.L. 1967, ch. 181, § 4; P.L. 1992, ch. 388, § 12.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-12. - Tax as debt to state.

§ 31-36-12. Tax as debt to state.
The tax imposed under the provisions of this chapter, together with all penalties, charges, and interest thereon shall also become, from the time the same are due and payable, a debt to the state of Rhode Island from the person or corporation liable for the payment of it.
History of Section.
G.L. 1938, ch. 45, § 4; P.L. 1939, ch. 745, § 1; G.L. 1956, § 31-36-12.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-13.1. - Other exemptions.

§ 31-36-13.1. Other exemptions.
Any distributor located in the town of New Shoreham shall be exempt at the point of purchase from the payment of any tax on fuel sold by the distributor directly, not at a filling station, to a person or entity who may file for a refund or reimbursement of motor fuel tax pursuant to § 31-36-15.
History of Section.
P.L. 2003, ch. 415, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-13. - Exemption and reimbursement for sales to United States or outside state — Emergency sales to other distributors.

§ 31-36-13. Exemption and reimbursement for sales to United States or outside state — Emergency sales to other distributors.
Any person who shall purchase fuels upon which the tax provided in this chapter shall have been paid and shall sell the fuels outside this state or to the United States government, may be reimbursed the amount of the tax in the manner and subject to the conditions provided in this chapter. All claims for reimbursement shall be made under oath to the tax administrator upon forms to be obtained from the tax administrator, within two hundred forty (240) days from the date of the purchase of the fuels, and shall contain any information and proof that the tax administrator may require, that the claimant has paid the tax and that the fuels have been sold by the claimant outside this state or to the United States government. Claims for reimbursement shall be paid by the general treasurer from the general fund upon certification by the tax administrator and with the approval of the controller. However, any distributor shall be exempt from the payment of any tax on fuels sold by the distributor to the United States government or to a person, firm, or corporation who or which shall use the fuel solely for the operation of railroad transportation equipment on fixed rails or tracks, upon the presentation to the tax administrator by the distributor of proof satisfactory to the tax administrator as to the sale. Provided, that any distributor shall be exempt from the payment of any tax on fuels sold by the distributor to another distributor who is registered with the tax administrator.
History of Section.
P.L. 1925, ch. 679, § 5; P.L. 1930, ch. 1564, § 1; G.L. 1938, ch. 45, § 5; P.L. 1939, ch. 746, § 2; P.L. 1942, ch. 1212, art. 13, § 1; P.L. 1945, ch. 1600, § 1; P.L. 1947, ch. 1975, § 1; P.L. 1953, ch. 3177, § 2; G.L. 1956, § 31-36-13; P.L. 1965, ch. 69, § 1; P.L. 1976, ch. 61, § 1; P.L. 1977, ch. 154, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-14. - Purchase for export by distributor licensed in another state.

§ 31-36-14. Purchase for export by distributor licensed in another state.
Any distributor unlicensed in Rhode Island, who is a licensed distributor in a state outside of Rhode Island, may purchase fuels for export, tax free, after the distributor has first obtained a permit from the administrator for the exportation and shall comply with any rules and regulations that the administrator shall prescribe including the filing of a bond if required by the administrator.
History of Section.
G.L. 1938, ch. 45, § 5; P.L. 1947, ch. 1975, § 1; G.L. 1956, § 31-36-14; P.L. 1961, ch. 55, § 1; P.L. 1967, ch. 181, § 6.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-15. - Refunds of motor fuel tax.

§ 31-36-15. Refunds of motor fuel tax.

(a)(1)

Commercial fishing operators who shall use fuels for propelling boats used principally in the business of commercial fishing for which certificates of registration have been issued by the department of environmental management for use in the commercial catching of marine fish, shellfish, or lobsters; (2) persons, firms, or corporations who or which shall use fuel for marine purposes, including in it fuel used in boats operated commercially for carrying passengers or freight but excluding from it fuels used in the operation or propulsion of pleasure craft, and further including persons, firms or corporations who purchase fuel for pumping, intaking, or discharging sea or bay waters for maintaining fish, shellfish, or lobsters; (3) lumber harvesters who shall use fuel for the operation of stationary engines, tractors, and other motor vehicles used in the course of lumbering in the forest or woods and which are not registered for use or used on public highways; (4) water well drillers who shall use fuel for the operation of stationary engines or drilling apparatus in the course of boring or drilling wells and not registered for use on the public highways; (5) farmers who shall use fuel for the operation of stationary engines, tractors, and other motor vehicles which are used in agricultural work on the farm of the claimant and which are not registered for use or used on public highways; (6) manufacturers who use fuels, except gasoline and diesel engine fuel, as industrial raw material and who use diesel engine fuel for the manufacture of power; and (7) municipalities and sewer commissions or their agencies which use fuel in the operation of stationary engines and motor vehicles which are not registered for use on public highways in the operation of sewer treatment plants; may file the claim for reimbursement of tax in the same manner as prescribed in § 31-36-13, and shall be reimbursed by the state upon proof satisfactory to the tax administrator that the fuel was used as prescribed in this section.

(b)

No claim shall be filed if the reimbursement sought to be obtained amounts to less than one dollar ($1.00).

History of Section.

P.L. 1925, ch. 679, § 5; P.L. 1929, ch. 1405, § 1; P.L. 1930, ch. 1564, § 1; G.L. 1938, ch. 45, § 5; P.L. 1939, ch. 746, § 2; P.L. 1940, ch. 871, § 1; P.L. 1945, ch. 1600, § 1; P.L. 1947, ch. 1975, § 1; P.L. 1948, ch. 2095, § 1; P.L. 1949, ch. 2369, § 1; G.L. 1956, § 31-36-15; P.L. 1964, ch. 184, § 1; P.L. 1967, ch. 181, § 5; P.L. 1977, ch. 154, § 1; P.L. 1978, ch. 402, § 1; P.L. 1988, ch. 381, § 1; P.L. 1996, ch. 147, § 1; P.L. 1996, ch. 205, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-16. - Payment of tax by persons other than distributors.

§ 31-36-16. Payment of tax by persons other than distributors.

Any person who shall receive fuels in any form and under any circumstances that shall preclude the collection of the tax provided for in this chapter, from the distributors, and shall then sell or use the fuels in any manner and under any circumstances that shall render the sale or use subject to the tax, shall be considered as a distributor, and shall make the same report, pay the same taxes, and be subject to all other provisions of this chapter relating to a distributor of the fuels; excepting, that the requirements under this chapter for the filing of a bond shall be discretionary with the tax administrator, and if the bond is required to be filed it shall be in an amount not to exceed seventy-five thousand dollars ($75,000).

History of Section.

P.L. 1925, ch. 679, § 6; P.L. 1929, ch. 1405, § 1; G.L. 1938, ch. 45, § 6; P.L. 1953, ch. 3177, § 3; G.L. 1956, § 31-36-16; P.L. 1996, ch. 100, art. 24, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-17. - Carriers' reports of deliveries.

§ 31-36-17. Carriers' reports of deliveries.

Every railroad, common carrier, or person delivering fuels into this state shall immediately report the delivery in writing to the state administrator, stating the names and addresses of the consignor and the consignee, the date and place of delivery, and the number of gallons delivered.

History of Section.

P.L. 1925, ch. 679, § 6; P.L. 1929, ch. 1405, § 1; G.L. 1938, ch. 45, § 6; impl. am. P.L. 1939, ch. 660, § 70; G.L. 1956, § 31-36-17.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-18. - Appeals involving licenses or registrations.

§ 31-36-18. Appeals involving licenses or registrations.

(a)

Any distributor, owner, or person aggrieved by any order of the administrator made under the provisions of this chapter or chapter 37 of this title, involving the issuance, suspension, or revocation of a license, permit, or certificate of registration or any other matter (but not including assessments of taxes, interest, and penalties) may appeal the order to the sixth division of the district court by filing within thirty (30) days from the date of the notice to the distributor, owner, or person of the issuance of the order appealed

from, a petition in the court stating the grounds upon which the appeal is taken.
(b)
Upon the filing of the petition, the court shall cause thirty (30) days' notice of the pendency of it to be given to the administrator by serving the administrator in the manner in which subpoenas in equity are served, with a certified copy of the petition, and the petition shall follow the course of equity so far as the same is applicable. Upon hearing the petition the court may review the evidence taken at a hearing, investigator and examiner's reports, or other information upon which the administrator's action was taken, and may in its discretion, affirm or overrule or modify the order of the administrator. The taking of the appeal shall not operate as a stay of the order of the administrator from which the appeal is taken, and the order shall remain in full force and effect during the dependency of the appeal unless otherwise ordered by the court.
(c)
A party aggrieved by a final order of the court may seek review of the order in the Supreme Court by writ of certiorari in accordance with the procedures contained in § 42-35-16.
History of Section.
P.L. 1925, ch. 679, § 11; P.L. 1929, ch. 1405, § 2; G.L. 1938, ch. 45, § 7; impl. am. P.L. 1939, ch. 660, § 70; G.L. 1956, § 31-36-18; P.L. 1967, ch. 181, § 7; P.L. 1976, ch. 140, § 16; P.L. 1982, ch. 388, § 21.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-19. - Penalty for violations.

§ 31-36-19. Penalty for violations.
Any distributor, purchaser, owner, or other person who fails or refuses to furnish any report or statement required to be made, or who fails or refuses to furnish any other data required by the tax administrator, or who files any false or fraudulent report, or who violates any provision of this chapter or chapter 37 of this title for which no other penalty is provided, shall be guilty of a felony, and shall for each offense be fined not more than ten thousand dollars ($10,000) or be imprisoned for not exceeding one year, or be punished by both fine and imprisonment.
History of Section.
P.L. 1925, ch. 679, § 6; P.L. 1925, ch. 679, § 12; P.L. 1929, ch. 1405, § 2; G.L. 1938, ch. 45, § 8; G.L. 1956, § 31-36-19; P.L. 1967, ch. 181, § 8; P.L. 1986, ch. 103, § 11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-2. - Registration of distributors required.

§ 31-36-2. Registration of distributors required.
Every distributor shall, before continuing or commencing to transact the business of a distributor, apply for registration as a distributor at the office of the tax administrator upon a form to be obtained from the administrator and the administrator. If satisfied as to the facts stated in application, shall register the distributor and issue a certificate of the registration without charge, which registration shall entitle the distributor to continue or to commence to engage in the business within this state.
History of Section.
P.L. 1925, ch. 679, § 2; P.L. 1929, ch. 1405, § 1; G.L. 1938, ch. 45, § 2; impl. am. P.L. 1939, ch. 660, § 70; G.L. 1956, § 31-36-2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-20. - Disposition of proceeds.

§ 31-36-20. Disposition of proceeds.
(a)
Notwithstanding any other provision of law to the contrary, all moneys paid into the general treasury under the provisions of this chapter or chapter 37 of this title, and title 46 shall be applied to and held in a separate fund and be deposited in any depositories that may be selected by the general treasurer to the credit of the fund, which fund shall be known as the Intermodal Surface Transportation Fund; provided, that in fiscal year 2004 for the months of July through April six and eighty-five hundredth cents ($0.0685) per gallon of the tax imposed and accruing for the liability under the provisions of § 31-36-7, less refunds and credits, shall be transferred to the Rhode Island public transit authority as provided under § 39-18-21. For the months of May and June in fiscal year 2004, the allocation shall be five and five hundredth cents ($0.0505). Thereafter, until fiscal year 2006, the allocation shall be six and twenty-five hundredth cents ($0.0625). For fiscal years 2006 through FY 2008, the allocation shall be seven and twenty-five hundredth cents ($0.0725); provided, that expenditures shall include the costs of a market survey of non-transit users and a management study of the agency to include the feasibility of moving the Authority into the Department of Transportation, both to be conducted under the auspices of the state budget officer. The state budget officer shall hire necessary consultants to perform the studies, and shall direct payment by the Authority. Both studies shall be transmitted by the Budget Officer to the 2006 session of the General Assembly, with comments from the Authority. For fiscal year 2009, the allocation shall be seven and seventy-five hundredth cents ($0.0775), of which one-half cent ($0.005) shall be derived from the one cent ($0.01) per gallon environmental protection fee pursuant to § 46-12.9-11. For fiscal years 2010 and thereafter, the allocation shall be nine and seventy-five hundredth cents ($0.0975), of which of one-half cent ($0.005) shall be derived from the one cent ($0.01) per gallon environmental protection fee pursuant to § 46-12.9-11. One cent ($0.01) per gallon shall be transferred to the Elderly/Disabled

Transportation Program of the department of human services, and the remaining cents per gallon shall be available for general revenue as determined by the following schedule:

(i)

For the fiscal year 2000, three and one-fourth cents ($0.0325) shall be available for general revenue.

(ii)

For the fiscal year 2001, one and three-fourth cents ($0.0175) shall be available for general revenue.

(iii)

For the fiscal year 2002, one-fourth cent ($0.0025) shall be available for general revenue.

(iv)

For the fiscal year 2003, two and one-fourth cent ($0.0225) shall be available for general revenue.

(v)

For the months of July through April in fiscal year 2004, one and four-tenths cents ($0.014) shall be available for general revenue. For the months of May through June in fiscal year 2004, three and two-tenths cents ($0.032) shall be available for general revenue, and thereafter, until fiscal year 2006, two cents ($0.02) shall be available for general revenue. For fiscal year 2006 through fiscal year 2009 one cent ($0.01) shall be available for general revenue.

(2)

All deposits and transfers of funds made by the tax administrator under this section, including those to the Rhode Island public transit authority, the department of human services, the Rhode Island turnpike and bridge authority, and the general fund, shall be made within twenty-four (24) hours of receipt or previous deposit of the funds in question.

(3)

Commencing in fiscal year 2004, the Director of the Rhode Island Department of Transportation is authorized to remit, on a monthly or less frequent basis as shall be determined by the Director of the Rhode Island Department of Transportation, or his or her designee, or at the election of the Director of the Rhode Island Department of Transportation, with the approval of the Director of the Department of Administration, to an indenture trustee, administrator, or other third party fiduciary, in an amount not to exceed two cents ($0.02) per gallon of the gas tax imposed, in order to satisfy debt service payments on aggregate bonds issued pursuant to a Joint Resolution and Enactment Approving the Financing of Various Department of Transportation Projects adopted during the 2003 session of the General Assembly, and approved by the Governor.

(4)

Commencing in fiscal year 2015, three and one-half cents ($0.035) shall be transferred to the Rhode Island Turnpike and Bridge Authority to be used for maintenance, operations, capital expenditures and debt service on any of its projects as defined in chapter 12 of title 24 in lieu of a toll on the Sakonnet River Bridge. The Rhode Island turnpike and bridge authority is authorized to remit to an indenture trustee, administrator, or other third-party fiduciary any or all of the foregoing transfers in order to satisfy and/or secure its revenue bonds and notes and/or debt service payments thereon, including, but not limited to, the bonds and notes issued pursuant to the Joint Resolution set forth in Section 3 of Article 6 of Chapter 23 of the Public Laws of 2010. Notwithstanding any other provision of said Joint Resolution, the Rhode Island turnpike and bridge authority is expressly authorized to issue bonds and notes previously authorized under said Joint Resolution for the purpose of financing all expenses incurred by it for the formerly authorized tolling of the Sakonnet River Bridge and the termination thereof.

(b)

Notwithstanding any other provision of law to the contrary, all other funds in the fund shall be dedicated to the department of transportation, subject to annual appropriation by the general assembly. The director of transportation shall submit to the general assembly, budget office and office of the governor annually an accounting of all amounts deposited in and credited to the fund together with a budget for proposed expenditures for the succeeding fiscal year in compliance with §§ 35-3-1 and 35-3-4. On order of the director of transportation, the state controller is authorized and directed to draw his or her orders upon the general treasurer for the payments of any sum or portion of the sum that may be required from time to time upon receipt of properly authenticated vouchers.

(c)

At any time the amount of the fund is insufficient to fund the expenditures of the department of transportation, not to exceed the amount authorized by the general assembly, the general treasurer is authorized, with the approval of the governor and the director of administration, in anticipation of the receipts of monies enumerated in this section to advance sums to the fund, for the purposes specified in this section, any funds of the state not specifically held for any particular purpose. However, all the advances made to the fund shall be returned to the general fund immediately upon the receipt by the fund of proceeds resulting from the receipt of monies to the extent of the advances.

History of Section.

P.L. 1942, ch. 1212, art. 13, § 2; G.L. 1956, § 31-36-20; P.L. 1983, ch. 167, § 1; P.L. 1985, ch. 181, art. 2, § 1; P.L. 1986, ch. 287, art. 3, § 1; P.L. 1988, ch. 129, art. 3, § 1; P.L. 1989, ch. 35, § 1; P.L. 1992, ch. 133, art. 45, § 1; P.L. 1993, ch. 138, art. 30, § 1; P.L. 1994, ch. 70, art. 8, § 1; P.L. 1995, ch. 370, art. 7, § 1; P.L. 1997, ch. 30, art. 7, § 1; P.L. 1998, ch. 31, art. 6, § 2; P.L. 1999, ch. 31, art. 12, § 1; P.L. 1999, ch. 434, § 1; P.L. 1999, ch. 436, § 1; P.L. 2000, ch. 55, art. 24, § 1; P.L. 2000, ch. 109, § 42; P.L. 2001, ch. 77, art. 16, § 1; P.L. 2002, ch. 65, art. 29, § 1; P.L. 2003, ch. 376, art. 28, § 1; P.L. 2003, ch. 376, art. 36, § 9; P.L. 2004, ch. 595, art. 18, § 1; P.L. 2005, ch. 117, art. 16, § 5; P.L. 2009, ch. 5, art. 9, § 11; P.L. 2009, ch. 68, art. 5, § 9 and art. 16, § 1; P.L. 2014, ch.

145, art. 21, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-21. - Deposit in mail as sufficient notice.

§ 31-36-21. Deposit in mail as sufficient notice.
In the administration of this chapter and chapter 37 of this title, the requirement that the tax administrator give notice by mail shall be fulfilled by the depositing in any United States post office of the notice, either as ordinary, registered, or certified mail, directed to the latest address of the person concerned which shall have been filed with the tax administrator. It shall be the responsibility of each person liable for any tax under these chapters to keep the tax administrator informed of his or her correct address.
History of Section.
P.L. 1967, ch. 181, § 9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-22. - Rules and regulations — Forms.

§ 31-36-22. Rules and regulations — Forms.
(a)
The tax administrator shall prescribe rules and regulations, not inconsistent with law, to carry into effect the provisions of this chapter and chapter 37 of this title. These rules and regulations, when reasonably designed to carry out the intent and purpose of these chapters, shall be prima facie evidence of their proper interpretation. The rules and regulations may from time to time be amended, suspended, or revoked, in whole or in part, by the tax administrator.
(b)
The tax administrator shall prescribe, and shall furnish, any forms necessary or proper for the administration of these chapters.
History of Section.
P.L. 1967, ch. 181, § 9; P.L. 2009, ch. 129, § 1; P.L. 2009, ch. 168, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-23. - Severability.

§ 31-36-23. Severability.
The provisions of this chapter and chapter 37 of this title are declared to be severable. In case any part, section, or provision of these chapters is held void by any court of competent jurisdiction, the remaining parts, sections, and provisions of the chapter shall not be impaired or otherwise affected.
History of Section.
P.L. 1967, ch. 181, § 9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-3. - Bond of a motor fuel distributor.

§ 31-36-3. Bond of a motor fuel distributor.
(a)
Before the division of taxation shall register a distributor as provided in § 31-36-2, the distributor shall deposit with the Division of Taxation a surety bond running to the general treasurer and in form and substance approved by the division, in amount based upon an estimate of the average annual tax to be paid by the distributor as set forth in subsection (b) of this section, with any surety, if any, that the division may require, conditioned to pay any final judgment obtained against the principal named in the bond for failure to pay any and all taxes assessed under the provisions of this chapter. Provided, however, that any distributor that has paid all taxes assessed under this chapter for three (3) consecutive years shall be exempt from depositing a surety bond thereafter as long as the distributor remains in good standing. In the event a distributor fails to remain in good standing the division shall notify the distributor of the requirement to obtain a new surety bond that must be secured within thirty (30) days of said notice. Any distributor that fails to secure the bond as required under this section shall forfeit its certificate of registration, provided for in § 31-36-2, until such time as the division receives proof that the bond has been secured.
AVERAGE ESTIMATE OF
ANNUAL TAXES
AMOUNT OF BOND
$ 0 to $ 1,000,000
$ 250,000
$ 1,000,001 to $ 1,500,000
$ 350,000
$ 1,500,001 to $ 2,000,000
$ 500,000
$ 2,000,001 to $ 2,500,000

$ 600,000
$ 2,500,001 to $ 3,000,000
$ 700,000
$ 3,000,001 to $ 5,000,000
$ 1,000,000
$ 5,000,001 to $ 10,000,000
$ 2,000,000
$ 10,000,001 to $ 15,000,000
$ 3,000,000
$ 15,000,001 to $ 25,000,000
$ 4,000,000
$ 25,000,001 and Over
$ 5,000,000
(c)
In no event shall the amount of the bond in this section exceed five million dollars ($5,000,000).
History of Section.
P.L. 1925, ch. 679, § 2; P.L. 1929, ch. 1405, § 1; G.L. 1938, ch. 45, § 2; P.L. 1953, ch. 3177, § 1; G.L. 1956, § 31-36-3; P.L. 1962, ch. 63, § 1; P.L. 1978, ch. 165, § 1; P.L. 1996, ch. 100, art. 24, § 1; P.L. 2014, ch. 490, § 1; P.L. 2014, ch. 520, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-4. - Suspension or revocation of registration.

§ 31-36-4. Suspension or revocation of registration.
The administrator may suspend or revoke a registration of any distributor after a hearing, upon not less than five (5) days' notice, for any violation of the provisions of this chapter, and may require a return of the distributor's certificate.
History of Section.
P.L. 1925, ch. 679, § 2; P.L. 1929, ch. 1405, § 1; G.L. 1938, ch. 45, § 2; impl. am. P.L. 1939, ch. 660, § 70; G.L. 1956, § 31-36-4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-5. - Measurement and marking of capacity of vehicles for transportation of fuels.

§ 31-36-5. Measurement and marking of capacity of vehicles for transportation of fuels.
The capacity of every vehicle tank, and each compartment of it used for the transportation of fuels, shall be measured and sealed by an official sealer of weights and measures, and the capacity when so determined shall be plainly printed upon the right hand side of the vehicle tank in letters and numerals not less than one inch (1") in height.
History of Section.
P.L. 1925, ch. 679, § 3; P.L. 1929, ch. 1405, § 1; G.L. 1938, ch. 45, § 3; G.L. 1956, § 31-36-5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-6. - Distributors' sales records.

§ 31-36-6. Distributors' sales records.
Every distributor shall keep a complete and accurate record of the number of gallons of fuels sold by the distributor and of the number of gallons of fuels used by the distributor, the date of the sales and of any use and, except in the case of retail sales through filling stations operated by the distributor, the names and addresses of the purchasers. The record shall be in a form and contain any information that the administrator may prescribe. Every distributor shall make for every sale of fuels, except retail sales through filling stations operated by the distributor, a written statement in duplicate containing the names and addresses of the distributor and the purchaser, the number of gallons sold and the dates of sale and delivery, one of which shall be delivered to the purchaser and the other retained by the distributor. Each record and statement shall be preserved by the distributor and purchaser for a period of three (3) years, and shall be open to inspection upon demand of the tax administrator or his or her authorized agents.
History of Section.
P.L. 1925, ch. 679, § 3; P.L. 1929, ch. 1405, § 1; G.L. 1938, ch. 45, § 3; impl. am. P.L. 1939, ch. 660, § 70; G.L. 1956, § 31-36-6; P.L. 1967, ch. 181, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-7. - Monthly report of distributors — Payment of tax.

§ 31-36-7. Monthly report of distributors — Payment of tax.
(a) State requirements.
Every distributor shall, on or before the twentieth (20th) day of each month, render a report to the tax administrator, upon forms to be obtained from the tax administrator, of the amount (number of gallons) of fuels purchased, sold, or used by the distributor within this state and the amount of fuels sold by the distributor without this state from fuels within this state during the preceding calendar

month, and, if required by the tax administrator as to purchases, the name or names of the person or persons from whom purchased and the date and amount of each purchase, and as to sales, the name or names of the person or persons to whom sold and the amount of each sale, and shall pay at the same time to the administrator tax at the rate of thirty-two cents ($0.32) per gallon on all taxable gallons of fuel sold or used in this state.
(b) Federal requirements.
In the event the federal government requires a certain portion of the gasoline tax to be dedicated for highway improvements, then the state controller is directed to establish a restricted receipt account and deposit that portion of gasoline tax receipts which brings the state into federal compliance.
Beginning July 1, 2015, and every other year thereafter, the gasoline tax shall be adjusted by the percentage of increase in the Consumer Price Index for all Urban Consumers (CPI-U) as published by the United States Bureau of Labor Statistics determined as of September 30 of the prior calendar year; said adjustment shall be rounded to the nearest one cent ($.01) increment, provided that the total tax shall not be less than provided for in section (a).
History of Section.
P.L. 1925, ch. 679, § 4; P.L. 1927, ch. 1033, § 3; P.L. 1929, ch. 1405, § 1; P.L. 1937, ch. 2500, § 1; P.L. 1938, ch. 2626, § 1; G.L. 1938, ch. 45, § 4; P.L. 1939, ch. 745, § 1; P.L. 1947, ch. 1887, art. 4, § 1; G.L. 1956, § 31-36-7; P.L. 1958, ch. 17, art. 5, § 1; P.L. 1960, ch. 77, art. 3, § 1; P.L. 1968, ch. 263, art. 7, § 1; P.L. 1975, ch. 260, art. 8, § 1; P.L. 1981, ch. 186, § 1; P.L. 1982, ch. 9, art. 2, § 1; P.L. 1982, ch. 344, art. 14, § 1; P.L. 1983, ch. 2, art. 9, § 1; P.L. 1985, ch. 181, art. 25, § 2; P.L. 1987, ch. 172, § 1; P.L. 1989, ch. 126, art. 19, § 1; P.L. 1991, ch. 6, art. 17, § 1; P.L. 1993, ch. 138, art. 30, § 1; P.L. 1993, ch. 138, art. 89, § 1; P.L. 1994, ch. 134, § 19; P.L. 1997, ch. 30, art. 7, § 2; P.L. 1998, ch. 31, art. 6, § 2; P.L. 2002, ch. 65, art. 29, § 1; P.L. 2009, ch. 68, art. 16, § 1; P.L. 2014, ch. 145, art. 21, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-8. - Declarations under penalty of perjury.

§ 31-36-8. Declarations under penalty of perjury.
The oath or affirmation required by the provisions of this chapter or chapter 37 of this title as to any report or written statement shall not be required if the report or statement to be sworn to contains or is verified by a written declaration that it is made under the penalties of perjury. Whoever signs or issues the report or statement containing or verified by the written declaration shall, if the report or statement is willfully false, be guilty of perjury.
History of Section.
G.L. 1938, ch. 45, § 4; P.L. 1939, ch. 745, § 1; G.L. 1956, § 31-36-8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-36 - Motor Fuel TaxSection 31-36-9. - Assessment on determination of incorrectness of report or on failure to file report.

§ 31-36-9. Assessment on determination of incorrectness of report or on failure to file report.
(1) Deficiency determination; interest.
If the tax administrator is not satisfied with any statement or report or the amount of tax paid to the tax administrator by any person, the tax administrator may compute and determine the amount required to be paid upon the basis of the facts contained in the statement or report or upon the basis of any information in the tax administrator’s possession or that may come into the tax administrator’s possession. One or more deficiency determinations may be made of the amount due for one or for more than one month. The amount of the determination, exclusive of penalties, shall bear interest at the annual rate provided by § 44-1-7, as amended, from the twenty-fifth day after the close of the month for which the amount, or any portions of it, should have been paid until the date of payment.
(2) Pecuniary penalties for deficiencies.
If any part of the deficiency for which a deficiency determination is made is due to negligence or intentional disregard of the provisions of this chapter, a penalty of ten percent (10%) of the amount of the determination shall be added to it. If any part of the deficiency for which a deficiency determination is made is due to fraud or an intent to evade the provisions of this chapter, a penalty of fifty percent (50%) of the amount of the determination shall be added to it.
(3) Notice of determination.
The tax administrator shall give to the distributor or other person against whom any claim is asserted a written notice of the tax administrator’s determination. Except in the case of fraud, intent to evade the provisions of this article, failure to make a return, or claim for additional amount pursuant to subsections (6) to (9) of this section, every notice of a deficiency determination shall be mailed within three (3) years after the twenty-fifth day of the calendar month following the month for which the amount is proposed to be determined or within three (3) years after the return is filed, whichever period expires later, unless a longer period is agreed upon by the tax administrator and the taxpayer.
(4) Determination without report; interest and penalties.
If any person fails to file a report, the tax administrator shall make an estimate of the amount (number of gallons) of fuels purchased, sold or used which is subject to tax. The estimate shall be made for the month or months in respect to which the person failed to file a report and shall be based upon any information which is in the tax administrator’s possession or may come into the tax administrator’s possession. Upon the basis of this estimate, the tax administrator shall compute and determine the amount required

to be paid to the state, adding to the sum thus arrived at a penalty equal to ten percent (10%) of it. One or more determinations may be made for one or for more than one month. The amount of the determination, exclusive of penalties, shall bear interest at the annual rate provided by § 44-1-7, as amended, from the twenty-fifth day after the close of the month for which the amount or any portion of it should have been paid until the date of payment. If the failure of any person to file a report is due to fraud or an intent to evade the provisions of this chapter, a penalty of fifty percent (50%) of the amount required to be paid by the person, exclusive of penalties, shall be added to it in addition to the ten percent (10%) penalty provided in this section. After making his or her determination the tax administrator shall mail a written notice of the estimate, determination, and penalty.

(5) Jeopardy determinations.

If the tax administrator believes that collection of any tax or any amount of tax required to be collected and paid to the state or of any determination will be jeopardized by delay, the tax administrator shall thereupon make a determination of the tax or amount of tax required to be collected, including interest and penalties, if any, noting that fact upon the determination. The amount so determined shall be due and payable immediately upon the mailing by the tax administrator of the notice of that determination.

(6) Finality of determination; time payment due.

Unless a hearing shall have been requested as provided in subsection (7) of this section, any determination made by the tax administrator under subsections (1) — (4) of this section shall become final and shall be paid within ten (10) days after mailing by the tax administrator of the notice of the determination. If the determination is not so paid, a further penalty of ten percent (10%) of the amount of the determination, exclusive of interest and other penalties, shall be added to it.

(7) Hearing by administrator on application.

Any person aggrieved by any assessment, deficiency, or otherwise, shall notify the tax administrator in writing within thirty (30) days from the date of mailing by the tax administrator of the notice of the assessment and shall request a hearing relative to it. The tax administrator shall, as soon as practicable, fix a time and place for the hearing and shall, after the hearing, determine the correct amount of the tax, interest, and penalties; provided, that when a jeopardy assessment or determination shall be made the hearing shall not be had unless the jeopardy assessment with penalties and interest shall have been paid. The tax administrator may decrease or increase the amount of any determination.

(8) Petition for judicial review; citation and hearing.

After a hearing, and provided all taxes, interest, and penalties as determined by the tax administrator have been paid, any person aggrieved by the determination may, within fifteen (15) days from the date of mailing by the tax administrator of the determination, petition the sixth division of the district court, setting forth the reasons why the assessment is alleged to be erroneous and praying relief from it. The clerk of the court shall then issue a citation, substantially in the form provided in § 44-5-26, to summon the tax administrator to answer the petition, and the court shall proceed to hear the petition and to determine the correct amount of the tax, interest, and penalties.

(9) Judgment on review.

If, upon final determination of the petition, it shall appear that the tax administrator’s assessment was correct, the court shall confirm the assessment; or, if incorrect, the court shall determine the proper amount of the tax, interest, and penalties, and it shall appear that the petitioner, by reason of the payment of the tax, interest, and penalties, is entitled to recover the payment or any part of it, the court may order a refund with interest at the annual rate provided by § 44-1-7, as amended, or order a credit, as the circumstances may warrant. If a refund is so ordered, it shall be paid by the general treasurer upon certification of the tax administrator with the approval of the director of administration. If it shall appear that the state is entitled to a greater amount of tax, interest, and penalties than assessed or determined by the tax administrator and paid by the petitioner, the court shall order the payment by the petitioner of any additional amount that the court shall determine, and the petitioner shall immediately pay the amount to the tax administrator. A party aggrieved by a final order of the court may seek review thereof in the supreme court by writ of certiorari in accordance with the procedures contained in § 8-8-32.

(10) Interest and penalties on delinquent payments.

Any person who fails to pay any tax to the state or any amount of tax required to be collected and paid to the state, except amounts of determinations made by the tax administrator under subsections (1) — (4) of this section within the time required, shall pay a penalty of ten percent (10%) of the tax or amount of the tax, in addition to the tax or amount of the tax, plus interest at the annual rate provided by § 44-1-7, as amended, from the date on which the tax or amount of the tax required to be collected became due and payable to the state until date of payment.

History of Section.

P.L. 1925, ch. 679, § 4; P.L. 1929, ch. 1405, § 1; P.L. 1937, ch. 2500, § 1; P.L. 1938, ch. 2626, § 1; G.L. 1938, ch. 45, § 4; P.L. 1939, ch. 745, § 1; impl. am. P.L. 1951, ch. 2727, art. 1, § 3; G.L. 1956, § 31-36-9; P.L. 1967, ch. 181, § 2; P.L. 1976, ch. 140, § 16; P.L. 1992, ch. 388, § 12; P.L. 1993, ch. 459, § 13.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-1. - Filling station license.

§ 31-37-1. Filling station license.

Every owner shall, before continuing or commencing to transact the business of operating a filling station, obtain from the tax administrator a license for each filling station operated. Applications for the licenses shall be made to the tax administrator on forms to be obtained from the administrator and the administrator, if satisfied as to the facts stated in the application, shall issue a license

for the filling station, which license shall entitle the owner to continue or commence to engage in the business within the state provided the owner shall have complied with all ordinances or other local regulations respecting the location of pumps.
History of Section.
P.L. 1925, ch. 679, § 13; P.L. 1929, ch. 1405, § 2; G.L. 1938, ch. 45, § 9; impl. am. P.L. 1939, ch. 660, § 70; G.L. 1956, § 31-37-1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-10. - Term of licenses — Fee.

§ 31-37-10. Term of licenses — Fee.
(a)
Any license issued by the tax administrator to an owner for the operation of a retail filling station, or to a peddler of gasoline, shall, from the date of the issuance of the license, be and remain in full force and effect until or unless:
(1)
Suspended or revoked by the tax administrator;
(2)
The business with respect to which the license was issued shall change ownership; or
(3)
The owner or peddler shall cease to transact the business for which the license was issued.
(b)
In any of which cases the license shall expire and terminate, and its holder shall immediately return the license to the tax administrator. There shall be no fee for this license.
History of Section.
P.L. 1948, ch. 2093, § 1; P.L. 1952, ch. 3007, § 2; G.L. 1956, § 31-37-10; P.L. 1960, ch. 74, § 16; P.L. 2019, ch. 88, art. 3, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-11. - Prices shown on pumps.

§ 31-37-11. Prices shown on pumps.
(a)
Every retail dealer shall conspicuously display and maintain on each pump or other dispensing device from which motor fuel is sold by the dealer at least one sign and not more than two (2) signs stating the price per gallon and if the sale is by liter, the price per gallon and per liter of each and every motor fuel sold by the dealer from the pump or device. The sign or signs shall be of a size not larger than twenty-four inches (24") by forty-eight inches (48") and shall clearly and legibly state in numbers of uniform size the selling price or prices per gallon, and if the sale is by liter, the price or prices per gallon and per liter of such gasoline sold or offered for sale from the pump or other dispensing device.
(1)
The amount of governmental tax to be collected in connection with the sale of the motor fuel shall be stated on the sign or signs separately and apart from the selling price or prices.
(2)
All figures upon the signs, except fractions, shall be of the same size. Where fractions are used, the numerator and denominator of the fraction combined shall be of the same size as the whole number used on the sign, and the numerator and denominator shall be of equal size in relation to each other.
(3)
All figures or numerals on each sign shall be at least two inches (2") high and all lines or marks used in the making of the figures or numerals shall be at least one-eighth inch (18") in width, and the over-all height of any figure or numeral, except the figure one, shall not be greater than three (3) times the over-all width of the figure or numeral.
(4)
Any figure or fraction used in any price computing mechanism, constituting a part of the pump or dispensing device, shall not be considered a sign under the provisions of this chapter.
(b)
Any retail dealer operating a full-service and self-service pump, who fails to post the signs as required by this section, shall not charge more for full service than the price listed for self-service pumps.
History of Section.
G.L. 1938, ch. 45, § 13; P.L. 1940, ch. 822, § 2; G.L. 1956, § 31-37-11; P.L. 1982, ch. 394, § 1; P.L. 1984, ch. 282, § 1; P.L. 1986, ch. 211, § 1; P.L. 1987, ch. 37, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-12. - Unauthorized signs advertising price of fuel.

§ 31-37-12. Unauthorized signs advertising price of fuel.
No signs stating or relating to the price of motor fuel and no signs designed or calculated to cause the public to believe that they state or relate to the price of motor fuel other than the signs referred to in § 31-37-11 and required to be displayed upon pumps and

other dispensing devices, shall be posted or displayed on or about the premises where motor fuel is sold at retail and within view of any public highway or reservation.
History of Section.
G.L. 1938, ch. 45, § 13; P.L. 1940, ch. 822, § 2; G.L. 1956, § 31-37-12.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-13. - Advertising statements to include taxes with price — Inclusion of all prices offered in advertisement.

§ 31-37-13. Advertising statements to include taxes with price — Inclusion of all prices offered in advertisement.
(a)
Any advertisement of motor fuel by a retail dealer which states, refers to, or relates to the price of motor fuel, shall state that the per gallon price includes all taxes imposed with respect to the manufacture or sale of the motor fuel, or shall state the amount of the taxes separately and apart from the selling price or prices.
(b)
To provide for truth in advertising, any retail dealer of motor fuel who chooses to advertise the price of any grade or type of motor fuel, in addition to the mandatory requirements of § 31-37-11, shall post in that advertisement (sign or otherwise) all of the prices of each and every grade or type of motor fuel offered by the dealer for sale. The numerals for every price offered for sale shall be equal in size and character.
History of Section.
G.L. 1938, ch. 45, § 13; P.L. 1940, ch. 822, § 2; G.L. 1956, § 31-37-13; P.L. 1984, ch. 282, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-16.1. - No smoking signs to be displayed.

§ 31-37-16.1. No smoking signs to be displayed.
Every retail dealer shall display and maintain on each island upon which is located a device from which motor fuel is dispensed and sold, at least one sign containing the words “no smoking.” The sign or signs shall be of a size not smaller than six inches (6") in height by eighteen inches (18") in length.
History of Section.
P.L. 1974, ch. 88, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-16.2. - Air pumps.

§ 31-37-16.2. Air pumps.
(a)
Every retail dealer shall display and maintain a compressed air pump which shall be available during the hours the business is open whether the business is an attended or self service gas station. The division of motor vehicles of motor vehicles, safety and emission control unit, shall be responsible for the enforcement of this section and the bringing of complaints under § 31-37-17.
(b)
The provisions of § 31-37-18 shall apply to the division of motor vehicles, and any of its agents in the enforcement of this section.
History of Section.
P.L. 1979, ch. 236, § 1; P.L. 1980, ch. 253, § 1; P.L. 1981, ch. 371, § 1; P.L. 1994, ch. 70, art. 23, § 2; P.L. 1995, ch. 303, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-16.3. - Additives.

§ 31-37-16.3. Additives.
Every retail dealer shall display and maintain on at least two (2) sides of each pump or other dispensing device from which motor fuel is sold at least one sign in a conspicuous place stating the maximum percent of alcohol, greater than one percent (1%) contained in the product to the nearest whole percent. In the case of methanol blends, the maximum percentage of co-solvent contained in the motor fuel must be stated separately.
History of Section.
P.L. 1985, ch. 256, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-16. - Brand names to be displayed.

§ 31-37-16. Brand names to be displayed.
All aboveground equipment for storing or dispensing motor fuel or lubricating oil operated by a retail dealer shall bear in a conspicuous place the trademark and the name of the distributor of the product stored therein or sold or dispensed therefrom. If the motor fuel or lubricating oil stored in or sold or dispensed from the aboveground equipment by a retail dealer has no brand name or trademark, the container or dispensing equipment shall have conspicuously displayed on it the name of the distributor and the words

“No brand.”
History of Section.
G.L. 1938, ch. 45, § 14; P.L. 1940, ch. 822, § 2; G.L. 1956, § 31-37-16.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-17. - Penalties for violations.

§ 31-37-17. Penalties for violations.
Whoever, himself or herself or by his or her agent or servant, violates any provision of this chapter, shall be punished by a fine not exceeding one thousand dollars ($1,000). Upon the second finding against any licensee of a violation, whether by himself or herself or by his or her agent or servant, the director may suspend the right of the licensee to engage in the business of selling motor fuel at retail for a period not exceeding three (3) months. Upon the third or subsequent finding against any licensee of a violation, whether by himself or herself or by his or her agent or servant, the director may suspend the right for a period not exceeding one year.
History of Section.
G.L. 1938, ch. 45, § 15; P.L. 1940, ch. 822, § 2; G.L. 1956, § 31-37-17; P.L. 1984, ch. 282, § 1; P.L. 1999, ch. 44, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-18. - Costs on prosecution of violations.

§ 31-37-18. Costs on prosecution of violations.
Whenever a complaint is made by the tax administrator or by any of the administrator’s agents of any violations of the provisions of this chapter or chapter 36 of this title, the administrator shall not be required to furnish surety for costs or be liable for costs on the complaint.
History of Section.
G.L. 1938, ch. 45, § 11; P.L. 1940, ch. 871, § 2; G.L. 1956, § 31-37-18.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-19. - Ordinances controlling location of pumps.

§ 31-37-19. Ordinances controlling location of pumps.
Nothing contained in this chapter shall affect the validity of any ordinance or other local regulation respecting the location of any pump.
History of Section.
P.L. 1925, ch. 679, § 18; P.L. 1929, ch. 1405, § 2; G.L. 1938, ch. 45, § 14; G.L. 1938, ch. 45, § 17; P.L. 1940, ch. 822, § 3; G.L. 1956, § 31-37-19.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-2. - Refusal, suspension, or revocation of license.

§ 31-37-2. Refusal, suspension, or revocation of license.
The administrator may for cause refuse any application for a license for a filling station and may for cause suspend or revoke any license issued by the administrator under the provisions of this chapter after an opportunity for a hearing of the applicant or licensee has been afforded.
History of Section.
P.L. 1925, ch. 679, § 13; P.L. 1929, ch. 1405, § 2; G.L. 1938, ch. 45, § 9; impl. am. P.L. 1939, ch. 660, § 70; G.L. 1956, § 31-37-2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-20. - Severability.

§ 31-37-20. Severability.
If any part of this chapter or chapter 36 of this title shall be declared unconstitutional or invalid, the unconstitutionality or invalidity shall in no way affect the validity of any other portion of it which can be given reasonable effect without the part so declared unconstitutional or invalid.
History of Section.
P.L. 1925, ch. 679, § 17; P.L. 1929, ch. 1405, § 2; G.L. 1938, ch. 45, § 13; G.L. 1938, ch. 45, § 16; P.L. 1940, ch. 822, § 3; G.L. 1956, § 31-37-20.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-21. - Enforcement.

§ 31-37-21. Enforcement.
The tax administrator shall enforce the provisions of this chapter and chapter 36 of this title, except that the director of labor and training shall enforce the provisions of §§ 31-37-11 — 31-37-17 and §§ 11-18-13 — 11-18-18. The department of labor and training shall cause any violation subject to its jurisdiction under this chapter to be referred to law enforcement officials in the city or town

where the violation has or is occurring for prosecution.
History of Section.
P.L. 1935, ch. 2250, § 71; P.L. 1936, ch. 2336, § 2; G.L. 1938, ch. 45, § 15; P.L. 1940, ch. 871, § 2; G.L. 1938, ch. 45, § 18; P.L. 1940, ch. 822, § 3; G.L. 1956, § 31-37-21; P.L. 1984, ch. 282, § 1; P.L. 2019, ch. 88, art. 3, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-3. - Filling station records.

§ 31-37-3. Filling station records.
The owner of every filling station, at the filling station, shall keep a record of the number of gallons of fuels purchased, sold, and used by the owner, from whom purchased, and the date of the purchases. These records shall be preserved for three (3) years and shall be open to the inspection of the investigators and examiners of the division of taxation upon demand.
History of Section.
P.L. 1925, ch. 679, § 14; P.L. 1929, ch. 1405, § 2; G.L. 1938, ch. 45, § 10; P.L. 1940, ch. 871, § 2; G.L. 1956, § 31-37-3; P.L. 1967, ch. 181, § 10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-4. - Inspection of pumps and tanks.

§ 31-37-4. Inspection of pumps and tanks.
The division of taxation may cause its investigators and examiners to make inspections and examinations of filling stations, pumps, measuring devices, storage tanks, and tanks on motor vehicles.
History of Section.
P.L. 1925, ch. 679, § 16; P.L. 1929, ch. 1405, § 2; P.L. 1937, ch. 2510, § 3; G.L. 1938, ch. 45, § 11; P.L. 1940, ch. 871, § 2; G.L. 1956, § 31-37-4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-5. - Information furnished by fuel vehicle drivers — Inspection and sampling.

§ 31-37-5. Information furnished by fuel vehicle drivers — Inspection and sampling.
The operator or driver of any vehicle used for the transportation of fuels in this state shall furnish to the tax administrator or the administrator's agents, on request, any information relative to the transportation of fuels in this state that may be required for the proper administration of the provisions of this chapter and chapter 36 of this title. For the purpose of securing the information the agents may stop on the highways of this state any vehicle which, they have reasonable cause to believe, is used for the transportation of fuels in this state. The agents may take samples of any fuels so transported or offered for sale in this state in sufficient quantity for the purpose of making an analysis of them.
History of Section.
P.L. 1925, ch. 679, § 16; P.L. 1929, ch. 1405, § 2; P.L. 1937, ch. 2510, § 3; G.L. 1938, ch. 45, § 11; P.L. 1940, ch. 871, § 2; G.L. 1956, § 31-37-5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-6. - Method of testing for quality of fuels.

§ 31-37-6. Method of testing for quality of fuels.
All tests to determine the quality of gasoline shall be made by the materials section of the public works division in accordance with methods contained in "American Society for Testing and Materials Standard Specifications for Automotive Gasoline D-439-78".
History of Section.
P.L. 1925, ch. 679, § 16; P.L. 1937, ch. 2510, § 3; G.L. 1938, ch. 45, § 11; P.L. 1940, ch. 871, § 2; G.L. 1956, § 31-37-6; P.L. 1976, ch. 168, § 1; P.L. 1979, ch. 177, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-7.1. - Minimum standards for gasoline.

§ 31-37-7.1. Minimum standards for gasoline.
(a)
Beginning June 1, 2007, no person shall sell, deliver for sale, import, or cause to be imported into the state for sale any gasoline containing methyl tertiary-butyl ether (MTBE) or other ether oxygenates in quantities greater than one-half of one percent (0.5%) by volume. For the purpose of this section, "other ether oxygenates" shall include the following gasoline additives: Methanol; Isopropanol; n-Propanol; N-Butonal; sec-Butanol; tert-Butanol; Tert-pentalol (tert-amylalcohol); Ethyl tert-butyl ether (ETBE); Diisopropylether (DIPE); Tertiary Butyl alcohol (TBA); Iso-butanol; and Tert-amymethylether (TAME). Nothing in this section shall prohibit the transshipment of gasoline containing the oxygenates within the state for disposition outside the state, including storage coincident to the transshipment.
(b)

No person shall sell, offer for sale, deliver, or have in the person's possession for the purpose of sale, any article or product represented as gasoline for use in internal combustion engines used in motor vehicles that does not equal the most recent version of the "American Society for Testing and Materials Standard Specification for Automotive Gasoline D-4814."
(c)
Notwithstanding any other provision of this chapter, it shall be the responsibility of the director of the department of environmental management to administer and enforce this section.
(d)
Notwithstanding the provisions of § 31-37-17, penalties for violations of this section shall be assessed pursuant to § 23-23-14 as administered by the department of environmental management. In addition, the department is hereby authorized to administer this section according to the provisions of chapter 12.1 of title 46 in conjunction with its authority relating to underground storage tanks.
(e)
The director of the department of environmental management shall have the authority to temporarily waive a control or prohibition respecting the use of a fuel or fuel additive required under this section to avoid a disruption in the supply of fuel to the state or to other states as a result of a natural disaster or other emergency. The director shall provide, in writing, the notice of waiver; the nature of the emergency; and the time frame for which the waiver shall remain in effect.
History of Section.
P.L. 2005, ch. 181, § 1; P.L. 2005, ch. 291, § 1; P.L. 2018, ch. 37, § 2; P.L. 2018, ch. 43, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-7. - Weights and measures.

§ 31-37-7. Weights and measures.
It shall be unlawful for any person, firm, or corporation to give false or insufficient weight or measure in the sale of fuels or lubricating oils.
History of Section.
P.L. 1925, ch. 679, § 16; P.L. 1929, ch. 1405, § 2; P.L. 1937, ch. 2510, § 3; G.L. 1938, ch. 45, § 11; P.L. 1940, ch. 871, § 2; G.L. 1956, § 31-37-7; P.L. 1976, ch. 168, § 1; P.L. 1979, ch. 177, § 1; P.L. 1983, ch. 324, § 1; P.L. 2006, ch. 71, § 1; P.L. 2006, ch. 78, § 1; P.L. 2014, ch. 1, § 1; P.L. 2014, ch. 2, § 1; P.L. 2018, ch. 37, § 1; P.L. 2018, ch. 43, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-8. - Peddler's license.

§ 31-37-8. Peddler's license.
Every peddler shall, before continuing or commencing to transact the business of a peddler, obtain from the division of taxation a license. Application for the license shall be made to the division of taxation on forms to be obtained from the division of taxation. The division of taxation, if satisfied as to the facts stated in the application, shall issue a license to the peddler, and it shall entitle the peddler to continue or commence to engage in the business within this state.
History of Section.
P.L. 1925, ch. 679, § 14a; P.L. 1937, ch. 2509, § 2; G.L. 1938, ch. 45, § 12; P.L. 1940, ch. 871, § 2; G.L. 1956, § 31-37-8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-37 - Retail Sale of GasolineSection 31-37-9. - Peddler's records of purchases and sales.

§ 31-37-9. Peddler's records of purchases and sales.
(a)
Every peddler, at its principal place of business within the state of Rhode Island, shall keep a record of the number of gallons of fuels purchased, sold, and used by the peddler, from whom purchased and the date of the purchases, to whom sold and the amount and date of the sales. These records shall be preserved for three (3) years and shall be open to the inspection of the investigators and examiners of division of taxation upon demand.
(b)
Every peddler shall keep, at its principal place of business, within the state of Rhode Island, for a period of three (3) years, a complete record of the purchases and sales of fuels. This record must contain the names and addresses of those from whom the peddler has purchased the fuels, and the names and addresses of those to whom the peddler has sold the fuels.
History of Section.
P.L. 1925, ch. 679, § 14a; P.L. 1937, ch. 2509, § 2; G.L. 1938, ch. 45, § 12; P.L. 1940, ch. 871, § 2; G.L. 1956, § 31-37-9; P.L. 1967, ch. 181, § 11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-1. - Vehicles without required equipment or in unsafe condition — Inspection sticker for used cars for sale required.

§ 31-38-1. Vehicles without required equipment or in unsafe condition — Inspection sticker for used cars for sale required.
(a)

No person shall sell at retail, drive, or move on any highway any motor vehicle, trailer, semitrailer, or pole trailer or any combination of them unless the equipment upon the vehicle is in good working order and adjustment as required in this title, and the vehicle is in such safe mechanical condition as not to endanger the driver or other occupant or any person upon the highway.
(b)
No dealer of used vehicles, as defined by § 31-1-19(b), shall sell at retail a used motor vehicle unless a new inspection of the vehicle conforming to the standards set pursuant to this chapter and chapter 47.1 of this title has been conducted and the vehicle has a new certificate of inspection affixed to the windshield at the time of sale, except used cars:
(1)
Sold “for parts only” and clearly identified accordingly on the bill of sale: or
(2)
Purchased at the end of the lease term by the current lessee with a valid certificate of inspection affixed to the windshield at the time of sale that is issued by the state of Rhode Island.
History of Section.
P.L. 1977, ch. 14, § 2; P.L. 1984, ch. 71, § 1; P.L. 1987, ch. 222, § 2; P.L. 1987, ch. 341, § 1; P.L. 1989, ch. 542, § 96; P.L. 1990, ch. 239, § 1; P.L. 1998, ch. 327, § 2; P.L. 2024, ch. 142, § 1, effective December 17, 2024; P.L. 2024, ch. 144, § 1, effective December 17, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-10. - Grounds for denial, suspension, or revocation of permit.

§ 31-38-10. Grounds for denial, suspension, or revocation of permit.
The director may deny an application for a permit or suspend or revoke a permit after it has been granted for any of the following reasons:
(1)
On proof of unfitness of the applicant to do business as a motor vehicle inspection station;
(2)
For any misstatement by the applicant in the application for the permit;
(3)
For any failure to comply with the provisions of this section or with any rule or regulation promulgated by the director of the department of revenue;
(4)
For defrauding any customer;
(5)
For dismantling any vehicle for repair without the authorization of the owner;
(6)
For refusal to surrender any vehicle to its owner upon tender of payment of the proper charges for towing and/or work done on the vehicle;
(7)
For having indulged in any unconscionable practice relating to the business as a motor vehicle inspection station;
(8)
For willful failure to perform work as contracted for;
(9)
For failure to comply with the safety standards of the industry;
(10)
For failure to properly equip and/or conduct the inspection station;
(11)
For failure to pay the required fees as provided in this chapter;
(12)
For providing an inspection sticker to a motor vehicle which is equipped with a sunscreening device which does not comply with the provisions of chapter 23.3 of this title.
History of Section.
P.L. 1977, ch. 14, § 2; P.L. 1993, ch. 250, § 2; P.L. 1993, ch. 408, § 2; P.L. 2008, ch. 98, § 26; P.L. 2008, ch. 145, § 26.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-11. - Penalty for violation.

§ 31-38-11. Penalty for violation.
Any person violating any of the provisions of §§ 31-38-1 — 31-38-10 of this chapter, or of the rules and regulations established by the director of the department of revenue as provided in this chapter, shall upon conviction be punished by a fine of not more than five hundred dollars ($500.00) or by imprisonment of not more than thirty (30) days or by both a fine and imprisonment. The director of the department of revenue shall revoke the permit of any inspection station who shall be convicted more than once for

violations.
History of Section.
P.L. 1977, ch. 14, § 2; P.L. 2008, ch. 98, § 26; P.L. 2008, ch. 145, § 26.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-12. - Fee for inspection certificates.

§ 31-38-12. Fee for inspection certificates.
(a)
The director of the department of revenue, or his or her designee, shall collect a fee of four dollars ($4.00) for each certificate of inspection issued, and the monies received shall be turned over to the general treasurer to be deposited in the general funds of the state.
(b)
Unused inspection stickers purchased by inspection stations shall be re-purchased by the state if returned in good condition to the director of the department of revenue or his or her designee within three (3) months of the inspection year for which the sticker was issued.
History of Section.
P.L. 1977, ch. 14, § 2; P.L. 1989, ch. 97, § 1; P.L. 1990, ch. 13, § 5; P.L. 2008, ch. 98, § 26; P.L. 2008, ch. 145, § 26.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-13. - Fleet operators.

§ 31-38-13. Fleet operators.
Every person who shall provide maintenance facilities for the servicing of vehicles used in his or her business, except licensed motor vehicle dealers, which facilities shall be approved by the director of the department of revenue, and shall maintain any records and follow any procedures that shall be established by the director, shall be qualified as an official inspection station for the vehicles. The person shall not issue inspection certificates for any vehicle not used in the operation of the business.
History of Section.
P.L. 1977, ch. 14, § 2; P.L. 2008, ch. 98, § 26; P.L. 2008, ch. 145, § 26.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-14. - Vehicles exempt from inspections.

§ 31-38-14. Vehicles exempt from inspections.
(a)
The following vehicles shall be exempt from inspections:
(1)
All trailers or semi-trailers having a gross weight of one thousand pounds (1,000 lbs.) or less;
(2)
Any special mobile equipment which is not required to be registered; and
(3)
Vehicles that are limited in their scope of operation as determined by the director of the department of revenue.
(b)
The exemption in this section does not relieve the owner of the vehicle from the obligation of having a safe vehicle on the public highways.
History of Section.
P.L. 1977, ch. 14, § 2; P.L. 2008, ch. 98, § 26; P.L. 2008, ch. 145, § 26.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-17. - Procedure for a review of an order of the director of revenue.

§ 31-38-17. Procedure for a review of an order of the director of revenue.
(a)
Any person aggrieved by an order of the director of revenue pertaining to either a suspension, revocation, or denial of an application for a permit may appeal from the order of the director by filing a notice of request for review of the director’s order with the sixth division of the district court pursuant to the procedures set forth in § 42-35-15.
(b)
The filing of a petition to review shall not operate as a stay of the order of the director of revenue and the order shall remain in full force and effect during the pendency of the review.
History of Section.
P.L. 1977, ch. 14, § 2; P.L. 1992, ch. 453, § 12; P.L. 1999, ch. 218, art. 5, § 14; P.L. 2008, ch. 98, § 26; P.L. 2008, ch. 145, § 26.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection

31-38-18. - Conduct of hearings.

§ 31-38-18. Conduct of hearings.
The director of the department of revenue shall hold and conduct hearings in accordance with § 31-38-17. These hearings shall be governed by rules to be adopted by the director of the department of revenue, and the director of the department of revenue shall not be bound by technical rules of evidence. The director of the department of revenue may subpoena witnesses and require the producing of documental evidence in order to make decisions affecting the interest of the motor vehicle inspection owner and/or operator.
History of Section.
P.L. 1977, ch. 14, § 2; P.L. 2019, ch. 88, art. 4, § 7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-19. - Severability.

§ 31-38-19. Severability.
The provisions of this chapter will be severable and if any of the provisions shall be held to be invalid the decision of the court respecting the provision or provisions shall not affect the validity of any other provision which can be given effect without the invalid provision.
History of Section.
P.L. 1977, ch. 14, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-2. - Inspection by any proper officer.

§ 31-38-2. Inspection by any proper officer.
(a)
The director of the department of revenue, members of the state and local police, and any other officers and employees of the division of motor vehicles as the director of the department of revenue may designate, may at any time require the seller at retail or driver of the vehicle to stop and submit the vehicle to an inspection and test with reference to it as may be appropriate.
(b)
In the event the vehicle is found to be in unsafe condition or any required part or equipment is not in proper repair and adjustment, the officer shall give a written notice to the seller at retail or driver and shall send a copy to the director of the department of revenue. The notice shall require that the vehicle be placed in safe condition and its equipment in proper repair and adjustment, specifying the particulars with reference to it, and that the notice be approved within five (5) days.
(c)
The director of the department of revenue, or the director’s designee, upon written notice, may require the seller at retail, owner, or driver to submit the vehicle to the state inspection facility for inspection. If the notice is not complied with, the director may suspend the registration of the vehicle described in the notice.
(d)
If three (3) notices are issued in a twelve (12) month period for any motor vehicle for the same or substantially the same unsafe condition or required part or equipment not being in proper repair and adjustment, the director shall suspend the registration of the vehicle described in the notice, and the owner shall be subject for each violation to fines enumerated in § 31-41.4-4.
History of Section.
P.L. 1977, ch. 14, § 2; P.L. 2008, ch. 98, § 26; P.L. 2008, ch. 145, § 26; P.L. 2008, ch. 249, § 2; P.L. 2008, ch. 311, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-20. - Appropriations and disbursements.

§ 31-38-20. Appropriations and disbursements.
The general assembly shall annually appropriate, out of any money not otherwise appropriated, any sums that it may deem necessary for the purpose of this chapter. The state controller is authorized and directed to draw his or her orders upon the general treasurer for the payment of the sum, or so much of it that may be required from time to time, upon receipt by him or her of properly authenticated vouchers approved by the director of the department of revenue.
History of Section.
P.L. 1977, ch. 14, § 2; P.L. 2008, ch. 98, § 26; P.L. 2008, ch. 145, § 26.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-3. - Owners and drivers to comply with inspection laws.

§ 31-38-3. Owners and drivers to comply with inspection laws.
(a)
No seller at retail or person driving a vehicle shall refuse to submit the vehicle to an inspection and test as required by § 31-38-2.
(b)

Every seller at retail, owner, or driver, upon receiving a notice as provided in § 31-38-2, shall comply with it and shall within five (5) days forward the approved notice to the department of revenue. In the event of noncompliance with this subsection, the vehicle shall not be operated on any highways of this state.
(c)
Any vehicle which is found to be in such unsafe condition as to the brakes, steering, or other equipment as to be hazardous to permit it to be sold or driven from the place of inspection, then the vehicle shall not be permitted to be operated under its own power. The registration shall be immediately suspended by the department of revenue and the plates and certificates immediately returned to the department of revenue.
(d)
In the event repair or adjustment of any vehicle or its equipment is found necessary upon inspection, the seller at retail or owner of the vehicle may obtain the repair or adjustment at any place he or she may choose, but in every event an approval shall be obtained, otherwise the vehicle shall not be operated upon the highways of this state.
(e)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1977, ch. 14, § 2; P.L. 2002, ch. 292, § 125; P.L. 2008, ch. 98, § 26; P.L. 2008, ch. 145, § 26.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-4. - Director of department of revenue to require periodic inspection.

§ 31-38-4. Director of department of revenue to require periodic inspection.
(a)(1)
The director of revenue shall at least once each year, but not more frequently than twice each year, or on the schedule defined pursuant to chapter 47.1 of this title require that every vehicle, trailer, semitrailer, and pole trailer registered in this state or upon a retail seller's premise, be inspected and that an official certificate of inspection and approval be obtained for the vehicle, provided, that the director of revenue shall require the first inspection of any new motor vehicle within two (2) years from the date of purchase or before the vehicle accumulates twenty-four thousand (24,000) miles whichever occurs first.
(2)
The inspections shall be made and the certificates obtained with respect to the mechanism, brakes, and equipment of the vehicle as shall be designated by the director of department of revenue.
(3)
The director of the department of revenue is authorized to make necessary rules and regulations for the administration and enforcement of this chapter including, but not limited to, upgraded standards of operation and standards for mechanical testing equipment, and to designate any period or periods of time during which sellers at retail and owners of any vehicles, subject to this chapter, shall display upon the vehicles certificates of inspection and approval, or shall produce these certificates upon demand of any proper officer or employee of the department of revenue designated by the director of the department of revenue. In addition, the director shall require each inspection facility to file a copy of their active garage keeper's legal liability insurance policy and maintain a minimum of twenty-five thousand dollars ($25,000) liability coverage. Said coverage shall be purchased for the purpose of insuring against any damage sustained to a vehicle while under the control of the inspection facility.
(b)
The director of the department of revenue may authorize the acceptance in this state of a certificate of inspection and approval issued in another state having an inspection law similar to this chapter, and may extend the time within which a certificate shall be obtained.
(c)
The director of the department of revenue, or the director's designee, may suspend the registration of any vehicle which he or she determines is in such unsafe condition as to constitute a menace to safety, or which, after notice and demand, is not equipped as required in this chapter or for which a required certificate of inspection and approval has not been obtained.
(d)
The director of the department of revenue shall provide for a staggered inspection system by regulations.
(e)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1977, ch. 14, § 2; P.L. 1984, ch. 186, § 1; P.L. 1993, ch. 254, § 2; P.L. 1998, ch. 327, § 2; P.L. 2000, ch. 109, § 43; P.L. 2002, ch. 292, § 125; P.L. 2005, ch. 46, § 1; P.L. 2005, ch. 57, § 1; P.L. 2008, ch. 98, § 26; P.L. 2008, ch. 145, § 26.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-5. - Inspection of vehicles purchased outside the state.

§ 31-38-5. Inspection of vehicles purchased outside the state.
When a motor vehicle is purchased out of state by a resident of this state, the owner of the vehicle shall have five (5) business days from the date of registering the vehicle to obtain a certificate of inspection as required by the provisions of this chapter.

History of Section.
P.L. 1977, ch. 14, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-6. - Appointment of official inspection stations.

§ 31-38-6. Appointment of official inspection stations.
(a)
For the purpose of making inspections and issuing official certificates of inspection and approval as provided in this chapter, the director of the department of revenue, or the director's designee, shall issue permits for and furnish instructions and all necessary forms to official inspection stations for the inspection of vehicles as required in this chapter and the issuance of official certificates of inspection and approval. There shall be a separate permit required to inspect all trailers or semi-trailers used to transport horses or other livestock, irrespective of the registered gross weight of the trailers and semi-trailers.
(b)
Application for the permit set forth in subsection (a) shall be made upon an official form and shall be granted only when the director of the department of revenue or the director's designee, is satisfied that the station is properly equipped and has competent personnel to make the inspections and adjustments, and will be properly conducted. Only facilities located within the State of Rhode Island shall receive renewal permits or new permits. The director of the department of revenue, or the director's designee, before issuing a permit may require the applicant to file a bond conditioned that it will make compensation for any damage to a vehicle during an inspection or adjustment due to negligence on the part of the applicant or its employees.
(c)
The director of the department of revenue, or the director's designee, shall properly supervise and cause inspections to be made of the stations and shall suspend or revoke and require the surrender of the permit issued to a station that the director or the director's designee finds is not properly equipped or has violated any of the conditions of the station's permit of inspection. The director of the department of revenue, or the director's designee, shall maintain and post at the department of revenue lists of all stations holding permits and of those whose permits have been suspended or revoked.
(d)
The permits shall be issued for a period of one year and upon payment to the director of the department of revenue of a fee of twenty-five dollars ($25.00) annually, and the monies received shall be turned over to the general treasurer to be deposited in the general funds of the state.
(e)
The director of the department of revenue, or the director's designee, shall issue a duplicate permit upon the payment of a fee of one dollar ($1.00) if one is requested by the owner of the official station who states in writing that the original was lost, destroyed, or stolen.
(f)
Any person who has been issued a permit under this section and conducts inspections of vehicles subject to an emissions inspection pursuant to chapter 47.1 of this title must also have been authorized to conduct motor vehicle emissions inspections and must conduct both inspections simultaneously.
History of Section.
P.L. 1977, ch. 14, § 2; P.L. 1996, ch. 389, § 1; P.L. 1998, ch. 327, § 2; P.L. 2008, ch. 98, § 26; P.L. 2008, ch. 145, § 26; P.L. 2023, ch. 292, § 1, effective January 1, 2024; P.L. 2023, ch. 293, § 1, effective January 1, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-7. - Operation of official stations.

§ 31-38-7. Operation of official stations.
(a)
No permit for an official station shall be assigned or transferred or used at any location other than designated in it, and the permit shall be posted in a conspicuous place at the designated location.
(b)
The state-certified person operating an official inspection station shall issue a certificate of inspection and approval upon an official form to the owner of a vehicle upon inspection of the vehicle and determining that its equipment required under the provisions of this chapter is in good condition and proper adjustment, otherwise, no certificate shall be issued. A record and report shall be made of every inspection and every certificate issued. The records shall be kept available for review by those employees of the department of revenue that the director may designate.
(c)
The following fees shall be charged for inspection and issuance of certificate of inspection and approval:
(1)
For every vehicle with a registered gross weight of not more than eight thousand five hundred pounds (8,500 lbs.), the fee shall be included with the fee charged pursuant to § 31-47.1-11;
(2)

For every vehicle of a registered gross weight of more than eight thousand five hundred pounds (8,500 lbs.) or more, except trailers, fifteen dollars ($15.00);
(3)
For every motorcycle and electrically powered vehicle, eleven dollars ($11.00);
(4)
For every trailer or semi-trailer with a registered gross weight of more than one thousand pounds (1,000 lbs.), eleven dollars ($11.00); and
(5)
Provided, that for the inspection of vehicles used for the transportation of persons for hire, as provided in § 31-22-12, and subject to an inspection pursuant to chapter 47.1 of this title, the fee shall be included with the fee charged pursuant to § 31-47.1-11.
(d)
The director of the department of revenue may establish a state inspection facility at which any motor vehicle may be reinspected at no cost to the owner. The state inspection facility may inspect all public conveyance vehicles or these inspections may be otherwise provided for by the director, or any other vehicles which, in the opinion of the director of revenue, or his or her designee, require specific testing to ensure for the health and safety of the general public.
(e)
Any other inspections or activities which may be required to be performed at a state inspection facility may be performed at any official inspection station if determined by the director.
History of Section.
P.L. 1977, ch. 14, § 2; P.L. 1989, ch. 97, § 1; P.L. 1990, ch. 13, § 5; P.L. 1993, ch. 138, art. 44, § 2; P.L. 1994, ch. 70, art. 23, § 3; P.L. 1996, ch. 389, § 1; P.L. 1998, ch. 327, § 2; P.L. 2008, ch. 98, § 26; P.L. 2008, ch. 145, § 26; P.L. 2019, ch. 88, art. 4, § 7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-8. - Improper representation as official station.

§ 31-38-8. Improper representation as official station.
(a)
No person shall in any manner represent any place as an official inspection station unless the station is operating under a valid permit issued by the director of the department of revenue or the director’s designee.
(b)
No person other than a state certified employee of an inspection station shall issue a certificate of inspection and approval.
History of Section.
P.L. 1977, ch. 14, § 2; P.L. 2008, ch. 98, § 26; P.L. 2008, ch. 145, § 26.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-38 - Inspection of Motor VehiclesSection 31-38-9. - False certificates.

§ 31-38-9. False certificates.
(a)
No person shall make, issue, or knowingly use any imitation or counterfeit of an official certificate of inspection.
(b)
No person shall display or cause or permit to be displayed, upon any vehicle any certificate of inspection and approval knowing the certificate to be fictitious or issued for another vehicle or issued without an inspection having been made.
History of Section.
P.L. 1977, ch. 14, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-4 - Transfer of VehiclesSection 31-4-1. - Expiration of registration by transfer of interest in vehicle — Disposition of plates.

§ 31-4-1. Expiration of registration by transfer of interest in vehicle — Disposition of plates.
Whenever the owner of a registered vehicle transfers or assigns his or her title or interest in ownership, or whenever he or she shall request the transfer of the registration to another vehicle owned by him or her, or shall remove the vehicle from the highways of this state to be used solely upon his or her property, the registration of the vehicle shall expire. The owner shall remove the registration plates from the vehicle and forward them to the division of motor vehicles, or may have such plates and the registration number thereon assigned to another vehicle upon payment of the fees required by law and subject to the rules and regulations of the division of motor vehicles. Any corporation or limited liability company in the business of providing vehicle leasing or vehicle rental may cancel a registration by submitting a sworn, notarized affidavit to the division of motor vehicles stating that the registration plates are unavailable due to loss, theft, or other reasons.
History of Section.
P.L. 1950, ch. 2595, art. 4, § 1; P.L. 1952, ch. 2937, § 3; G.L. 1956, § 31-4-1; P.L. 1999, ch. 495, § 1; P.L. 2009, ch. 362, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-4 - Transfer of VehiclesSection 31-4-10. -

Temporary transfer of registration.

§ 31-4-10. Temporary transfer of registration.
(a)
A person who transfers the ownership of a registered motor vehicle or trailer owned by him or her to another or who loses possession of it and who intends to transfer the registration of the motor vehicle or trailer to a newly acquired vehicle may, subject to other provisions of this title, operate the newly acquired motor vehicle or trailer for a period of thirty (30) days following the date of transfer within the period of which the transferred vehicle was registered, provided that the number plates issued upon registration of the transferred motor vehicle are attached to the newly acquired vehicle.
(b)
During these periods, any operator of a newly acquired vehicle shall carry an original copy of the bill of sale reciting the registration number to be transferred from the former vehicle to the newly acquired vehicle, the date of the sale or transfer, the make and identification number of the vehicle, and the signature and address of the seller.
(c)
This section shall apply only to transfer of registration between vehicles with the same number of wheels.
History of Section.
P.L. 1979, ch. 399, § 1; P.L. 2022, ch. 249, § 1, effective June 28, 2022; P.L. 2022, ch. 250, § 1, effective June 28, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-4 - Transfer of VehiclesSection 31-4-11. - Sale of automobiles — Required equipment.

§ 31-4-11. Sale of automobiles — Required equipment.
(a)
No automobile shall be sold, whether new or used, by a dealer, at wholesale or retail, unless the automobile is equipped with a spare tire and a jack, both of which must be functional and operational. The provisions of this section shall not apply:
(1)
To an automobile equipped with tires that without any tire air inflation permit vehicle operation for at least fifty (50) miles at speeds up to at least fifty-five (55) miles per hour; or
(2)
An automobile equipped with a factory installed tire repair and inflation system.
(b)
A violation of this section shall constitute a misdemeanor.
History of Section.
P.L. 1985, ch. 82, § 1; P.L. 1995, ch. 257, § 1; P.L. 1999, ch. 286, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-4 - Transfer of VehiclesSection 31-4-2. - Endorsement and forwarding of registration card.

§ 31-4-2. Endorsement and forwarding of registration card.
The owner shall also endorse the name and address of the transferee and the date of transfer upon the reverse side of the registration card issued for the vehicle and shall immediately forward the card to the division of motor vehicles. However, the number plates need not be returned if the owner shall, within ten (10) days of such transfer or assignment, secure the registration of another vehicle.
History of Section.
P.L. 1950, ch. 2595, art. 4, § 1; P.L. 1951, ch. 2826, § 8; P.L. 1952, ch. 2937, § 3; G.L. 1956, § 31-4-2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-4 - Transfer of VehiclesSection 31-4-3. - Temporary registration — Invoice voucher issued by dealer.

§ 31-4-3. Temporary registration — Invoice voucher issued by dealer.
(a)
Any person who purchases a motor vehicle from a bona fide licensed dealer and who presently has a motor vehicle registered in this state, may operate the newly acquired motor vehicle for a period of thirty (30) days following the date of the original dated voucher. During this period any operator of the newly acquired vehicle shall carry the original dated bill of sale or invoice voucher which shall be accompanied by a numbered state sales tax form. The voucher or bill of sale shall recite the registration number to be transferred from the former vehicle to the newly acquired vehicle.
(b)
The bill of sale or invoice voucher shall be sequentially and numerically identified, dated on the day of sale, and shall be valid for not more than thirty (30) days following the date of the original dated voucher. No dealer or any other person shall extend or alter the date nor shall a new bill of sale be issued to the purchaser as a means to circumvent this section.
(c)
Every dealer shall keep a sequential record of each temporary certificate issued and those records shall be available during business

hours for examination by any police officer or inspector of the division of motor vehicles as designated by the administrator of the division of motor vehicles.
(d)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1950, ch. 2595, art. 4, § 1; P.L. 1951, ch. 2698, § 1; G.L. 1956, § 31-4-3; P.L. 1962, ch. 198, § 1; P.L. 1969, ch. 91, § 1; P.L. 1983, ch. 205, § 1; P.L. 2002, ch. 292, § 104; P.L. 2022, ch. 249, § 1, effective June 28, 2022; P.L. 2022, ch. 250, § 1, effective June 28, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-4 - Transfer of VehiclesSection 31-4-4. - Registration by transferee.

§ 31-4-4. Registration by transferee.
The transferee before operating or permitting the operation of an acquired vehicle upon a highway shall apply for and obtain the registration for it, as upon an original registration, except as otherwise permitted in §§ 31-4-5 — 31-4-7.
History of Section.
P.L. 1950, ch. 2595, art. 4, § 2; G.L. 1956, § 31-4-4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-4 - Transfer of VehiclesSection 31-4-5. - Dealers exempt from new registration.

§ 31-4-5. Dealers exempt from new registration.
When the transferee of a vehicle is a dealer who holds the vehicle for resale and lawfully operates the vehicle under dealers' number plates or when the transferee does not drive the vehicle or permit it to be driven upon the highways, the transferee shall not be required to obtain a new registration of the vehicle.
History of Section.
P.L. 1950, ch. 2595, art. 4, § 3; G.L. 1956, § 31-4-5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-4 - Transfer of VehiclesSection 31-4-6.1. - Transfer of interest between spouses.

§ 31-4-6.1. Transfer of interest between spouses.
Whenever a person transfers his or her interest or title in or to a registered vehicle to his or her spouse, the administrator of the division of motor vehicles shall not transfer the registration unless the application is accompanied by a separate signed and notarized statement from the transferor indicating his or her approval of the transfer.
History of Section.
P.L. 1969, ch. 90, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-4 - Transfer of VehiclesSection 31-4-6. - Transfer of interest by operation of law.

§ 31-4-6. Transfer of interest by operation of law.
Whenever the title or interest of an owner in or to a registered vehicle shall pass to another otherwise than by voluntary transfer, the registration for the vehicle shall expire and the vehicle shall not be operated upon any highway unless and until the person entitled to possession of the vehicle shall apply for and obtain the registration for it. However, when the title or interest of the owner passes to another by reason of death, insolvency, or bankruptcy, the vehicle may continue to be operated under the registration previously issued for it until the possession of the vehicle has been transferred by the legal representative, assignee, receiver, or trustee in bankruptcy, or until the registration shall expire, whichever shall first occur.
History of Section.
P.L. 1950, ch. 2595, art. 4, § 4; P.L. 1951, ch. 2826, § 9; G.L. 1956, § 31-4-6.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-4 - Transfer of VehiclesSection 31-4-7. - Repossession of vehicle.

§ 31-4-7. Repossession of vehicle.
In the event of repossession of a motor vehicle under a rental agreement, lease, contract of conditional sale, or other title retention agreement, or in the event title becomes vested in the holder of a lien, mortgage, or encumbrance upon a motor vehicle, the person repossessing or so obtaining title may apply to the division of motor vehicles for and obtain bailee registration plates, and may operate the vehicle under those special plates only for purposes of transporting the same to a garage or warehouse, or for purposes of demonstrating or selling the same. Whoever shall so obtain possession of a vehicle shall return the registration plates found on the vehicle and the registration card, if available, to the division of motor vehicles within five (5) days thereof.
History of Section.
P.L. 1950, ch. 2595, art. 4, § 4; P.L. 1951, ch. 2826, § 9; G.L. 1956, § 31-4-7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-4 - Transfer of VehiclesSection 31-4-8.1. - Penalties.

§ 31-4-8.1. Penalties.
Any individual, company, corporation, owner, or any insurance firm or representative thereof who violates any of the provisions of § 31-4-8 shall be guilty of a felony and shall be punished by imprisonment for not more than five (5) years, or a fine of not more than five thousand dollars ($5,000), or both.
History of Section.
P.L. 1979, ch. 229, § 1; P.L. 1992, ch. 324, § 11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-4 - Transfer of VehiclesSection 31-4-8. - Dismantled vehicles.

§ 31-4-8. Dismantled vehicles.
(a)
Any owner dismantling or wrecking any registered vehicle shall immediately forward to the division of motor vehicles, the registration card, and the registration plate or plates last issued for that vehicle.
(b)
Any motor vehicle, if repaired must be inspected and approved by the motor vehicles enforcement division prior to registration and, if required, reissuance of a new Rhode Island vehicle identification plate.
History of Section.
P.L. 1950, ch. 2595, art. 4, § 5; G.L. 1956, § 31-4-8; P.L. 1974, ch. 207, § 1; P.L. 1979, ch. 229, § 1; P.L. 1983, ch. 221, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-4 - Transfer of VehiclesSection 31-4-9. - Out-of-state purchases.

§ 31-4-9. Out-of-state purchases.
Any person who purchases a motor vehicle outside the state of Rhode Island from a bona fide licensed dealer and who presently has a motor vehicle registered in this state may, when the new vehicle purchased has the same number of wheels as the presently owned and registered vehicle, operate the newly acquired motor vehicle for a period of thirty (30) days following the date of transfer provided that the number plates issued upon registration of the transferred motor vehicle are attached to the newly acquired vehicle. During this period any operator of the newly acquired vehicle shall carry an original dated copy of the bill of sale reciting the registration number to be transferred from the former vehicle to the newly acquired vehicle.
History of Section.
P.L. 1972, ch. 7, § 1; P.L. 2022, ch. 249, § 1, effective June 28, 2022; P.L. 2022, ch. 250, § 1, effective June 28, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-40 - Habitual OffendersSection 31-40-1. - Declaration of policy.

§ 31-40-1. Declaration of policy.
It is declared to be the policy of Rhode Island:
(1)
To provide maximum safety for all persons who travel or otherwise use the public highways of the state;
(2)
To deny the privilege of operating motor vehicles on the highways to persons who, by their conduct and record have demonstrated their indifference for the safety and welfare of others and their disrespect for the laws of the state of Rhode Island, the orders of its courts, and the statutorily required acts of its administrative agencies; and
(3)
To discourage the repetition of criminal acts by individuals against the peace and dignity of the state of Rhode Island and its political subdivisions, and to impose increased and added deprivation of the privilege to operate motor vehicles upon habitual offenders who have been convicted repeatedly of violations of traffic laws.
History of Section.
P.L. 1970, ch. 77, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-40 - Habitual OffendersSection 31-40-10. - Appeals.

§ 31-40-10. Appeals.
An appeal may be had from any final action or order of a court entered under the provisions of this chapter in the same manner and form as such an appeal would be claimed and adjudicated in any criminal case.
History of Section.
P.L. 1970, ch. 77, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-40 - Habitual OffendersSection 31-40-11. - Construction of chapter.

§ 31-40-11. Construction of chapter.
Nothing in this chapter shall be construed as amending, modifying, or repealing any existing law of Rhode Island or any existing ordinance of any city or town relating to the operation of motor vehicles, the licensing of persons to operate motor vehicles, or providing penalties for the violation of provisions regarding them, or shall be construed to preclude the exercise of the regulatory powers of any division, agency, department, or political subdivision of the state having the statutory power to regulate this operation and licensing.
History of Section.
P.L. 1970, ch. 77, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-40 - Habitual OffendersSection 31-40-12. - Authority of administrator of the division of motor vehicles.

§ 31-40-12. Authority of administrator of the division of motor vehicles.
Nothing in this chapter shall be construed as limiting, modifying, or reducing the authority of the administrator of the division of motor vehicles in any way, and nothing contained in this chapter shall be construed as affecting any of the provisions of chapter 11 of this title entitled "Suspension or revocation of licenses — Violations," or as affecting the provisions of § 31-27-2.1.
History of Section.
P.L. 1970, ch. 77, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-40 - Habitual OffendersSection 31-40-13. - Short title.

§ 31-40-13. Short title.
This chapter shall be known and may be cited as the "Rhode Island Habitual Offender Act".
History of Section.
P.L. 1970, ch. 77, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-40 - Habitual OffendersSection 31-40-2. - "Habitual offender" defined.

§ 31-40-2. "Habitual offender" defined.
An "habitual offender" is any person, resident or nonresident, whose record, as maintained in the office of the division of motor vehicles, shows that the person has accumulated the convictions, or findings of delinquency or waywardness in the case of juveniles, for separate and distinct offenses, described in subdivisions (1), (2), and (3) of this section, committed within a three (3) year period, provided that where more than one included offense shall be committed within a six (6) hour period the multiple offenses shall, on the first occasion, be treated for the purposes of this article as one offense, provided the person charged has no record of prior offenses chargeable under this article, and provided further that the date of the offense most recently committed occurs within three (3) years of the date of all other offenses the conviction for which is included in subdivision (1), (2), or (3) of this section as follows:
(1)
Three (3) or more convictions, or findings of delinquency or waywardness in the case of a juvenile, singularly or in combination, of the following separate and distinct offenses arising out of separate acts:
(i)
Voluntary or involuntary manslaughter resulting from the operation of a motor vehicle;
(ii)
Driving or operating a motor vehicle while under the influence of liquor or drugs in violation of § 31-27-2;
(iii)
Driving a motor vehicle while his or her license, permit, or privilege to drive a motor vehicle has been suspended or revoked in violation of § 31-27-2.1 or chapter 11 of this title;
(iv)
Willfully operating a motor vehicle without a license;
(v)
Knowingly making any false affidavit or swearing or affirming falsely to any matter or thing required by the motor vehicle laws or as to information required in the administration of the laws;
(vi)
Any offense punishable as a felony under the motor vehicle laws of Rhode Island or any felony in the commission of which a motor vehicle is used;
(vii)
Failure of the driver of a motor vehicle involved in an accident resulting in the death or injury of any person to stop close to the scene of the accident and report his or her identity in violation of § 31-26-1; or

(viii)
Failure of the driver of a motor vehicle involved in an accident resulting only in damage to an attended or unattended vehicle or other property in excess of one hundred fifty dollars ($150) to stop close to the scene of the accident and report his or her identity or otherwise report the accident.
(2)
Six (6) or more convictions, or findings of delinquency or waywardness in the case of a juvenile, of separate and distinct offenses, singularly or in combination, in the operation of a motor vehicle which are required to be reported to the division of motor vehicles and the commission of which requires the division of motor vehicles or authorizes a court to suspend or revoke the privilege to operate motor vehicles on the highways of this state for a period of thirty (30) days or more, and the convictions shall include those offenses enumerated in paragraph (1)(ii) of this section when taken with and added to those offenses described in this section.
(3)
The offenses included in subdivisions (1) and (2) of this section shall be deemed to include offenses under any valid town or city ordinance paralleling and substantially conforming to the state statutory provisions cited in subdivisions (1) and (2) of this section and all changes in or amendments of them, and any federal law, and law of another state or any valid town, city, or county ordinance of another state substantially conforming to those statutory provisions.
History of Section.
P.L. 1970, ch. 77, § 1; P.L. 1974, ch. 219, § 1; P.L. 2000, ch. 109, § 44.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-40 - Habitual OffendersSection 31-40-3. - Transcript or abstract of conviction record.

§ 31-40-3. Transcript or abstract of conviction record.
The administrator of the division of motor vehicles shall certify three (3) transcripts or abstracts of the conviction record as maintained in the office of the division of motor vehicles of any person whose record brings him or her within the definition of an habitual offender, as defined in § 31-40-2, to the attorney general. The transcript or abstract shall be prima facie evidence that the person named in it was duly convicted or found delinquent or wayward in the case of a juvenile, by the court wherein the conviction or finding was made, of each offense shown by the transcript or abstract. If the person shall deny any of the facts as stated in it, he or she shall have the burden of proving that the fact is untrue.
History of Section.
P.L. 1970, ch. 77, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-40 - Habitual OffendersSection 31-40-4. - Complaint to be filed by attorney general.

§ 31-40-4. Complaint to be filed by attorney general.
The attorney general upon receiving the habitual offender transcripts or abstracts from the administrator of the division of motor vehicles shall immediately file a complaint against the person named in it in the district court having jurisdiction of criminal offenses in the city or town in which the person resides. In the event the person is a nonresident of this state, the attorney general shall file a complaint against the accused person in the district court of the sixth judicial district.
History of Section.
P.L. 1970, ch. 77, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-40 - Habitual OffendersSection 31-40-5. - Show cause order — Service — Procedure where conviction denied.

§ 31-40-5. Show cause order — Service — Procedure where conviction denied.
(a)
The court in which the complaint is filed shall enter an order, which incorporates the habitual offender transcript or abstract and is directed to the person named in it, to show cause why he or she should not be barred from operating a motor vehicle on the highways of this state. A copy of the show cause order and the transcript or abstract shall be served on the person named in it in the manner prescribed by law for the service of a complaint. Service on any nonresident of this state may be made on the administrator of the division of motor vehicles in the same manner as in any action or proceeding arising out of a collision on the highways of this state.
(b)
If the person denies having been convicted, or in the case of a juvenile denies that he or she was found delinquent or wayward, of any offense necessary for a holding that he or she is an habitual offender, and if the court cannot, on the evidence available to it, make the determination, the court may certify the decision of the issue to the court in which the conviction or finding of delinquency or waywardness was made. The court to which the certification is made shall immediately conduct a hearing to determine the issue and send a certified copy of its final order determining the issue to the court in which the complaint was filed.
History of Section.
P.L. 1970, ch. 77, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-40 - Habitual OffendersSection 31-40-6. - Order of court.

§ 31-40-6. Order of court.

If the court finds that the person is not the same person named in the habitual offender transcript or abstract, or that the person is not an habitual offender under this chapter, the proceeding shall be dismissed. But if the court finds that the person is the person named in the habitual offender transcript or abstract and that the person is an habitual offender, the court shall find and by appropriate order direct the person not to operate a motor vehicle on the highways of the state of Rhode Island, and to surrender to the court all licenses or permits to operate a motor vehicle on the highways of this state. The clerk of the court shall file with the division of motor vehicles a copy of the order which shall become a part of the permanent records of the division of motor vehicles.

History of Section.

P.L. 1970, ch. 77, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-40 - Habitual OffendersSection 31-40-7. - Period during which habitual offender not to be licensed.

§ 31-40-7. Period during which habitual offender not to be licensed.

No license to operate motor vehicles in Rhode Island shall be reissued to an habitual offender, subsequent to an order of the court as provided in § 31-40-6:

(1)

For a period of not less than one year nor more than five (5) years from the date of the order of the court finding the person to be an habitual offender; and

(2)

Until the privilege of the person to operate a motor vehicle in this state has been restored by an order of the court of record entered in a proceeding as provided in this chapter.

History of Section.

P.L. 1970, ch. 77, § 1; P.L. 1978, ch. 173, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-40 - Habitual OffendersSection 31-40-8. - Operation of motor vehicle by habitual offender prohibited — Penalty — Enforcement of section.

§ 31-40-8. Operation of motor vehicle by habitual offender prohibited — Penalty — Enforcement of section.

(a)

It shall be unlawful for any person to operate any motor vehicle in this state while the order of the court prohibiting the operation is in effect. The operation may be punished by imprisonment of not more than five (5) years. No portion of the sentence shall be suspended or deferred, except that in cases where the operation is necessitated in situations of apparent extreme emergency which require the operation to save life or limb, the sentence, or any part of it may be suspended or deferred.

(b)

For the purpose of enforcing this section, in any case in which the accused is charged with driving a motor vehicle while his or her license, permit, or privilege to drive is suspended or revoked, or who is charged with driving without a license, the court before hearing the charge shall determine whether the person has been held an habitual offender and by reason of the holding, is barred from operating a motor vehicle on the highways of this state.

History of Section.

P.L. 1970, ch. 77, § 1; P.L. 1974, ch. 219, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-40 - Habitual OffendersSection 31-40-9. - Restoration of privilege of operating motor vehicle.

§ 31-40-9. Restoration of privilege of operating motor vehicle.

At the expiration of the time of suspension set by the court under § 31-40-7 after the date of any final order of a court entered under the provisions of this chapter, finding a person to be an habitual offender and directing him or her not to operate a motor vehicle in this state, the person may petition that court, or any district court having criminal jurisdiction in the political subdivision in which the person then resides, for restoration of his or her privilege to operate a motor vehicle in this state. Upon the petition, and for good cause shown, the court may, in its discretion, restore to the person the privilege to operate a motor vehicle in this state upon any terms and conditions that the court may prescribe, subject to other provisions of law relating to the issuance of operators' or chauffeurs' licenses.

History of Section.

P.L. 1970, ch. 77, § 1; P.L. 1982, ch. 224, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.1 - Adjudication of Traffic OffensesSection 31-41.1-1. - Form of summons.

§ 31-41.1-1. Form of summons.

(a)
The summons and complaint to be issued to an offending operator shall contain any information, and be in any form that may be required by the rules of procedure promulgated by the chief magistrate of the traffic tribunal. Every summons shall provide notice of:
(1)
The charge or charges against the operator; and
(2)
A date to appear in the traffic tribunal and answer the charges against him or her.
(b)
The form for the summons and complaint authorized by this section shall be used for all violations specified in §§ 8-8.2-2, 8-18-3 and 8-18-9. The summons may be the same as the summons provided for in § 31-27-12. The chief executive officer of each local police force which is required to use the summons and complaint provided for in this chapter shall prepare or cause to be prepared any records and reports that may be prescribed by the rules of the traffic tribunal.
History of Section.
P.L. 1999, ch. 218, art. 3, § 1; P.L. 2008, ch. 1, § 12; P.L. 2010, ch. 239, § 30.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.1 - Adjudication of Traffic OffensesSection 31-41.1-10. - Expungement.

§ 31-41.1-10. Expungement.
All violations within this title which are in the jurisdiction of the traffic tribunal or of a municipal court shall by operation of law, after three (3) years, following adjudication of the violation and after expiration of any mandatory state or federal record-retention period, be expunged from the records of the traffic tribunal or the municipal court and from the records of the division of motor vehicles, except for those offenses related to alcohol as provided in § 31-27-2.1, which shall be expunged after five (5) years. These expungements shall be in addition to and not in place of any expungement provided for by chapter 1.3 of title 12.
History of Section.
P.L. 1999, ch. 218, art. 3, § 1; P.L. 2013, ch. 104, § 1; P.L. 2013, ch. 112, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.1 - Adjudication of Traffic OffensesSection 31-41.1-11. - Jurisdiction. [Effective until July 1, 2025.]

§ 31-41.1-11. Jurisdiction. [Effective until July 1, 2025.]
(a)
The traffic tribunal shall have exclusive original jurisdiction over the adjudication of charges under § 31-27-2.1(c)(1) (Refusal to submit to chemical test first violation).
(b)
The district court shall have exclusive original jurisdiction over the adjudication of charges under § 31-27-2.1(c)(2) and (3) (Refusal to submit to chemical test, second violation and third and subsequent violations).
(c)
Nothing in subsections (a) and (b) of this section shall be deemed to abrogate the jurisdiction of any municipal court under the provisions of chapter 18 of title 8 of the general laws.
History of Section.
P.L. 1999, ch. 218, art. 3, § 1; P.L. 2007, ch. 42, § 1; P.L. 2007, ch. 46, § 1.
§ 31-41.1-11. Jurisdiction. [Effective July 1, 2025.]
(a)
The traffic tribunal shall have exclusive original jurisdiction over the adjudication of charges under § 31-27-2.1(c)(1) (Refusal to submit to chemical test first violation).
(b)
The district court shall have exclusive original jurisdiction over the adjudication of charges under § 31-27-2.1(c)(2) and (3) (Refusal to submit to chemical test, second violation and third and subsequent violations).
(c)
The traffic tribunal shall have exclusive original jurisdiction over the adjudication of charges under § 31-27-2.1(c)(4) and (5) (Refusal to submit to a chemical test, second violation and third and subsequent violations with respect to a case of refusal to submit to a blood test).
(d)
Nothing in subsections (a) and (b) of this section shall be deemed to abrogate the jurisdiction of any municipal court under the provisions of chapter 18 of title 8 of the general laws.
History of Section.
P.L. 1999, ch. 218, art. 3, § 1; P.L. 2007, ch. 42, § 1; P.L. 2007, ch. 46, § 1; P.L. 2024, ch. 217, § 2, effective July 1, 2025; P.L. 2024, ch. 218, § 2, effective July 1, 2025.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.1 - Adjudication of Traffic OffensesSection 31-41.1-2. - Payment without personal appearance.

§ 31-41.1-2. Payment without personal appearance.
Any member of the state police, or any member of the police department of any city or town and any other duly authorized law enforcement officer who charges any person with an offense as set out in § 31-41.1-4 shall, in addition to issuing a summons for the offense, provide the offending operator with a form which will allow the offender to dispose of the charge without the necessity of personally appearing before the traffic tribunal. This section shall apply to resident and nonresident operators.
History of Section.
P.L. 1999, ch. 218, art. 3, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.1 - Adjudication of Traffic OffensesSection 31-41.1-3.1. - Mandatory court appearances.

§ 31-41.1-3.1. Mandatory court appearances.
(a)
Notwithstanding the provisions of §§ 31-41.1-2 or 31-41.1-3, any person who receives a third (3rd) summons after two (2) guilty adjudications for traffic offenses within twelve-month (12) period of time cannot plea or dispose of the charge by mail, but must appear in person before a judge at the traffic tribunal or municipal court. All parking ticket summons or adjudications shall be exempt from this section.
(b)
The preceding twelve-month (12) period shall be calculated from the date of the issuance of the third (3rd) summons, after the preceding two (2) adjudications.
History of Section.
P.L. 2011, ch. 355, § 1; P.L. 2011, ch. 373, § 1; P.L. 2014, ch. 232, § 1; P.L. 2014, ch. 290, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.1 - Adjudication of Traffic OffensesSection 31-41.1-3. - Method of payment.

§ 31-41.1-3. Method of payment.
If the offending operator elects to dispose of the charge without personally appearing before the traffic tribunal, he or she shall execute the form indicated and return it to the traffic tribunal not later than twenty (20) days from the date of the summons, either by mailing or delivering the form and summons, to the violation section of the traffic tribunal, or to its designee, together with a check or money order in the amount indicated by the fine schedule on the form in addition to any technology surcharge applied by the traffic tribunal assessed in accordance with § 8-15-11.
History of Section.
P.L. 1999, ch. 218, art. 3, § 1; P.L. 2014, ch. 34, § 9; P.L. 2014, ch. 42, § 9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.1 - Adjudication of Traffic OffensesSection 31-41.1-4. - Schedule of violations.

§ 31-41.1-4. Schedule of violations.
(a)
The penalties for violations of the enumerated sections, listed in numerical order, correspond to the fines described. However, those offenses for which punishments may vary according to the severity of the offense, or punishment that requires the violator to perform a service, shall be heard and decided by the traffic tribunal or municipal court. The following violations may be handled administratively through the method prescribed in this chapter. This list is not exclusive and jurisdiction may be conferred on the traffic tribunal with regard to other violations.
Section of
General Laws
Total
Fine
8-8.2-2
DOT, DEM, or other agency and department violations
$85.00
24-10-17
Soliciting rides in motor vehicles
85.00
24-10-18
Backing up prohibited
85.00
24-10-19

Advertising motor vehicle for sale on state highways
100.00
24-10-20
Park and ride lots
85.00
24-12-37
Nonpayment of toll
100.00
31-3-12
Visibility of plates
85.00
31-3-18
Display of plates
85.00
31-3-32
Driving with expired registration
85.00
31-3-34
Failure to notify division of change of address
85.00
31-3-35
Notice of change of name
85.00
31-3-40
Temporary plates — dealer issued
85.00
31-4-3
Temporary registration — twenty-day (20) bill of sale
85.00
31-10-10
Rules as to armed forces license
85.00
31-10-30
Driving on expired license
85.00
31-10-32
Notice of change of address
85.00
31-10.1-4
No motorcycle helmet (operator)
85.00
31-10.1-5
Motorcycle handlebar violation
85.00
31-10.1-6
No motorcycle helmet (passenger)
85.00
31-10.1-7
Inspection of motorcycle required
85.00
31-12-12
Local motor vehicle ordinance
85.00
31-13-4
Obedience to devices
85.00
31-13-6(3)(i)
Eluding traffic light
85.00

31-13-9
Flashing signals
85.00
31-13-11
Injury to signs or devices
85.00
31-14-1
Reasonable and prudent speed
95.00
31-14-3
Condition requiring reduced speed
95.00
31-14-9
Below minimum speed
95.00
31-14-12
Speed limit on bridges and structures
95.00
31-15-1
Leaving lane of travel
85.00
31-15-2
Slow traffic to right
85.00
31-15-3
Operator left of center
85.00
31-15-4
Overtaking on left
85.00
31-15-5(a)
Overtaking on right
85.00
31-15-6
Clearance for overtaking
85.00
31-15-7
Places where overtaking prohibited
85.00
31-15-8
No passing zone
85.00
31-15-9
One way highways
85.00
31-15-10
Rotary traffic islands
85.00
31-15-11
Laned roadway violation
85.00
31-15-12
Following too closely
85.00
31-15-12.1
Entering intersection
100.00
31-15-13
Crossing center section of divided highway

85.00
31-15-14
Entering or leaving limited access roadways
85.00
31-15-16
Use of emergency break-down lane for travel
85.00
31-15-17
Crossing bicycle lane
85.00
31-15-18
Unsafe passing of person operating a bicycle
85.00
31-16-1
Care in starting from stop
85.00
31-16-2
Manner of turning at intersection
85.00
31-16-4
U turn where prohibited
85.00
31-16-5
Turn signal required
85.00
31-16-6
Time of signaling turn
85.00
31-16-7
Failure to give stop signal
85.00
31-16-8
Method of giving signals
85.00
31-16.1-3
Diesel vehicle idling rules
first offense not to exceed
100.00
second and subsequent offense not to exceed
500.00
31-17-1
Failure to yield right of way
85.00
31-17-2
Vehicle turning left
85.00
31-17-3
Yield right of way (intersection)
85.00
31-17-4
Obedience to stop signs
85.00
31-17-5
Entering from private road or driveway
85.00
31-17-8
Vehicle within right of way, rotary
85.00
31-17-9

Yielding to bicycles on bicycle lane
85.00
31-18-3
Right of way in crosswalks
first violation
85.00
second violation or any subsequent violation
$100.00
31-18-5
Crossing other than at crosswalks
85.00
31-18-8
Due care by drivers
85.00
31-18-12
Hitchhiking
85.00
31-18-18
Right of way on sidewalks
85.00
31-19-3
Traffic laws applied to bicycles
85.00
31-19-20
Sale of new bicycles
85.00
31-19-21
Sale of used bicycles
85.00
31-19.1-2
Operating motorized bicycle on an interstate highway
85.00
31-19.2-2
Operating motorized tricycle on an interstate highway
85.00
31-20-1
Failure to stop at railroad crossing
85.00
31-20-2
Driving through railroad gate
85.00
31-20-9
Obedience to stop sign
85.00
31-21-4
Places where parking or stopping prohibited
85.00
31-21-14
Opening of vehicle doors
85.00
31-21-18
Electric vehicle charging station restriction
85.00
31-22-2
Improper backing up
85.00
31-22-4
Overloading vehicle
85.00

31-22-5
Violation of safety zone
85.00
31-22-6
Coasting
85.00
31-22-7
Following fire apparatus
85.00
31-22-8
Crossing fire hose
85.00
31-22-9
Throwing debris on highway — snow removal
85.00
31-22-11.5
Improper use of school bus
— not to exceed five hundred dollars ($500) for each day of improper use
31-22-22(a)
No child restraint
85.00
31-22-22(a)
Child restraint/seat belt but not in any rear seating position
85.00
31-22-22(b), (f)
No seat belt — passenger
40.00
31-22-22(g)
No seat belt — operator
40.00
31-22-23
Tow trucks — proper identification
275.00
31-22-24
Operation of interior lights
85.00
31-23-1(b)(2)
U.S. department of transportation motor carrier safety rules and regulations
Not less than $85.00 or more than $500.00
31-23-1(e)(6)
Removal of an “out of service vehicle” sticker
125.00
31-23-1(e)(7)
Operation of an “out of service vehicle”
100.00
31-23-2(b)
Installation or adjustment of unsafe or prohibited parts, equipment, or accessories:
(first offense)
250.00
(second offense)
500.00
(third and subsequent offenses)
1,000.00
31-23-4
Brake equipment required
85.00
31-23-8
Horn required
85.00

31-23-10
Sirens prohibited
85.00
31-23-13
Muffler required
85.00
31-23-13.1
Altering height or operating a motor vehicle with an altered height
85.00
31-23-14
Prevention of excessive fumes or smoke
85.00
31-23-16
Windshield and window stickers (visibility)
85.00
31-23-17
Windshield wipers
85.00
31-23-19
Metal tires prohibited
85.00
31-23-20
Protuberances on tires
85.00
31-23-26
Fenders and wheel flaps required
85.00
31-23-27
Rear wheel flaps on buses, trucks, and trailers
85.00
31-23-29
Flares or red flag required over four thousand pounds (4,000 lbs.)
85.00
31-23-40
Approved types of seat belt requirements
85.00
31-23-42.1
Special mirror — school bus
85.00
31-23-43
Chocks required (1 pair) — over four thousand pounds (4,000 lbs.)
85.00
31-23-45
Tire treads — defective tires
85.00
31-23-47
Slow moving emblem required
85.00
31-23-49
Transportation of gasoline — passenger vehicle
85.00
31-23-51
Operating bike or motor vehicle wearing ear phones
(first offense)
85.00
second offense
95.00
for the third and each subsequent offense
140.00

31-24-1
through
31-24-54
Times when lights required
85.00
31-25-9
Leaking load
85.00
31-25-11
Connections between coupled vehicles
85.00
31-25-12
Towing chain, twelve-inch (12″) square flag required
85.00
31-25-12.1
Tow truck — use of lanes
(first offense)
85.00
second offense
95.00
for the third and each subsequent offense
100.00
31-25-17
Identification of trucks and truck-tractors
(first offense)
85.00
(second offense)
95.00
for the third and subsequent offenses
125.00
31-25-24
Carrying and inspection of excess load limit
350.00
31-27-2.3
Refusal to take preliminary breath test
85.00
31-28-7(d)
Wrongful use of handicapped parking placard
500.00
31-28-7(f)
Handicapped parking space violation:
First offense
100.00
Second offense
175.00
Third offense and subsequent offenses
325.00
31-28-7.1(e)
Wrongful use of institutional handicapped parking placard
125.00
31-33-2
Failure to file accident report
85.00
31-34-2
Proof of insurance — motor vehicle rental
85.00
31-34-3
Operation by person other than lessee
85.00

31-36.1-17
No fuel tax stamp (out-of-state)
85.00 and not exceeding ($100) for subsequent offense
31-38-3
No inspection sticker
85.00
31-38-4
Violation of inspection laws
85.00
31-41.3-15
Automated school zone speed enforcement system
50.00
31-47.2-6
Heavy-duty vehicle emission inspections:
First offense
125.00
Second offense
525.00
Third and subsequent offenses
1,025.00
37-15-7
Littering
not less than 55.00, not more than five hundred dollars ($500)
39-12-26
Public carriers violation
300.00
SPEEDING
Fine
(A) One to ten miles per hour (1-10 m.p.h.) in excess of posted speed limit
$ 95.00
(B) Eleven miles per hour (11 m.p.h.) in excess of posted speed limit with a fine of ten dollars ($10.00) per mile in excess of speed limit shall be assessed.
205.00 minimum
(b)
In addition to any other penalties provided by law, a judge may impose the following penalties for speeding:
(1)
For speeds up to and including ten miles per hour (10 m.p.h.) over the posted speed limit on public highways, a fine as provided for in subsection (a) of this section for the first offense; ten dollars ($10.00) per mile for each mile in excess of the speed limit for the second offense if within twelve (12) months of the first offense; and fifteen dollars ($15.00) per mile for each mile in excess of the speed limit for the third and any subsequent offense if within twelve (12) months of the first offense. In addition, the license may be suspended up to thirty (30) days.
(2)
For speeds in excess of ten miles per hour (10 m.p.h.) over the posted speed limit on public highways, a mandatory fine of ten dollars ($10.00) for each mile over the speed limit for the first offense; fifteen dollars ($15.00) per mile for each mile in excess of the speed limit for the second offense if within twelve (12) months of the first offense; and twenty dollars ($20.00) per mile for each mile in excess of the speed limit for the third and subsequent offense if within twelve (12) months of the first offense. In addition, the license may be suspended up to sixty (60) days.
(c)
Except for a technology surcharge assessed in accordance with § 8-15-11, any person charged with a violation who pays the fine administratively pursuant to this chapter shall not be subject to any additional costs or assessments, including, but not limited to, the hearing fee established in § 8-18-4.
History of Section.
P.L. 1999, ch. 218, art. 3, § 1; P.L. 2000, ch. 98, § 1; P.L. 2000, ch. 109, § 70; P.L. 2000, ch. 223, § 2; P.L. 2000, ch. 280, § 2; P.L. 2000, ch. 318, § 1; P.L. 2001, ch. 86, § 87; P.L. 2001, ch. 132, § 2; P.L. 2002, ch. 65, art. 13, § 26; P.L. 2002, ch. 134, § 1; P.L. 2002, ch. 292, § 57; P.L. 2004, ch. 6, § 3; P.L. 2005, ch. 64, § 8; P.L. 2005, ch. 67, § 8; P.L. 2005, ch. 117, art. 25, § 4; P.L. 2006, ch. 557, § 3; P.L. 2007, ch. 73, art. 26, § 1; P.L. 2007, ch. 307, § 2; P.L. 2007, ch. 340, § 4; P.L. 2007, ch. 414, § 2; P.L. 2007, ch. 485, § 1; P.L. 2008, ch. 9, art. 19, § 2; P.L. 2008, ch. 100, art. 12, § 2; P.L. 2008, ch. 241, § 1; P.L. 2008, ch. 249, § 3; P.L. 2008, ch. 311, § 3; P.L. 2009, ch. 310, § 11; P.L. 2010, ch. 92, § 2; P.L. 2010, ch. 132, § 2; P.L. 2013, ch. 141, § 2; P.L. 2013, ch. 142, § 2; P.L. 2014, ch. 34, § 9; P.L. 2014, ch. 42, § 9; P.L. 2017, ch. 204, § 2; P.L. 2017, ch. 259, § 2; P.L. 2018, ch. 316, § 1; P.L. 2018, ch.

353, § 1; P.L. 2021, ch. 49, § 2, effective June 14, 2021; P.L. 2021, ch. 50, § 2, effective June 11, 2021; P.L. 2021, ch. 96, § 2, effective July 1, 2021; P.L. 2021, ch. 97, § 2, effective July 1, 2021; P.L. 2022, ch. 178, § 2, effective June 27, 2022; P.L. 2022, ch. 179, § 2, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.1 - Adjudication of Traffic OffensesSection 31-41.1-5. - Failure to answer or appear.

§ 31-41.1-5. Failure to answer or appear.

(a)

In the event the person charged with a violation does not pay the fine administratively in accordance with the provisions of § 31-41.1-3, then he or she shall have waived his or her right to dispose of the offense without personal appearance, and the person charged with the violation must then appear before the traffic tribunal or municipal court on the date specified on the summons. If the person charged with the violation shall fail to appear on the specified date, a judge or magistrate may enter default judgment, and after hearing any evidence presented, determine whether the charges have been established. If the charges are not established, an order dismissing the charges shall be entered. If a determination is made that a charge has been established, an appropriate order shall be entered in the records of the traffic tribunal, including any order of suspension of the license or driving privilege of the person so charged in the same manner as set forth in § 31-41.1-6.

(b)

The order shall be mailed to the person charged with the violation at his or her last known address.

History of Section.

P.L. 1999, ch. 218, art. 3, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.1 - Adjudication of Traffic OffensesSection 31-41.1-6. - Hearings.

§ 31-41.1-6. Hearings.

(a)

Every hearing for the adjudication of a traffic violation, as provided by this chapter, shall be held before a judge or magistrate of the traffic tribunal or a judge of the municipal court, where provided by law. The burden of proof shall be upon the state, city, or town and no charge may be established except by clear and convincing evidence. A verbatim recording shall be made of all proceedings. The chief magistrate of the traffic tribunal may prescribe, by rule or regulation, the procedures for the conduct of the hearings and for pre-hearing discovery.

(b)

After due consideration of the evidence and arguments, the judge or magistrate shall determine whether the charges have been established, and appropriate findings of fact shall be made on the record. If the charges are not established, an order dismissing the charges shall be entered. If a determination is made that a charge has been established or if an answer admitting the charge has been received, an appropriate order shall be entered in the records of the traffic tribunal.

(c)

An order entered after the receipt of an answer admitting the charge or where a determination is made that the charge has been established shall be civil in nature, and shall be treated as an adjudication that a violation has been committed. A judge or magistrate may include in the order the imposition of any penalty authorized by any provisions of this title for the violation, including, but not limited to, license suspension, and/or in the case of a motorist under the age of twenty (20), community service, except that no penalty for it shall include imprisonment. A judge or magistrate may order the suspension or revocation of a license or of a registration in the name of the defendant in accordance with any provisions of this title that authorize the suspension or revocation of a license or of a registration, or may order the suspension of the license and the registration of the defendant for the willful failure to pay a fine previously imposed. In addition, after notice and opportunity to be heard, a judge or magistrate may order the suspension of the registration of the vehicle with which the violation was committed, if the defendant has willfully failed to pay a fine previously imposed.

(d)

A judge or magistrate may, as authorized by law, order a motorist to attend a rehabilitative driving course operated under the jurisdiction of a college or university accredited by the state of Rhode Island, or the trained personnel of the department of revenue. An order to attend a course may also include a provision to pay reasonable tuition for the course in an amount not to exceed the fee established by the college or university accredited by the state of Rhode Island or the department of revenue for driver retraining. The order shall contain findings of fact. Failure to comply with an order of attendance may, after notice and hearing, result in the suspension or revocation of a person’s license or registration.

(e)

Unless a judge or magistrate determines that a substantial traffic safety hazard would result from it, he or she may delay for a period not to exceed thirty (30) days the effective date of any suspension or revocation of a driver’s license or vehicle registration imposed pursuant to this chapter. However, the regulations may provide for the immediate surrender of any item to be suspended or revoked and the issuance of appropriate temporary documentation to be used during the thirty-day (30) period. Any order for immediate surrender of a driver’s license or vehicle registration shall contain a statement of reasons for it.

History of Section.
P.L. 1999, ch. 218, art. 3, § 1; P.L. 2005, ch. 117, art. 25, § 4; P.L. 2008, ch. 1, § 12; P.L. 2008, ch. 98, § 27; P.L. 2008, ch. 145, § 27; P.L. 2009, ch. 322, § 1; P.L. 2009, ch. 323, § 1; P.L. 2021, ch. 262, § 1, effective July 14, 2021; P.L. 2021, ch. 264, § 1, effective July 14, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.1 - Adjudication of Traffic OffensesSection 31-41.1-7. - Application for dismissal based on good driving record.

§ 31-41.1-7. Application for dismissal based on good driving record.
(a)
Any person who has had a motor vehicle operator's license for more than three (3) years, and who has been issued traffic violations which are his or her first violations within the preceding three (3) years, may request a hearing seeking a dismissal of the violations based upon the operator's good driving record.
(b)
Upon submission of proper proof that the operator has not been issued any other traffic violation within the past three (3) years, the charge shall, except for good cause shown or as otherwise provided by law, be dismissed based upon a good driving record; provided, that the operator pay a thirty-five dollar ($35.00) administrative fee for court costs associated with the dismissal. Additionally, beginning July 1, 2014, there shall be imposed a twenty-five dollar ($25.00) surcharge on all dismissals based upon a good driving record to be deposited into the Rhode Island highway maintenance account.
(c)
The traffic tribunal may not dismiss a charge pursuant to this section after six (6) months from the date of disposition. For purposes of this section, a parking ticket shall not constitute a prior violation.
(d)
The following violations shall not be dismissed pursuant to this statute:
(1)
Any violation within the original jurisdiction of superior or district court;
(2)
A refusal to submit to a chemical test of breath, blood or urine pursuant to § 31-27-2.1;
(3)
Any violation involving a school bus;
(4)
Any violation involving an accident where there has been property damage or personal injury;
(5)
Any speeding violation in excess of fourteen miles per hour (14 m.p.h.) above the posted speed limit;
(6)
Any violation involving child restraints in motor vehicles pursuant to § 31-22-22;
(7)
Any violation committed by a holder of a commercial license as defined in § 31-10.3-3 or any violation committed in a commercial motor vehicle as defined in § 31-10.3-3 by an operator who does not hold a commercial license.
(e)
If the charge is dismissed pursuant to this section, records of the dismissal shall be maintained for a period of three (3) years.
(f)
The judge or magistrate shall have the discretion to waive court costs and fees when dismissing a violation pursuant to this section, with the exception of the mandatory thirty-five dollars ($35.00) administrative fee and the twenty-five dollar ($25.00) surcharge provided for in subsection (b) of this section.
History of Section.
P.L. 1999, ch. 218, art. 3, § 1; P.L. 2000, ch. 67, § 1; P.L. 2002, ch. 58, § 10; P.L. 2003, ch. 134, § 1; P.L. 2003, ch. 160, § 1; P.L. 2005, ch. 77, § 8; P.L. 2005, ch. 82, § 8; P.L. 2007, ch. 73, art. 35, § 1; P.L. 2007, ch. 386, § 1; P.L. 2008, ch. 100, art. 12, § 2; P.L. 2014, ch. 145, art. 21, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.1 - Adjudication of Traffic OffensesSection 31-41.1-8. - Appellate review.

§ 31-41.1-8. Appellate review.
(a) Appeals panels.
The chief magistrate of the traffic tribunal shall establish one or more appeals panels, each consisting of three (3) members of the traffic tribunal, and shall select a presiding member for each appeals panel from the members so appointed. No member of the traffic tribunal shall serve as a member of an appeals panel hearing the appeal of a determination by that member. The chief judge shall also designate any other personnel of the traffic tribunal that may be necessary to assist an appeals panel in carrying out its functions.
(b) Right of appeal.

Any person who is aggrieved by a determination of a judge or magistrate may appeal the determination pursuant to the provisions of this section.
(c) Appeals panel.
Each appeal filed pursuant to this section shall be reviewed by an appeals panel, which shall make a determination of the appeal, and shall cause an appropriate order to be entered in the records of the traffic tribunal.
(d) Time limitations.
No appeal shall be reviewed if it is filed more than ten (10) days after notice was given of the determination from which it was appealed, unless it is determined that failure to file was due to excusable neglect. Notice shall be complete upon mailing.
(e) Appeal procedures.
Any person desiring to file an appeal from an adverse determination pursuant to this section shall do so in a form and manner provided by the clerk of the traffic tribunal. The transcript of any hearing that formed the basis for the determination will be reviewed only if it is submitted by the appellant. An appeal shall not be deemed to be finally submitted until the appellant has submitted all forms or documents required to be submitted by the clerk of the traffic tribunal or by this section.
(f) Standard of review.
The appeals panel shall not substitute its judgment for that of the judge or magistrate as to the weight of the evidence on questions of fact. The appeals panel may affirm the decision of the judge or magistrate, or it may remand the case for further proceedings or reverse or modify the decision if the substantial rights of the appellant have been prejudiced because the judge's findings, inferences, conclusions or decisions are:
(1)
In violation of constitutional or statutory provisions;
(2)
In excess of the statutory authority of the judge or magistrate;
(3)
Made upon unlawful procedure;
(4)
Affected by other error of law;
(5)
Clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or
(6)
Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.
(g) Transcript of hearings.
Transcripts of the record of any hearing may be obtained at the cost of the traffic tribunal, if prepared by the tribunal, or at a rate specified in the contract between the court and the contractor, if prepared by a private contractor.
(h) Fees.
The fee for filing an appeal shall be twenty-five dollars ($25.00), and this fee shall be deposited into the general fund. In addition to the appeal filing fee, the traffic tribunal shall apply a technology surcharge assessed in accordance with § 8-15-11. No appeal shall be accepted unless the required fee has been paid or if forma pauperis status has been granted.
(i) Stays pending appeal.
Whenever a determination has not been made within thirty (30) days after an appeal has been finally submitted, a stay of execution will be deemed granted by operation of law, and the license, certificate, permit, or privilege affected will be automatically restored pending final determination by the appeals panel.
History of Section.
P.L. 1999, ch. 218, art. 3, § 1; P.L. 2008, ch. 1, § 12; P.L. 2014, ch. 34, § 9; P.L. 2014, ch. 42, § 9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.1 - Adjudication of Traffic OffensesSection 31-41.1-9. - Appeals to district court.

§ 31-41.1-9. Appeals to district court.
(a) Right of appeal.
Any person who is aggrieved by a determination of an appeals panel may appeal the determination pursuant to the provisions of this section.
(b) Time limitations.
No appeal shall be reviewed if it is filed more than ten (10) days after notice was given of the determination from which it was appealed. Notice shall be complete upon mailing.
(c) Appeal procedures.
Any person desiring to file an appeal from an adverse determination pursuant to this section shall do so in a form and manner provided by the clerk of the traffic tribunal. The transcript of any hearing that formed the basis for the determination will be reviewed only if it is submitted by the appellant. An appeal shall not be deemed to be finally submitted until the appellant has submitted all forms or documents required to be submitted by the clerk of the traffic tribunal or by this section.
(d) Standard of review.

The judge of the district court shall not substitute his or her judgment for that of the appeals panel as to the weight of the evidence on questions of fact. The district court judge may affirm the decision of the appeals panel, or may remand the case for further proceedings or reverse or modify the decision if the substantial rights of the appellant have been prejudiced because the appeals panel's findings, inferences, conclusions or decisions are:
(1)
In violation of constitutional or statutory provisions;
(2)
In excess of the statutory authority of the appeals panel;
(3)
Made upon unlawful procedure;
(4)
Affected by other error of law;
(5)
Clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or
(6)
Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.
(e) Transcript of hearings.
Transcripts of the record of any hearing may be obtained at the cost of the traffic tribunal, if prepared by the tribunal, or at a rate specified in the contract between the tribunal and the contractor, if prepared by a private contractor.
(f) Fees.
The fee for filing an appeal shall be twenty-five dollars ($25.00) and this fee shall be deposited into the general fund. In addition to the appeal filing fee, the traffic tribunal shall apply a technology surcharge assessed in accordance with § 8-15-11. No appeal shall be accepted unless the required fee has been paid or if forma pauperis status has been granted.
(g) Stays pending appeal.
Whenever a determination has not been made within thirty (30) days after an appeal has been finally submitted, a stay of execution will be deemed granted by operation of law, and the license, certificate, permit, or privilege affected will be automatically restored pending final determination by the district court.
(h) Certiorari.
Any person who has exhausted all remedies available to him or her under the provisions of this section, including an appeal before the district court, may seek review by petition for writ of certiorari to the supreme court.
History of Section.
P.L. 1999, ch. 218, art. 3, § 1; P.L. 2014, ch. 34, § 9; P.L. 2014, ch. 42, § 9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.2 - Automated Traffic Violation Monitoring SystemsSection 31-41.2-1. - Short title.

§ 31-41.2-1. Short title.
This act shall be cited as the "Rhode Island Automated Traffic Violation Monitoring System Act of 2005."
History of Section.
P.L. 2005, ch. 418, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.2 - Automated Traffic Violation Monitoring SystemsSection 31-41.2-2. - Legislative findings.

§ 31-41.2-2. Legislative findings.
It is hereby found and declared that the effective and efficient enforcement of traffic laws, rules and regulations will assist in insuring safe travel on the streets and highways of this state. It is hereby declared to be the policy of the state of Rhode Island to authorize and utilize the best available technology for the monitoring and prosecution of civil traffic violations, including automated traffic violation detection systems.
History of Section.
P.L. 2005, ch. 418, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.2 - Automated Traffic Violation Monitoring SystemsSection 31-41.2-3.1. - Installation and signage.

§ 31-41.2-3.1. Installation and signage.
(a)
The implementing jurisdiction(s) shall post a warning sign at each system location where a traffic control signal monitoring system is located.
(b)
Such warning signs shall conform to appropriate, federally accepted standards for traffic control signs.
(c)

Sign signage shall remain at each system location so long as a traffic control signal monitoring system is in operation.
History of Section.
P.L. 2005, ch. 418, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.2 - Automated Traffic Violation Monitoring SystemsSection 31-41.2-3. - Automated traffic violation monitoring systems. [Effective until January 15, 2027.]

§ 31-41.2-3. Automated traffic violation monitoring systems. [Effective until January 15, 2027.]
(a)
The state department of transportation and the municipalities of this state are hereby authorized to install and operate automated traffic violation detection systems. Such systems shall be limited to systems which monitor and detect violations of traffic control signals. For purposes of this chapter an automated traffic violation detection system means a system with one or more motor vehicle sensors which produces images of motor vehicles being operated in violation of traffic signal laws. A municipality shall be permitted to install, at up to no more than three (3) designated “Don’t Block the Box” intersections within the municipality, an automated traffic detection system to monitor violations of § 31-15-12.2; provided, however, that the provisions allowing such “Don’t Block the Box” monitoring shall sunset on January 15, 2027, at which time such use as provided in this section shall no longer be permitted.
(b)
No automated traffic violation detection system shall be installed pursuant to this section which has not been approved for use by the director of the state department of transportation. The director of the state department of transportation shall promulgate regulations for the approval and operation of said systems pursuant to the administrative procedures act, chapter 35 of title 42. Systems shall be approved if the director is satisfied they meet standards of efficiency and accuracy. All systems installed for use under this chapter must be able to record the image of the vehicle and the license plates of the vehicle.
(c)
In the event that the system is to be installed other than by the state department of transportation on state-maintained streets or roads, the director of the department of transportation must approve such installation.
(d)
The state department of transportation and/or the municipalities may enter into an agreement with a private corporation or other entity to provide automated traffic violation detection systems or equipment and to maintain such systems.
(e)
Compensation to a private entity that provides traffic signal monitoring devices shall be based on the value of such equipment and related support services, and shall not be based on the revenue generated by such systems.
History of Section.
P.L. 2005, ch. 418, § 1; P.L. 2010, ch. 239, § 31; P.L. 2024, ch. 412, § 2, effective June 28, 2024.
§ 31-41.2-3. Automated traffic violation monitoring systems. [Effective January 15, 2027.]
(a)
The state department of transportation and the municipalities of this state are hereby authorized to install and operate automated traffic violation detection systems. Such systems shall be limited to systems which monitor and detect violations of traffic control signals. For purposes of this chapter an automated traffic violation detection system means a system with one or more motor vehicle sensors which produces images of motor vehicles being operated in violation of traffic signal laws.
(b)
No automated traffic violation detection system shall be installed pursuant to this section which has not been approved for use by the director of the state department of transportation. The director of the state department of transportation shall promulgate regulations for the approval and operation of said systems pursuant to the administrative procedures act, chapter 35 of title 42. Systems shall be approved if the director is satisfied they meet standards of efficiency and accuracy. All systems installed for use under this chapter must be able to record the image of the vehicle and the license plates of the vehicle.
(c)
In the event that the system is to be installed other than by the state department of transportation on state-maintained streets or roads, the director of the department of transportation must approve such installation.
(d)
The state department of transportation and/or the municipalities may enter into an agreement with a private corporation or other entity to provide automated traffic violation detection systems or equipment and to maintain such systems.
(e)
Compensation to a private entity that provides traffic signal monitoring devices shall be based on the value of such equipment and related support services, and shall not be based on the revenue generated by such systems.
History of Section.
P.L. 2005, ch. 418, § 1; P.L. 2010, ch. 239, § 31; P.L. 2024, ch. 412, § 2, effective June 28, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.2 - Automated Traffic Violation Monitoring SystemsSection 31-41.2-4. - Procedure — Notice.

§ 31-41.2-4. Procedure — Notice.
(a)
Except as expressly provided in this chapter, all prosecutions based on evidence produced by an automated traffic-violation-detection system shall follow the procedures established in chapter 41.1 of this title; chapter 18 of title 8, except the provisions providing for payments to the state in §§ 8-18-4 and 8-18-6, and the rules promulgated by the chief magistrate of the traffic tribunal for the hearing of civil traffic violations. A summons may be issued by an officer solely based on evidence obtained by use of an automated traffic-violation-detection system. All summons issued based on evidence obtained from an automated traffic-violation-detection system shall be issued within twenty-eight (28) days of the violation.
(b)
Notwithstanding any rule, regulation, or other provision of the general or public laws to the contrary, no city or town shall be required to make payments to the state in implementing any provision of this chapter until July 1, 2013, nor after July 1, 2015.
(c)
It shall be sufficient to commence a prosecution based on evidence obtained from an automated traffic-violation-detection system that a copy of the summons and supporting documentation be mailed to the address of the registered owner kept on file by the registry of motor vehicles pursuant to § 31-3-34. For purposes of this section, the date of issuance shall be the date of mailing.
(d)
The officer issuing the summons shall certify under penalties of perjury that the evidence obtained from the automated traffic-violation-detection system was sufficient to demonstrate a violation of the motor vehicle code. Such certification shall be sufficient in all prosecutions pursuant to this chapter to justify the entry of a default judgment upon sufficient proof of actual notice in all cases where the summons is not answered within the time period permitted.
(e)
The summons shall contain all the information provided for on the uniform summons as referred to in § 31-41.1-1 and the rules of procedure promulgated by the chief magistrate of the traffic tribunal, subject to the approval of the supreme court pursuant to § 8-6-2.
(f)
In addition to the summons, the following information shall be attached to the summons:
(1)
Copies of two (2) or more photographs, or microphotographs, or other recorded images taken as proof of the violation;
(2)
A signed statement by a trained law enforcement officer that, based on inspection of recorded images, the motor vehicle was being operated in violation of § 31-13-4;
(3)
A statement that recorded images are evidence of a violation of this chapter; and
(4)
A statement that the person who receives a summons under this chapter may either pay the civil penalty in accordance with the provisions of § 31-41.1-3, or elect to stand trial for the alleged violation.
History of Section.
P.L. 2005, ch. 418, § 1; P.L. 2008, ch. 1, § 13; P.L. 2010, ch. 239, § 31; P.L. 2013, ch. 144, art. 9, § 13; P.L. 2014, ch. 250, § 1; P.L. 2014, ch. 308, § 1; P.L. 2014, ch. 528, § 53; P.L. 2017, ch. 458, § 1; P.L. 2017, ch. 473, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.2 - Automated Traffic Violation Monitoring SystemsSection 31-41.2-5. - Hearings.

§ 31-41.2-5. Hearings.
Evidence from an automated traffic violation detection system shall be considered substantive evidence in the prosecution of all civil traffic violations. Evidence from an automated traffic violation detection system approved by the director of transportation shall be admitted without further authentication and such evidence may be deemed sufficient to sustain a civil traffic violation. In addition to any other defenses as set forth herein, any and all defenses cognizable at law shall be available to the individual who receives the summons commencing a prosecution under this chapter.
History of Section.
P.L. 2005, ch. 418, § 1; P.L. 2013, ch. 144, art. 9, § 13.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.2 - Automated Traffic Violation Monitoring SystemsSection 31-41.2-6. - Driver/registered owner liability.

§ 31-41.2-6. Driver/registered owner liability.
(a)
The registered owner of the motor vehicle shall be primarily responsible in all prosecutions brought pursuant to the provisions of this chapter except as otherwise provided in this section.
(b)
In all prosecutions of civil traffic violations based on evidence obtained from an automated traffic violation detection system, the

registered owner of a vehicle which has been operated in violation of a civil traffic violation, may be liable for such violation. The registered owner of the vehicle may assume liability for the violation by paying the fine; or by defending the violation pursuant to the procedures in § 31-41.2-4.
(c)
The lessee of a leased vehicle shall be considered the owner of a motor vehicle for purposes of this section.
History of Section.
P.L. 2005, ch. 418, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.2 - Automated Traffic Violation Monitoring SystemsSection 31-41.2-7.1. - Nature of violations.

§ 31-41.2-7.1. Nature of violations.
Notwithstanding any other provision of law:
(a)
No violation for which a civil penalty is imposed under this chapter shall be considered a moving violation, nor shall be included on the driving record of the person on whom the liability is imposed, nor shall it be used for insurance rating purposes in providing motor vehicle insurance coverage until there is a final adjudication of the violation.
(b)
Impositions of a penalty pursuant to this chapter shall not be deemed a criminal conviction of an owner or operator.
History of Section.
P.L. 2005, ch. 418, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.2 - Automated Traffic Violation Monitoring SystemsSection 31-41.2-7. - Use of evidence in criminal and civil cases.

§ 31-41.2-7. Use of evidence in criminal and civil cases.
Nothing in this chapter shall prohibit the use of evidence produced by an automated traffic violation detection system in a criminal or private civil proceeding provided that the admissibility of such evidence shall follow the applicable laws and rules of procedure and rules of evidence which apply in criminal and civil cases.
History of Section.
P.L. 2005, ch. 418, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.2 - Automated Traffic Violation Monitoring SystemsSection 31-41.2-8. - Security of records.

§ 31-41.2-8. Security of records.
(a)
The recorded images produced by an automated traffic violation detection system shall not be deemed “public records” subject to disclosure pursuant to subsection 38-2-2(4)(i).
(b)
All recorded images that do not identify a violation shall be destroyed within ninety (90) days of the date the image was recorded, unless ordered by a court of competent jurisdiction.
(c)
All recorded images that identify a violation shall be destroyed within one year after the citation is resolved by administrative payment, trial or other final disposition of the citation, unless ordered by a court of competent jurisdiction.
(d)
The privacy of records produced pursuant to this chapter shall be maintained; provided, that aggregate data not containing personal identifying information may be released.
History of Section.
P.L. 2005, ch. 418, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.2 - Automated Traffic Violation Monitoring SystemsSection 31-41.2-9. - Reports.

§ 31-41.2-9. Reports.
The agency or municipality authorizing the installation of automated traffic signal detection systems shall prepare an annual report containing data on:
(1)
The number of citations issued at each particular intersection;
(2)
The number of those violations paid by mail;
(3)

The number of those violations found after trial or hearing;
(4)
The number of violations dismissed after trial or hearing;
(5)
The number of accidents at each intersection;
(6)
A description as to the type of accident;
(7)
An indication regarding whether there were any injuries involved in any accident reported;
(8)
The cost to maintain the automated traffic signal detection system; and
(9)
The amount of revenue obtained from the automated traffic signal detection system.
History of Section.
P.L. 2005, ch. 418, § 1; P.L. 2010, ch. 239, § 31.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.3 - Automated School-Zone-Speed-Enforcement System Act of 2016Section 31-41.3-1. - Short title.

§ 31-41.3-1. Short title.
This act shall be known and may be cited as the "Rhode Island Automated School-Zone-Speed-Enforcement System Act of 2016."
History of Section.
P.L. 2016, ch. 164, § 1; P.L. 2016, ch. 165, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.3 - Automated School-Zone-Speed-Enforcement System Act of 2016Section 31-41.3-10. - Driver/registered owner liability.

§ 31-41.3-10. Driver/registered owner liability.
(a)
The registered owner of the motor vehicle shall be primarily responsible in all prosecutions brought pursuant to the provisions of this chapter, except as otherwise provided in this section.
(b)
In all prosecutions of civil school-zone violations based on evidence obtained from an automated traffic-speed-enforcement system, the registered owner of a vehicle which has been operated in violation of a civil traffic violation, may be liable for such violation. The registered owner of the vehicle may assume liability for the violation by paying the fine, or by defending the violation pursuant to the remedies available under the law.
(c)
The lessee of a leased vehicle shall be considered the owner of a motor vehicle for purposes of this section.
History of Section.
P.L. 2016, ch. 164, § 1; P.L. 2016, ch. 165, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.3 - Automated School-Zone-Speed-Enforcement System Act of 2016Section 31-41.3-11. - Use of evidence in criminal and civil cases.

§ 31-41.3-11. Use of evidence in criminal and civil cases.
Nothing in this chapter shall prohibit the use of evidence produced by an automated school-zone-speed-enforcement system in a criminal or civil proceeding; provided, that the admissibility of such evidence shall follow the applicable laws and rules of procedure and rules of evidence which apply in criminal and civil proceedings.
History of Section.
P.L. 2016, ch. 164, § 1; P.L. 2016, ch. 165, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.3 - Automated School-Zone-Speed-Enforcement System Act of 2016Section 31-41.3-12. - Nature of violations.

§ 31-41.3-12. Nature of violations.
Notwithstanding any other provision of law:
(1)
No violation for which a civil penalty is imposed under this chapter shall be considered a moving violation; nor shall it be included on the driving record of the person on whom the liability is imposed; nor shall it be used for insurance rating purposes in providing motor vehicle insurance coverage.
(2)
Impositions of a penalty pursuant to this chapter shall not be deemed a criminal conviction of an owner or operator.

(3)
The defense available under § 31-41.1-7 shall not be available for any violation imposed under this chapter.
History of Section.
P.L. 2016, ch. 164, § 1; P.L. 2016, ch. 165, § 1; P.L. 2018, ch. 316, § 3; P.L. 2018, ch. 353, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.3 - Automated School-Zone-Speed-Enforcement System Act of 2016Section 31-41.3-13. - Security of records.

§ 31-41.3-13. Security of records.
(a)
The recorded images produced by an automated school-zone-speed-enforcement system shall not be deemed "public records" subject to disclosure pursuant to § 38-2-2.
(b)
All recorded images that do not identify a violation shall be destroyed within ninety (90) days of the date the image was recorded, unless otherwise ordered by a court of competent jurisdiction.
(c)
All recorded images that identify a violation shall be destroyed within one year after the citation is resolved by administrative payment, trial, or other final disposition of the citation, unless otherwise ordered by a court of competent jurisdiction.
(d)
The privacy of records produced pursuant to this chapter shall be maintained; provided, that aggregate data not containing personal identifying information may be released.
History of Section.
P.L. 2016, ch. 164, § 1; P.L. 2016, ch. 165, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.3 - Automated School-Zone-Speed-Enforcement System Act of 2016Section 31-41.3-14. - Reports.

§ 31-41.3-14. Reports.
(a)
The agency or municipality authorizing the installation of automated school-zone-speed-enforcement systems shall prepare an annual report containing data on:
(1)
The number of citations issued at each particular school zone;
(2)
The number of those violations paid by mail;
(3)
The number of those violations found after trial or hearing;
(4)
The number of violations dismissed after trial or hearing;
(5)
The number of accidents at each school zone;
(6)
A description as to the type of accident;
(7)
An indication regarding whether there were any injuries involved in any accident reported;
(8)
The cost to maintain the automated school-zone-speed-enforcement system; and
(9)
The amount of revenue obtained from the automated school-zone-speed-enforcement system.
History of Section.
P.L. 2016, ch. 164, § 1; P.L. 2016, ch. 165, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.3 - Automated School-Zone-Speed-Enforcement System Act of 2016Section 31-41.3-15. - Penalties.

§ 31-41.3-15. Penalties.
(a)
Every person found to have violated the provisions of this chapter shall be fined fifty dollars ($50.00) for each offense; provided, however that for a period of thirty (30) days following the installation of any new automated school-zone-speed-enforcement system, a violation recorded by the system shall only be enforced by the issuance of a warning.
(b)
A violation of this chapter shall not be considered a moving violation for purposes of the motorist's driving record.

(c)
Every three (3) years from the date of the motorist's first offense under this chapter, the court shall expunge any automated school-zone-speed-enforcement violations during the preceding three-year (3) period.
History of Section.
P.L. 2018, ch. 316, § 4; P.L. 2018, ch. 353, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.3 - Automated School-Zone-Speed-Enforcement System Act of 2016Section 31-41.3-2. - Legislative findings.

§ 31-41.3-2. Legislative findings.
It is hereby found and declared that ever-increasing violations of the state's school-zone speed laws and regulations place both motorists and students using the state's streets and roadways within school zones in danger. The legislature hereby declares that the use of technology to reduce aggressive and dangerous speeding is in the best interest of public safety and therefore adopts a policy of authorizing the use of automated traffic-speed-enforcement systems in school zones within the state of Rhode Island. These systems shall be used in conjunction with civil penalties imposed upon the owners of speeding vehicles in order to reduce speeding violations.
Nothing in this chapter shall supersede any criminal or civil penalty or sanction against the driver of a vehicle who is cited by a law enforcement officer for a speeding violation in a school zone.
History of Section.
P.L. 2016, ch. 164, § 1; P.L. 2016, ch. 165, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.3 - Automated School-Zone-Speed-Enforcement System Act of 2016Section 31-41.3-3. - Automated school-zone-speed-enforcement system authorized and defined.

§ 31-41.3-3. Automated school-zone-speed-enforcement system authorized and defined.
(a)
The state department of transportation and the municipalities of this state are hereby authorized to operate "automated school-zone-speed-enforcement systems."
(b)
For the purposes of this chapter:
(1)
An "automated school-zone-speed-enforcement system" is an automated traffic-speed-enforcement system operated within one-quarter (¼) mile of any type of school in the state of Rhode Island;
(2)
An "automated traffic-speed-enforcement system" is defined as a system using one or more vehicle detectors in combination with photography to identify and provide a photographic image of vehicles which are exceeding the posted speed limit, or the speed limit designated by state law or regulation, for a given school zone, and may be in fixed or mobile configurations; and
(3)
A "school zone" is defined as anywhere within a one-quarter (¼) mile radius of any type of school in the state of Rhode Island.
History of Section.
P.L. 2016, ch. 164, § 1; P.L. 2016, ch. 165, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.3 - Automated School-Zone-Speed-Enforcement System Act of 2016Section 31-41.3-4. - Automated school-zone-speed-enforcement system operational requirements and certification.

§ 31-41.3-4. Automated school-zone-speed-enforcement system operational requirements and certification.
No automated school-zone-speed-enforcement system shall be used in the state of Rhode Island unless the system has been approved and certified for use in the state by the director of the department of transportation. The director of the department of transportation, in cooperation with the state police, shall require that any automated school-zone-speed-enforcement system approved and certified for use in the state of Rhode Island meets the following requirements:
(1)
All automated school-zone-speed-enforcement systems operated under this chapter shall record the speed of vehicles within plus or minus one mile per hour of the actual speed.
(2)
All automated school-zone-speed-enforcement systems operated under this chapter shall record at least two (2) photographic images of the vehicle exceeding the speed limit, one of which shall include the license plate attached to the rear of the vehicle.
(3)
All automated school-zone-speed-enforcement systems operated under this chapter shall, at the time of violation, imprint upon the photographic images of vehicles exceeding the speed limit:
(i)

The date and time of the violation; and
(ii)
The identity of the street, or school zone being monitored, and location upon that street, or within that school zone, including the direction of travel and lane of travel; this requirement may be met with code designations; and
(iii)
The posted or lawfully designated speed limit for the street or school zone being monitored; and
(iv)
The monitored speed of the vehicle identified in the photographic images as exceeding the posted or lawfully designated school zone speed limit; and
(v)
The consecutive event number of each photograph taken.
(4)
At least one hundred feet (100′) prior to entering an automated school-zone area where a speed-enforcement system is being operated, and on each approach to that area, four (4) signs, each measuring three feet (3′) in height by four feet (4′) in width, shall be erected in locations where the view is unobstructed, warning motorists that they will be entering an area monitored by an automated speed-zone-enforcement system and that violators of speed limitations may be prosecuted. The automated school-zone-speed-enforcement system shall be operational only from seven o'clock a.m. (7:00 a.m.) to six o'clock p.m. (6:00 p.m.) on school days of the promulgated one-hundred-eighty-day (180) school calendar year adopted in the applicable community.
(5)
It shall be the vendor's responsibility to furnish an annual report with all pertinent data to the speaker of the house and the senate president.
History of Section.
P.L. 2016, ch. 164, § 1; P.L. 2016, ch. 165, § 1; P.L. 2018, ch. 316, § 2; P.L. 2018, ch. 353, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.3 - Automated School-Zone-Speed-Enforcement System Act of 2016Section 31-41.3-5. - Operation of system.

§ 31-41.3-5. Operation of system.
In the event a fixed or mobile automated traffic-speed-enforcement system is to be installed or used by any person other than the state department of transportation or state police personnel on a state maintained street, roadway or highway, the director of transportation shall approve installation or use of the system.
History of Section.
P.L. 2016, ch. 164, § 1; P.L. 2016, ch. 165, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.3 - Automated School-Zone-Speed-Enforcement System Act of 2016Section 31-41.3-6. - Maintenance of system.

§ 31-41.3-6. Maintenance of system.
The state department of transportation, and/or the municipalities, may enter into an agreement with a private corporation or other entity to provide automated school-zone-speed-enforcement systems equipment services and to maintain the systems. A contract between a government agency and a manufacturer or supplier of automated traffic-speed-enforcement systems shall be based on the value of such equipment and related support services and shall not be based on a percentage of the revenue generated by the automated school-zone-speed-enforcement system.
History of Section.
P.L. 2016, ch. 164, § 1; P.L. 2016, ch. 165, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.3 - Automated School-Zone-Speed-Enforcement System Act of 2016Section 31-41.3-7. - Citation precedent.

§ 31-41.3-7. Citation precedent.
In the event a law enforcement officer stops and issues a citation to the driver of a vehicle for a speeding violation, which violation is also captured by an automated school-zone-speed-enforcement system, the citation issued to the driver by the law enforcement officer shall have and take precedence, and the automated school-zone-speed-enforcement system citation shall be dismissed.
History of Section.
P.L. 2016, ch. 164, § 1; P.L. 2016, ch. 165, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.3 - Automated School-Zone-Speed-Enforcement System Act of 2016Section 31-41.3-8. - Procedure — Notice.

§ 31-41.3-8. Procedure — Notice.
(a)
Except as expressly provided in this chapter, all prosecutions based on evidence produced by an automated

school-zone-speed-enforcement system shall follow the procedures established in chapter 41.1 of this title, chapter 18 of title 8, and the rules promulgated by the chief magistrate of the traffic tribunal for the hearing of civil traffic violations. Citations may be issued by an officer solely based on evidence obtained by use of an automated school-zone-speed-enforcement system. All citations issued based on evidence obtained from an automated school-zone-speed-enforcement system shall be issued within fourteen (14) days of the violation.

(b)

It shall be sufficient to commence a prosecution based on evidence obtained from an automated school-zone-speed-enforcement system, provided that a copy of the citation and supporting documentation be mailed to the address of the registered owner kept on file by the registry of motor vehicles pursuant to § 31-3-34. For purposes of this section, the date of issuance shall be the date of mailing.

(c)

The officer issuing the citation shall certify under penalties of perjury that the evidence obtained from the automated school-zone-speed-enforcement system was sufficient to demonstrate a violation of the motor vehicle code. Such certification shall be sufficient in all prosecutions pursuant to this chapter to justify the entry of a default judgment upon sufficient proof of actual notice in all cases where the citation is not answered within the time period permitted.

(d)

The citation shall contain all the information provided for in the uniform summons as referred to in § 31-41.1-1 and the rules of procedure promulgated by the chief magistrate of the traffic tribunal.

(e)

In addition to the information in the uniform summons, the following information shall be attached to the citation:

(1)

Copies of two (2) or more photographs, or microphotographs, or other recorded images taken as proof of the violation; and

(2)

A signed statement by a trained law enforcement officer that, based on inspection of recorded images, the motor vehicle was being operated in violation of chapter 14 of title 31 relating to speed restrictions; and

(3)

A statement that recorded images are evidence of a violation of this chapter; and

(4)

A statement that the person who receives a summons under this chapter may either pay the civil penalty in accordance with the provisions of § 31-41.1-3, or elect to stand trial for the alleged violation.

History of Section.

P.L. 2016, ch. 164, § 1; P.L. 2016, ch. 165, § 1; P.L. 2017, ch. 161, § 1; P.L. 2017, ch. 451, § 13.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-41.3 - Automated School-Zone-Speed-Enforcement System Act of 2016Section 31-41.3-9. - Hearings.

§ 31-41.3-9. Hearings.

Evidence from an automated school-zone-speed-enforcement system shall be considered substantive evidence in the prosecution of all civil traffic violations. Evidence from an automated school-zone-speed-enforcement system approved by the director of the department of transportation shall be admitted without further authentication and such evidence may be deemed sufficient to sustain a civil traffic violation. In addition to any other defenses as set forth herein, any defenses cognizable at law, with the exception of that available under § 31-41.1-7, shall be available to the individual who receives the citation commencing a prosecution under this chapter.

History of Section.

P.L. 2016, ch. 164, § 1; P.L. 2016, ch. 165, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-42 - Abandoned Motor VehiclesSection 31-42-1. - Definitions.

§ 31-42-1. Definitions.

(a)

“Abandoned motor vehicle” means a motor vehicle that is inoperable and over eight (8) years old and is left unattended on public property for more than forty-eight (48) hours, or a motor vehicle that has remained illegally on public property for a period of more than three (3) days, or a motor vehicle that has remained on private property without the consent of the owner or person in control of the property for more than three (3) days.

(b)

“Abandoned motor vehicle of no value” means a motor vehicle that is inoperable and over ten (10) years old and is left unattended on public property for more than forty-eight (48) hours, or a motor vehicle that has remained illegally on public property for a period of more than three (3) days, or a motor vehicle that has remained on private property without the consent of the owner or person in control of the property for more than three (3) days, and meets the following criteria:

(1)

The vehicle has no evidence of current registration in or upon the vehicle;
(2)
The vehicle has a fair market value of five hundred dollars ($500) or less; and
(3)
The vehicle does not have a valid inspection sticker.
(c)
“Demolisher” means any person whose business is to convert a motor vehicle into processed scrap or scrap metal, or otherwise to wreck or dismantle motor vehicles.
(d)
“Police department” means the police department of a city or town. For the purposes of this section “police department” shall also include the Rhode Island airport corporation police department.
(e)
“Unlicensed junkyards” means any establishment or premises which are used for the storing, keeping or accumulation of one or more inoperable, worn out, junked, or otherwise discarded motor vehicles, which establishment or premises do not have a license as an auto wrecking and salvage yard.
(f)
“Vehicle survey report” means a report printed in the following form:
History of Section.
P.L. 1971, ch. 234, § 1; P.L. 1988, ch. 191, § 1; P.L. 2003, ch. 434, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-42 - Abandoned Motor VehiclesSection 31-42-11. - Penalties — Costs.

§ 31-42-11. Penalties — Costs.
Any person who violates the provisions of this chapter regarding abandoned motor vehicles on private property, shall be fined not more than five hundred dollars ($500). In addition, the violator shall be responsible for all costs relating to the approval and disposal of the abandoned motor vehicle paid by the private property owner or local municipality.
History of Section.
P.L. 1989, ch. 236, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-42 - Abandoned Motor VehiclesSection 31-42-12. - City of Pawtucket — Designee.

§ 31-42-12. City of Pawtucket — Designee.
In the city of Pawtucket, the police department or its designee shall have the authority to carry out the provisions of this chapter.
History of Section.
P.L. 2002, ch. 80, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-42 - Abandoned Motor VehiclesSection 31-42-2. - Authority to take possession of abandoned motor vehicles and abandoned motor vehicles of no value.

§ 31-42-2. Authority to take possession of abandoned motor vehicles and abandoned motor vehicles of no value.
(a)
A police department may, upon completion of a vehicle survey report, take into custody any motor vehicle found abandoned on public or private property. A police department may employ its own personnel, equipment, and facilities or authorize persons, equipment, and facilities for the purpose of removing, preserving and storing abandoned motor vehicles.
(b)
The police shall post or attach to the vehicle, forty-eight (48) hours prior to towing, a notification of an abandoned vehicle indicating the vehicle will be towed.
History of Section.
P.L. 1971, ch. 234, § 1; P.L. 1988, ch. 191, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-42 - Abandoned Motor VehiclesSection 31-42-3. - Notification of owner and lienholders.

§ 31-42-3. Notification of owner and lienholders.
(a)
A police department which takes into custody an abandoned motor vehicle shall notify within fifteen (15) days of it, by registered mail, return receipt requested, the last known registered owner of the motor vehicle and all lienholders of record that the vehicle has been taken into custody. The notice shall describe the year, make, model, and serial number of the abandoned motor vehicle The notice shall set forth the location of the facility where the motor vehicle is being held, inform the owner and any lienholders of their right to reclaim the motor vehicle within three (3) weeks after the date of the notice, upon payment of all towing, preservation, and

storage charges resulting from placing the vehicle in custody, and state that the failure of the owner or lienholders to exercise their right to reclaim the vehicle within the time provided shall be deemed a waiver by the owner and all lienholders of all right, title, and interest in the vehicle and consent to the sale of the abandoned motor vehicle at a public auction.
(b)
If the identity of the last registered owner cannot be determined, or if the registration contains no address for the owner; or if it is impossible to determine with reasonable certainty the identity and addresses of all lienholders, notice by one publication in one newspaper of general circulation in the area where the motor vehicle was abandoned shall be sufficient to meet all requirements of notice pursuant to this chapter. The notice by publication can contain multiple listings of abandoned vehicles. The notice shall be within the time requirements prescribed for notice by registered mail and shall have the same contents required for a notice by registered mail.
(c)
The consequences and effect of failure to reclaim an abandoned motor vehicle shall be as set forth in a valid notice given pursuant to this section.
History of Section.
P.L. 1971, ch. 234, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-42 - Abandoned Motor VehiclesSection 31-42-4. - Auction of abandoned motor vehicles.

§ 31-42-4. Auction of abandoned motor vehicles.
(a)
If an abandoned motor vehicle has not been reclaimed as provided for in § 31-42-3, the police department shall sell the abandoned motor vehicle at a public auction. The purchaser of the motor vehicle shall take title to the motor vehicle free and clear of all liens and claims of ownership, shall receive a sales receipt and bill of sale from the police department, and shall be entitled to register the purchased vehicle. The sales receipt at a sale shall be sufficient title only for purposes of transferring the vehicle to a demolisher for demolition, wrecking, or dismantling, and, in that case no further registration of the vehicle shall be necessary.
(b)
From the proceeds of the sale of an abandoned motor vehicle, the police department shall reimburse itself for the expenses of the auction, the costs of towing, preserving, and storing the vehicle which resulted from placing the abandoned motor vehicle in custody, and all notices and publication costs incurred pursuant to § 31-42-3. Any remainder from the proceeds of a sale shall be held for the owner of the vehicle or entitled lienholder for ninety (90) days, and then shall be deposited in a special abandoned motor vehicle fund which shall remain available for the payment of auction, towing, preserving, storage, and all notice and publication costs which result from placing other abandoned vehicles in custody, whenever the proceeds from a sale of the other abandoned motor vehicles are insufficient to meet these expenses and costs.
(c)
Whenever the chief finance officer of the city or town finds that moneys in the abandoned motor vehicle fund are in excess of reserves likely to be needed, he or she may transfer the excess to the general fund. But in the event there are additional claims against the abandoned motor vehicle fund, if the abandoned motor vehicle fund is temporarily exhausted, these claims shall be met from the general fund to the limit of any transfers previously made to it pursuant to this section.
History of Section.
P.L. 1971, ch. 234, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-42 - Abandoned Motor VehiclesSection 31-42-5. - Garage keepers and abandoned motor vehicles.

§ 31-42-5. Garage keepers and abandoned motor vehicles.
(a)
Any motor vehicle left for more than ten (10) days in a garage operated for commercial purposes after notice by registered mail, return receipt requested to the owner to pick up the vehicle, or for more than ten (10) days after the period when, pursuant to contract, the vehicle was to remain on the premises, and any motor vehicle left for more than ten (10) days in the garage by someone other than the registered owner or left by a person authorized to have possession of the motor vehicle, shall be deemed an abandoned vehicle and shall be reported by the garage keeper to the police department. Any garage keeper who fails to report the possession of the vehicle within ten (10) days after it becomes abandoned within the meaning of this section shall no longer have any claim for storage of the vehicle.
(b)
All abandoned vehicles left in garages may be taken into custody by the police department and sold in accordance with the procedures set forth in this chapter unless the motor vehicle is reclaimed and the garage keeper is paid. The proceeds of the sale shall be first applied to the garage keepers' charges for storage and any surplus proceeds shall be distributed in accordance with § 31-42-4. Except for the termination of a claim for storage for failure to report an abandoned motor vehicle, nothing in this section shall be construed to impair any lien of a garage keeper under the laws of this state, or the right of a lienholder to foreclose.
(c)

For the purposes of this section, “garage keeper” means any operator of a parking place establishment or motor vehicle storage facility.
History of Section.
P.L. 1971, ch. 234, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-42 - Abandoned Motor VehiclesSection 31-42-6. - Unlicensed junkyards.

§ 31-42-6. Unlicensed junkyards.
When the director of the department of environmental management determines that an unlicensed junkyard exists, he or she may order the demolition and removal of the junked motor vehicles which are contained on the unlicensed premises. Notice of the order shall be sent by ordinary mail to the last and usual place of abode of the owner of the land where the unlicensed junkyard exists to demolish and remove the junked motor vehicles within a prescribed time (not to exceed three (3) months). If the demolition and removal of the junked motor vehicles does not occur within the time specified in the order, the director of the department of environmental management may then enter upon the premises or establishment and demolish and remove the junked motor vehicles without further notice.
History of Section.
P.L. 1971, ch. 234, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-42 - Abandoned Motor VehiclesSection 31-42-7. - Disposal to demolishers.

§ 31-42-7. Disposal to demolishers.
(a)
Any person, firm, corporation, or unit of government upon whose property or in whose possession is found any abandoned motor vehicle, or any person being the owner of a motor vehicle whose registration is faulty, lost, or destroyed may apply to the police department of the jurisdiction in which the vehicle is situated for authority to sell, give away, or dispose of the vehicle to a demolisher.
(b)
The application shall set out the name and address of the applicant, the year, make, model, and serial number of the motor vehicle, if ascertainable, together with any other identifying features, and shall contain a concise statement of the facts surrounding the abandonment, or that the registration of the motor vehicle is lost or destroyed, or the reasons for the defect in registration of the owner. The applicant shall execute an affidavit stating that the facts alleged in it are true and that no material fact has been withheld.
(c)
If the police department finds that the application is executed in proper form, and shows that the motor vehicle has been abandoned upon the property of the applicant or if it shows that the motor vehicle is not abandoned but that the applicant appears to be the rightful owner, the police department shall follow the notification procedures set forth in § 31-42-3.
(d)
If the abandoned motor vehicle is not reclaimed in accordance with § 31-42-3, the police department shall give the applicant a certificate of authority to sell the motor vehicle to any demolisher for demolition, wrecking, or dismantling. The demolisher shall accept the certificate in lieu of the registration of the motor vehicle.
(e)
Notwithstanding any provisions of this chapter, the general laws of the state of Rhode Island, public laws of the state of Rhode Island, or municipal ordinances, any person, firm, corporation, or unit of government upon whose property or in whose possession is found any abandoned motor vehicle, or any person who is the owner of a motor vehicle whose registration is faulty, lost, or destroyed, may dispose of the motor vehicle to a demolisher without a registration and without notification procedure of § 31-42-3, if the motor vehicle is over eight (8) years old or has no engine or is otherwise totally inoperable. Any demolisher who purchases or acquires any motor vehicle for the purpose of demolition and removal may demolish it on the premises where they are located.
History of Section.
P.L. 1971, ch. 234, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-42 - Abandoned Motor VehiclesSection 31-42-8. - Duties of demolishers.

§ 31-42-8. Duties of demolishers.
(a)
Any demolisher who purchases or otherwise acquires a motor vehicle for purposes of wrecking, dismantling, or demolition shall not be required to obtain a registration for the motor vehicle in his or her own name. After the motor vehicle has been demolished, processed, or changed so that it physically is no longer a motor vehicle, the demolisher shall surrender for cancellation the registration or auction sales receipt. The state division of motor vehicles shall issue any forms, rules, and regulations governing the surrender of auction sales receipts and registrations that are appropriate.
(b)

A demolisher shall keep an accurate and complete record of all motor vehicles purchased or received by the demolisher in the course of his or her business. These records shall contain the name and address of the person from whom the motor vehicle was purchased or received and the date when the purchases or receipts occurred. The records shall be open for inspection by any police department at any time during normal business hours. Any record required by this section shall be kept by the demolisher for at least one year after the transaction to which it applies.
History of Section.
P.L. 1971, ch. 234, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-42 - Abandoned Motor VehiclesSection 31-42-9. - Unidentifiable motor vehicles and/or parts.

§ 31-42-9. Unidentifiable motor vehicles and/or parts.
Notwithstanding the age of a motor vehicle and/or part from which all identifying numbers have been removed so that the identity of the motor vehicle and/or part and its owner cannot be determined, the motor vehicle and/or part shall be subject to a forfeiture hearing before a judge sitting in the district court. After this hearing, the motor vehicle and/or part shall be forfeited to the unit of government that recovered it. The court may also order the division of motor vehicles to issue a special vehicle identification number and an appropriate title certificate for a forfeited motor vehicle.
History of Section.
P.L. 1983, ch. 221, § 12; P.L. 1984, ch. 263, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44.1 - Mobile and Manufactured Home Lot Rental IncreasesSection 31-44.1-1. - Declaration of policy.

§ 31-44.1-1. Declaration of policy.
The general assembly finds and declares that the provision of affordable housing is of vital concern to the citizens of the state, that mobile and manufactured homes are an important source for affordable housing, that lot rent increases for these homes are a continuing concern for low and moderate income citizens and the elderly, and that some form of limited regulation relative to lot rental increases for mobile and manufactured homes is in the public interest.
History of Section.
P.L. 1991, ch. 216, § 1; P.L. 1993, ch. 309, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44.1 - Mobile and Manufactured Home Lot Rental IncreasesSection 31-44.1-2. - Rent increases for mobile and manufactured home lots.

§ 31-44.1-2. Rent increases for mobile and manufactured home lots.
(a)
Any person who owns, operates, or maintains a mobile and manufactured home park pursuant to the provisions of chapter 44 of this title shall give the mobile home owners of the park sixty (60) days written notice prior to any lot rent increase going into effect. The written notice shall set forth the current rent, the proposed rent, and the date upon which the increase shall take effect.
(b)
If a majority of the mobile home owners of the park believe that the rent increase is " excessive" as defined in this section, they may request in writing from the American Arbitration Association that binding arbitration take place between the park owner or operator and the mobile home owners. The association will authenticate on a confidential basis the request and the signatures of a majority of the park mobile home owners, who shall be made aware of the costs involved in seeking binding arbitration under this section. For purposes of determining a majority under this section, there shall be one vote per mobile home unit. The names of the mobile home owners requesting the binding arbitration shall not be disclosed by the American Arbitration Association to the park owner or operator. Upon authentication that a majority of the owners are requesting mediation, the commission shall appoint an impartial and qualified arbitrator, to arbitrate the dispute. The park owner or operator and the mobile home owners will cooperate with the arbitrator in an effort to resolve their differences. The costs and expenses of the arbitrator shall be borne equally by the park owner or operator and the mobile home owners.
(c)
An "excessive" rent increase for purposes of this section is an increase which is unreasonable based on the park owner's or operator's total expenses, including debt service and a reasonable return on the park owner's investment or equity in the park, provided, that the debt service is directly related to acquisition of the mobile home park. Debt service used to or otherwise employed for purposes other than that which is directly related to the acquisition or capital management of the mobile home park shall be excluded. Further, the arbitrator shall perform an analysis as to the mobile home park owner's need for rent increase and services provided to the park. This analysis shall be performed for a period of not less than three (3) years prior to the application for rental increase. Specifically excluded in any such analysis shall be any debt service incurred using the mobile home park as collateral or other security for investment, enterprises, businesses or similar ventures separate and apart from the mobile home park.
(d)
The arbitrator will promptly hear the dispute and render a decision based on the " excessive" rent increase standard as defined in this section. For purposes of determining a reasonable return on the park owner's investment or equity, the arbitrator shall perform a risk

analysis and consider alternative and comparative investments. The costs of the arbitration shall be borne by the losing party in the arbitration.
(e)
No lot rent increase shall go into effect until the earlier of:
(i)
Completion of the binding arbitration process, or
(ii)
One hundred twenty (120) days after the written notice given under subsection (a) of this section.
History of Section.
P.L. 1991, ch. 216, § 1; P.L. 1993, ch. 309, § 4; P.L. 1996, ch. 92, § 1; P.L. 2001, ch. 414, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44.1 - Mobile and Manufactured Home Lot Rental IncreasesSection 31-44.1-3. - Severability.

§ 31-44.1-3. Severability.
If any clause, sentence, paragraph, subsection, section or part of this chapter is adjudged by any court of competent jurisdiction to be invalid, the judgment will not affect, impair or invalidate the remainder of it but will be confined in its operation to the clause, sentence, paragraph, subsection, section or part directly involved in the controversy in which the judgment has been rendered.
History of Section.
P.L. 1993, ch. 309, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44.2 - Abandoned Mobile and Manufactured Home ActSection 31-44.2-1. - Legislative findings and purpose.

§ 31-44.2-1. Legislative findings and purpose.
The general assembly finds that abandoned mobile and manufactured homes are a nuisance because they cause blight and depress property values. This act is intended to provide local governments and landowners with the authority to remove abandoned mobile and manufactured homes while protecting property rights.
History of Section.
P.L. 2014, ch. 255, § 1; P.L. 2014, ch. 309, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44.2 - Abandoned Mobile and Manufactured Home ActSection 31-44.2-10. - Severability.

§ 31-44.2-10. Severability.
If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or application of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.
History of Section.
P.L. 2014, ch. 255, § 1; P.L. 2014, ch. 309, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44.2 - Abandoned Mobile and Manufactured Home ActSection 31-44.2-2. - Definitions.

§ 31-44.2-2. Definitions.
As used in this chapter:
(1)
“Department” means the department of business regulation.
(2)
“Mobile and manufactured home” means a detached residential unit designed:
(i)
For a long-term occupancy and containing sleeping accommodations, a flush toilet, and a tub or shower bath, and kitchen facilities, having both permanent plumbing and electrical connections for attachment to outside systems;
(ii)
To be transported on its own wheels or on a flatbed or other trailer or detachable wheels; and
(iii)
To be placed on pads, piers, or tied down, at the site where it is to be occupied as a residence complete and ready for occupancy, except for minor and incidental unpacking and assembly operations and connection to utilities systems.
(3)
“Abandoned mobile and manufactured home” means a mobile and manufactured home that is:
(i)
Not connected to electricity or not connected to a source of safe potable water supply sufficient for normal residential needs, or

both; or
(ii)
Not connected to an adequate wastewater disposal system; or
(iii)
Unoccupied for a period of at least one hundred twenty (120) days and for which there is clear and convincing evidence that the occupant does not intend to return; or
(iv)
So damaged, decayed, dilapidated, unsanitary, unsafe, or vermin infested that it creates a hazard to the health and safety of the occupants or the public.
(4)
“Landowner” means the owner of the real property on which an abandoned mobile or manufactured home is located.
(5)
“Municipality” means the city or town in which the mobile or manufactured home is located.
(6)
“Licensee” means any person or agent licensed under § 31-44-1.7 who is directly or indirectly engaged in the business of maintaining or operating a mobile- and manufactured-home park under the provisions of chapter 44 of title 31.
History of Section.
P.L. 2014, ch. 255, § 1; P.L. 2014, ch. 309, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44.2 - Abandoned Mobile and Manufactured Home ActSection 31-44.2-3. - Jurisdiction.

§ 31-44.2-3. Jurisdiction.
The district court of this state shall exercise jurisdiction in both law and equity over removal of abandoned mobile or manufactured homes with respect to any conduct in this state governed by this chapter or with respect to any claim arising from a transaction subject to this chapter. In addition to any other method provided by rule or by statute, personal jurisdiction may be acquired in a civil action or proceeding commenced in the court by the service of process in the manner provided herein.
History of Section.
P.L. 2014, ch. 255, § 1; P.L. 2014, ch. 309, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44.2 - Abandoned Mobile and Manufactured Home ActSection 31-44.2-4. - Service of process for actions pursuant to chapter.

§ 31-44.2-4. Service of process for actions pursuant to chapter.
(a)(1)
In actions pursuant to this chapter, the summons for an action for removal of an abandoned mobile or manufactured home shall be in the form provided in this chapter. At the time of filing of the complaint, the clerk shall mark the date of hearing upon the summons, which shall be the ninth (9th) day after filing of the complaint, or the first court day following the ninth (9th) day. For the purposes of this section only, the time of filing of the complaint shall be the date upon which the clerk assigns a case number to the action and the filing fee is paid to the clerk. On the same day that the complaint is filed, the plaintiff’s attorney or, if pro se, the plaintiff, or if more than one, the person filing the complaint shall mail a copy of the summons and complaint by first class mail, to the defendant; shall complete the proof of service on a copy of the original summons; and file the completed proof of service in the appropriate court. The clerk shall note on the docket the mailing date of the summons and complaint and shall complete the proof of service on the original summons. The plaintiff shall deliver the original summons and a copy thereof, together with a copy of the complaint to the division of sheriffs or any constable of the county in which the appropriate court is located. The officer receiving the copies shall serve them by:
(i)
Handing them to the defendant;
(ii)
Serving them at the defendant’s dwelling unit to a person of suitable age and discretion then residing therein; or
(iii)
If none be found, by posting them conspicuously on the door to defendant’s dwelling unit.
(2)
The deputy sheriff or constable serving the summons and complaint shall make proof of service on the original summons and shall file it with the clerk of the appropriate court at or before the time of the hearing. The proof of service shall show the manner and the day, hour, and place of service, and shall show that the defendant was served no less than five (5) days before the hearing.
(b)
In all actions pursuant to this chapter, the procedure shall be as follows:
(1)
The summons pursuant to this chapter shall be in the form provided in § 31-44.2-8.
(2)

Service shall be made pursuant to Rule 4 of the district court civil rules, or other appropriate rule of court.
(c)
If a plaintiff or defendant is not a resident of this state or is a corporation not authorized to do business in this state and engages in any conduct in this state governed by this chapter, or engages in a transaction subject to this chapter, he or she may designate an agent upon whom service of process may be made in this state. The agent shall be a resident of this state or a corporation authorized to do business in this state. The designation shall be in writing and filed with the secretary of state. If no designation is made and filed, or if the process cannot be served in this state upon the designated agent, process may be served upon the secretary of state, but service upon the secretary of state is not effective unless the plaintiff or petitioner forthwith mails a copy of the process and pleading by registered or certified mail to the defendant or respondent at his or her last reasonably ascertainable address. An affidavit of compliance with this subsection shall be filed with the clerk of the court on or before the return day of the process, if any, or within any further time the court allows.
(d)
If, at the time of hearing, it appears that the clerk failed to provide mail service as required by subsection (a) of this section, or that the mailed service was undeliverable, service shall nevertheless be deemed complete if proof of service reflects that service was accomplished in accordance with subsection (a)(1)(i) or (ii) of this section.
History of Section.
P.L. 2014, ch. 255, § 1; P.L. 2014, ch. 309, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44.2 - Abandoned Mobile and Manufactured Home ActSection 31-44.2-5. - Order for removal of an abandoned mobile or manufactured home.

§ 31-44.2-5. Order for removal of an abandoned mobile or manufactured home.
(a)
An action for the removal of an abandoned mobile or manufactured home may be commenced by a landowner/licensee/municipality if a mobile or manufactured home has been abandoned and the following conditions have been met:
(1)
The mobile or manufactured home is not entitled to be situated on the property of the landowner/municipality/licensee; and
(2)
The mobile or manufactured home is:
(i)
Not connected to electricity or not connected to a source of safe potable water supply sufficient for normal residential needs, or both; or
(ii)
Not connected to an adequate wastewater disposal system; or
(iii)
Unoccupied for a period of at least one hundred twenty (120) days and for which there is clear and convincing evidence that the occupant does not intend to return; or
(iv)
So damaged, decayed, dilapidated, unsanitary, unsafe, or vermin infested that it creates a hazard to the health and safety of the occupants or the public.
(b)
The action shall be commenced by filing a thirty-day (30) notice for removal of the mobile or manufactured home, which shall be filed in the appropriate court according to the form provided in § 31-44.2-8.
(c)
Prior to filing the complaint, the plaintiff shall send a notice in the form provided in § 31-4.2-8 and therein shall specify that the defendant has thirty (30) days from the date notice is mailed therein to remedy the allegations in the complaint and that if he or she fails to do so within that time, suit for possession shall be commenced in accordance with § 31-44.2-4.
(d)
If the court finds that the defendant failed to remedy the allegations contained in the complaint to the satisfaction of the court, the court shall issue an order for the removal of the abandoned mobile or manufactured home in accordance with this chapter.
History of Section.
P.L. 2014, ch. 255, § 1; P.L. 2014, ch. 309, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44.2 - Abandoned Mobile and Manufactured Home ActSection 31-44.2-6. - Appeals.

§ 31-44.2-6. Appeals.
Appeals of actions brought under this chapter shall be pursuant to § 9-12-10.1.
History of Section.
P.L. 2014, ch. 255, § 1; P.L. 2014, ch. 309, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44.2 - Abandoned Mobile and Manufactured Home ActSection 31-44.2-7. - Execution.

§ 31-44.2-7. Execution.

If no appeal is claimed, and if the judgment has not been satisfied, execution shall be issued on the sixth (6th) day following judgment. Executions shall be issued to the division of sheriffs or licensed constables. Every execution issued by any district court pursuant to this chapter shall continue in full force and effect for one year after the date thereof, and be returnable to the district court that issued it in accordance with the provisions of § 9-25-21. All costs in carrying out the mandates of the execution may be added to the execution by the clerk upon approval of the court upon presentment of evidence of the costs.

History of Section.

P.L. 2014, ch. 255, § 1; P.L. 2014, ch. 309, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44.2 - Abandoned Mobile and Manufactured Home ActSection 31-44.2-8. - Notices and complaint forms.

§ 31-44.2-8. Notices and complaint forms.

(a)

A notice in substantially the following language shall suffice for the purpose of giving an owner notice of removal of an abandoned mobile or manufactured home pursuant to chapter 44.2 of title 31:

THIRTY-DAY NOTICE FOR REMOVAL OF MOBILE OR MANUFACTURED HOME

Date of Notice: _____

You are notified that a certain mobile or manufactured home (describe mobile home in terms of size, color, make, and model, if known) located at (give address or describe location) meets the definition of an abandoned mobile or manufactured home within the meaning of the “Abandoned Mobile or Manufactured Home Act” pursuant to chapter 44.2 of title 31. Unless all delinquent taxes (including penalty and interest) are paid, and electric, water, and waste service are restored to this mobile or manufactured home within thirty (30) days of the date of this notice, the plaintiff shall remove and dispose of the mobile or manufactured home, and it shall be disposed of or sold at public auction free and clear of any existing liens.

_____

Signature of plaintiff

I certify that I placed in regular U.S. mail first class postage prepaid, a copy of this notice addressed to the defendant on the _____ day of _____ 20_____ .

(b)

A complaint in substantially the following language shall suffice for the purpose of commencing removal of an abandoned mobile or manufactured home pursuant to chapter 44.2 of title 31:

State of Rhode Island

_____ ,

Sc. DISTRICT COURT

_____

_____ DIVISION

PLAINTIFF

DEFENDANT

(Landowner/Licensee/Municipality Name) V (Mobile or Manufactured Homeowner Name)

_____

_____

_____

(Address) (Address of premises on which abandoned mobile or manufactured home is located)

COMPLAINT FOR REMOVAL OF ABANDONED MOBILE OR MANUFACTURED HOME chapter 44.2 of title 31.

(1) Plaintiff is the landowner/licensee/municipality in which defendant's/owner's mobile or manufactured home is situated.

(2) The mobile or manufactured home meets the definition of abandoned mobile or manufacturer home as set forth in § 31-44.2-2(3) in the following manner.

CHECK ONE OR ALL THAT APPLY

Defendant's mobile or manufactured home is:

_____ Not connected to electricity or not connected to a source of safe potable water supply sufficient for normal residential needs, or both; or

_____ Not connected to an adequate wastewater disposal system; or

_____ Unoccupied for a period of at least one hundred twenty (120) days and for which there is clear and convincing evidence that the occupant does not intend to return; or

_____ So damaged, decayed, dilapidated, unsanitary, unsafe or vermin infested that it creates a hazard to the health and safety of the occupants or the public.

(3) Plaintiff seeks judgment for removal of defendant’s mobile or manufactured home. If you do not remedy this situation within

thirty (30) days your mobile or manufactured home will be removed without further notice on _____ (date), which must not be less than thirty-one (31) days from the date of mailing this notice. Plaintiff seeks costs and fees (if applicable).

_____
Signature of landowner/licensee/municipality
I certify that I placed in regular U.S. mail first class postage prepaid, a copy of this notice, addressed to defendant on the _____ day of_____ 20_____ .

_____
Signature of landowner/licensee/municipality
History of Section.
P.L. 2014, ch. 255, § 1; P.L. 2014, ch. 309, § 1; P.L. 2016, ch. 512, art. 1, § 20.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44.2 - Abandoned Mobile and Manufactured Home ActSection 31-44.2-9. - Auction of abandoned mobile or manufactured home.

§ 31-44.2-9. Auction of abandoned mobile or manufactured home.
(a)
If an order for removal of an abandoned mobile or manufactured home has been issued in accordance with § 31-44.2-5, the mobile or manufactured home may be sold at public auction. The purchaser of the mobile or manufactured home shall take title of the home free and clear of all liens and claims of ownership, shall receive a sales receipt and bill of sale, and shall be entitled to register the mobile or manufactured home.
(b)
From the proceeds of the sale of abandoned mobile or manufactured home, the plaintiff shall reimburse itself the expenses of the auction, the costs of towing, preserving, and storing the mobile or manufactured home and all notices and publication costs incurred pursuant to this chapter. Any remainder from the proceeds of a sale shall be held for the owner of the mobile or manufactured home or entitled lienholder for ninety (90) days and then shall be deposited in a special abandoned mobile or manufactured home fund at the department of business regulation that shall remain available for the payment of auction, towing, preserving, storage, and all notice and publication costs that result from other abandoned mobile and manufactured homes, whenever the proceeds from a sale of the other abandoned mobile or manufactured homes are insufficient to meet these expenses and costs.
(c)
Whenever the director finds that moneys in the abandoned mobile or manufactured home fund are in excess of reserves likely to be needed, he or she may transfer the excess to the general fund. But in the event there are additional claims against the abandoned mobile or manufactured home fund, or if the abandoned mobile or manufactured home fund is temporarily exhausted, these claims shall be met from the general fund to the limit of any transfers previously made to it pursuant to this chapter.
History of Section.
P.L. 2014, ch. 255, § 1; P.L. 2014, ch. 309, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-1.4. - Powers and duties of department.

§ 31-44-1.4. Powers and duties of department.
(a)
The department may:
(1)
Interpret and implement the provisions of this chapter and the applicable provisions of chapter 44.1 of this title;
(2)
Act for the purpose of promoting a uniform policy relating to all phases of mobile and manufactured home business and use;
(3)
Monitor and determine the sufficiency of the state Mobile and Manufactured Home Act under this chapter as well as local mobile and manufactured home ordinances which are designed to provide local governments with superintending control over mobile and manufactured home business or use and to make recommendations to it; and
(4)
Conduct public hearings relating to these advisory responsibilities.
(b)
The department shall:
(1)
Monitor the implementation of statutes and regulations affecting mobile and manufactured homes;
(2)
Make investigations and conduct or authorize periodic surveys to determine compliance with this chapter;
(3)
All departments of state government are authorized to provide assistance to the department as the department requires;
(4)

Conduct a public education program to improve public perception and local acceptance of mobile and manufactured homes and to promote them as affordable housing; and
(5)
Study additional issues related to mobile and manufactured homes and periodically disseminate acquired information.
History of Section.
P.L. 1984, ch. 382, § 2; P.L. 1991, ch. 216, § 2; P.L. 1991, ch. 357, § 1; P.L. 1993, ch. 309, § 1; P.L. 1995, ch. 134, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-1.5. - Mobile and manufactured home advisory information.

§ 31-44-1.5. Mobile and manufactured home advisory information.
The department may publish and promote mobile and manufactured home advisory information based on this chapter and other issues as set forth in § 31-44-1.4. The information shall consist of:
(1)
A general interpretation of the rights and responsibilities of mobile and manufactured home park licensees and mobile home owners and residents as established by this chapter; and
(2)
Local state and federal standards to protect the health, safety, and welfare of mobile and manufactured home park residents.
History of Section.
P.L. 1984, ch. 382, § 2; P.L. 1993, ch. 309, § 1; P.L. 1995, ch. 134, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-1.6. - Fees and charges for licenses.

§ 31-44-1.6. Fees and charges for licenses.
(a)
The department of business regulation shall promulgate rules to establish fees and charges for the issuance of licenses or permits required in this chapter.
(b)
The fees and charges under this chapter shall be applied solely to fulfilling the various responsibilities of the department as specified within this chapter.
(c)
All fees and charges collected by the department under this chapter shall be deposited as general revenues.
History of Section.
P.L. 1984, ch. 382, § 2; P.L. 1993, ch. 309, § 1; P.L. 1995, ch. 370, art. 40, § 106; P.L. 1999, ch. 248, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-1.7. - Mobile and manufactured home park operation — License.

§ 31-44-1.7. Mobile and manufactured home park operation — License.
(a)
A person shall not operate a mobile and manufactured home park without a license.
(b)
Upon completion, review, and approval of certifications, the department of business regulation shall grant a license to operate a mobile and manufactured home park.
(c)
An annual license shall be granted and renewed by the department based upon the filing of:
(1)
Leases and regulations that are applicable to the park;
(2)
Certification by the municipality in which the park is located that it is in compliance with all applicable land use regulations of the municipality;
(3)
Certification from the appropriate state agencies or municipal departments that the park has an adequate and operational sewage disposal system and water supply and that all applicable state and local taxes have been paid;
(4)
Payment of an annual fee of fifteen dollars ($15.00) per occupied site in the park; and
(5)
The applicant files a fee schedule with the department.
(d)
Certifications for individual sewage disposal systems (ISDS) regulated by the department of environmental management shall be provided by an ISDS designer, licensed pursuant to § 5-56-1, who possesses the appropriate class of license for the type and size of

system to be certified and any costs for these certifications shall be the responsibility of the licensee. The director of the department may by regulation provide for additional requirements and may place reasonable conditions on the grant of any license.
(e)
If a person submits a timely application for renewal of a license and pays the appropriate fees, the person may continue to operate a mobile and manufactured home park unless notified that the application for renewal is not approved. In the event anyone is denied a license he or she will be afforded a hearing before the department.
History of Section.
P.L. 1984, ch. 382, § 2; P.L. 1993, ch. 309, § 1; P.L. 1998, ch. 130, § 1; P.L. 1999, ch. 248, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-1.8. - Survey of parks.

§ 31-44-1.8. Survey of parks.
The department of health or its authorized representatives shall conduct a survey every three (3) years of mobile and manufactured home parks.
History of Section.
P.L. 1984, ch. 382, § 2; P.L. 1985, ch. 487, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-1. - Definitions.

§ 31-44-1. Definitions.
As used in this chapter:
(1)
“Department” means the department of business regulation.
(2)
“Director” means the director of the department of business regulation.
(3)
“Entry requirements” means any written, nondiscriminatory criteria for resident selection incorporated into the rules and regulations of a mobile- and manufactured-home park which are equally applied by the licensee to all purchasers and prospective residents.
(4)
“Fee schedule” means an itemized list of fees for goods or services sold or performed by a mobile- and manufactured-home park licensee including, but not limited to, the entrance fee, hook-up fee, and maintenance fee, if any.
(5)
“Hook-up fee” means a reasonable fee for the services required to install a mobile and manufactured home on a mobile- and manufactured-home space or lot. The charge shall include the cost of connecting water and sewer lines, electrical connections, tie-downs, removal of wheels or axles, steps, if necessary, and other necessary services, including, but not limited to, the creation of new pads or piers.
(6)
“Household” means one or more persons occupying a housing unit.
(7)
“Licensee” means any person or agent licensed under § 31-44-1.6 who is directly or indirectly engaged in the business of selling mobile and manufactured homes or who operates and maintains a mobile- and manufactured-home park under the provisions of this chapter.
(8)
“Mobile and manufactured home” means a detached residential unit designed:
(i)
For a long term occupancy and containing sleeping accommodations, a flush toilet, and a tub or shower bath and kitchen facilities, and having both permanent plumbing and electrical connections for attachment to outside systems;
(ii)
To be transported on its own wheels or on a flatbed or other trailer or detachable wheels; and
(iii)
To be placed on pads, piers, or tied down, at the site where it is to be occupied as a residence complete and ready for occupancy, except for minor and incidental unpacking and assembly operations and connection to utilities systems.
(9)
“Mobile- and manufactured-home park” or “park” means a plot of ground upon which four (4) or more mobile and manufactured homes, occupied for residential purposes are located.
(10)
“Mobile- and manufactured-home space or lot” means a plot of ground within a mobile- and manufactured-home park designed for the accommodation of one mobile and manufactured home.
(11)

“Owner” means a licensee or permittee or any person who owns, operates, or maintains a mobile- and manufactured-home park.
(12)
“Prospective resident” means an applicant for admission to a mobile- and manufactured-home park who is ready, willing, and able to buy a mobile and manufactured home owned and offered for sale by a licensee or resident, and who is able to meet the entrance requirements of the rules of the park.
(13)
“Protected lawful action” means any report of a violation of this chapter, or of any applicable building or health code, or any other justified complaint to a governmental authority, or any other justified lawful act by the resident(s) or prospective resident(s).
(14)
“Qualified sale” means the sale of a mobile- and manufactured-home park to a resident organization with the goal of resident ownership by at least fifty-one percent (51%) of the homeowner households residing in the park.
(15)
“Reprisal” means any act taken against the resident(s) which is intended as a penalty for any protected lawful action taken by the resident(s).
(16)
“Resident” means an owner or renter occupying a mobile and manufactured home in a mobile- and manufactured-home park with the consent of the owner as defined in subdivision (11) of this section.
(17)
“Resident organization” means a group of mobile- and manufactured-home park residents who have formed a nonprofit corporation, cooperative corporation, or other entity or organization for the purpose of acquiring the mobile home park in which they reside and converting the mobile home park to resident ownership.
(18)
“Resident ownership” means, depending on the context, either the ownership, by a resident organization, as defined in this section, of an interest in a mobile- and manufactured-home park which entitles the resident organization to control the operations of the mobile home park, or the ownership of individual interests in a mobile home park, or both.
(19)
“Security deposit” means a sum not to exceed the monthly rental which a licensee may require a resident of a rented mobile or manufactured home to deposit as security in case of damage caused by the resident in excess of ordinary wear and tear.
(20)
“Standards for mobile and manufactured homes” means any written, nondiscriminatory minimum specifications for structural soundness, safety, and habitability adopted by the department or any other government agency.
History of Section.
P.L. 1984, ch. 382, § 2; P.L. 1985, ch. 150, § 41; P.L. 1993, ch. 309, § 1; P.L. 1994, ch. 198, § 1; P.L. 1995, ch. 134, § 2; P.L. 1999, ch. 248, § 1; P.L. 2012, ch. 364, § 1; P.L. 2012, ch. 391, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-10. - Penalty.

§ 31-44-10. Penalty.
Any person who violates the licensing provisions of this chapter may be fined by the department an amount not in excess of five thousand dollars ($5,000), lose their license according to prescribed procedure, after a hearing. Provided, further, any person violating any of the provisions of this chapter may also be fined by the appropriate court according to existing court procedure.
History of Section.
P.L. 1984, ch. 382, § 2; P.L. 1993, ch. 309, § 1; P.L. 1999, ch. 248, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-11. - Fiscal autonomy.

§ 31-44-11. Fiscal autonomy.
All license and permit fees collected pursuant to this chapter, and any fines collected by the department of business regulation for violations related to licenses and permits shall be held and used as specified under § 31-44-1.6. Any revenue received in excess of the department’s expenses used as specified in this chapter shall be carried forward as specified under § 31-44-1.6(c).
History of Section.
P.L. 1984, ch. 382, § 2; P.L. 1993, ch. 309, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-12. - Severability.

§ 31-44-12. Severability.
If the provisions of this chapter or its application to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end, the provisions of this chapter are declared to be severable.

History of Section.
P.L. 1984, ch. 382, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-13. - Right of mobile home owners to peaceably assemble — Right to communicate.

§ 31-44-13. Right of mobile home owners to peaceably assemble — Right to communicate.
(a)
No provision contained in any bylaw, rental agreement, regulation, or rule pertaining to a mobile home park shall infringe upon the right of the mobile home owners to peaceably assemble in an open public meeting for any lawful purpose, at reasonable times and in a reasonable manner, in the common areas or recreational areas of the mobile home park.
(b)
No provisions contained in any bylaw, rental agreement, regulation, or rule pertaining to a mobile home park shall infringe upon the right of the mobile home owners or tenants to communicate or assemble among themselves, at reasonable times and in a reasonable manner, for the purpose of discussing any problems relative to the mobile home park. The discussions may be held in the common areas or recreational areas of the park, including halls or centers, or in any resident's home. In addition, the park owner or developer may not unreasonably restrict the use of any facility, including the use of utilities, when requested. Written notice must be provided to the mobile home park management and/or owner of the time and place for the assembly. The assembly shall be open to all park residents.
(c)
No provision contained in any bylaw, rental agreement, regulation, or rule pertaining to a mobile home park shall prohibit any mobile home owner of the mobile home park from canvassing mobile home owners of the mobile home park for the purposes described in this subsection. For the purposes of this subsection, the term "canvassing" includes an oral or written request; the distribution, circulation, posting, or publication of a notice; or a general announcement requesting the payment of membership dues or other matters relevant to the membership, federation, or organization. Canvassing shall be done at a reasonable time or times and in a reasonable manner. It is the intent of the legislature, through the enactment of this subsection, to prohibit any owner, developer, or manager of a mobile and manufactured home park from prohibiting free communication among mobile home owners or tenants in the guise of regulations or rules restricting or limiting canvassing for association, federation, or organization dues or other association, federation, or organization matters.
History of Section.
P.L. 1991, ch. 160, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-14. - Resident owned mobile home parks — Record keeping.

§ 31-44-14. Resident owned mobile home parks — Record keeping.
(a)
Resident owned mobile home parks shall maintain a copy of each of the following, where applicable, which shall constitute the official records of the association:
(1)
The plans, permits, warranties, and other items provided by the developer;
(2)
A photocopy of the resident association documents;
(3)
A copy of the current rules of the association;
(4)
A book or books containing the minutes as well as any tape recordings, if any, of all meetings of the association, of the board of directors, and of the unit owners, which minutes and tapes shall be retained for a period of not less than seven (7) years. Any tape recordings shall not be considered an official record, and these tapes shall be available to any member to be duplicated at the members' cost and expense. The duplication cost shall not exceed ten dollars ($10.00) per tape;
(5)
A current roster of all unit owners and their mailing addresses, unit identification, and, if known, telephone numbers; street address;
(6)
All current insurance policies of the association, including a fiduciary bond of the association, and their agents;
(7)
A current copy of any management agreement, lease, or other contract to which the association is a party or under which the association or the unit owners have an obligation or responsibility;
(8)
Bills of sale or transfer for all property owned by the association;
(9)
Accounting records for the association and separate accounting records for each unit it operates, according to good accounting

practices in accordance with generally acceptable accounting principles. All accounting records shall be maintained for a period of not less than seven (7) years:

(i)

Accurate, itemized, and detailed records of all receipts and expenditures.

(ii)

A current account and a monthly, bimonthly, or quarterly statement of the account for each unit designating the name of the unit owner, the due date and amount of each assessment, the amount paid upon the account, and the balance due.

(iii)

All audits, reviews, accounting statements, and financial reports of the association.

(iv)

All contracts for work to be performed. Bids for work to be performed shall also be considered official records and shall be maintained for a period of one year.

(10)

Ballots, sign-in sheets, voting proxies, and all other papers relating to elections, which shall be maintained for a period of one year from the date of the meeting to which the document relates;

(11)

All rental records where the association is acting as agent for the rental unit.

(b)

The official records of the association shall be maintained in the city or town in which the resident owned association operates.

(c)

The official records of the association shall be open to inspection by any association member or the authorized representative of a member at all reasonable times. Failure to permit inspection of the association records as provided in this section entitles any person prevailing in an enforcement action to recover reasonable attorney's fees from the person in control of the records who, directly or indirectly, knowingly denies access to the records for inspection. The right to inspect the records includes the right to make or obtain copies, at the reasonable expense, if any, of the association member.

(d) Insurance.

The association shall use its best efforts to obtain and maintain adequate insurance to protect the association property.

(e) Financial report.

Within sixty (60) days following the end of the fiscal or calendar year or annually on a date otherwise provided in the bylaws of the association, the board of directors of the association shall mail or furnish to each unit owner a complete financial report of actual receipts and expenditures for the previous twelve (12) months. The report shall show the amounts of receipts by accounts and receipt classification and shall show the amounts of expenses by accounts and classification including, but not limited to, the following:

(1)

Cost for security;

(2)

Professional and management fees and expenses;

(3)

Taxes;

(4)

Costs of recreation facilities;

(5)

Expenses for refuse collection and utilities;

(6)

Expenses for lawn care;

(7)

Costs for building maintenance and repair;

(8)

Insurance costs;

(9)

Administrative and salary expenses;

(10)

General reserves, maintenance reserves, and depreciation reserves;

(11)

Aging of all rental income and accounts payable.

(f) Elections.

The members of the resident owned mobile home park, responsible for tabulating votes cast in any election held by the resident owned mobile home park, shall do so at a time and place open for viewing by the members of the resident owned park, within the city or town in which the resident owned association operates.

History of Section.

P.L. 1992, ch. 417, § 1; P.L. 2000, ch. 519, § 1; P.L. 2001, ch. 335, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-15. - Purchase requirement.

§ 31-44-15. Purchase requirement.
(a)
All dealers and purchasers of new manufactured homes shall present or buy only housing urban and development (HUD) approved and compliant manufactured structures.
(b)
All dealers and purchasers of new manufactured homes are required to record with the local building official data plate wind zone information as part of the installation application. Local building officials shall consider data plate wind zone information as part of their inspection and enforcement process.
(c)
Owners of a home in a mobile- and manufactured-home park and owners of vacant lots in a mobile- and manufactured-home park shall not be prevented from replacing their existing home or placing a new home on a vacant lot notwithstanding any local zoning or land use ordinance to the contrary enacted subsequent to the establishment of the legally recognized lot on which the home is to be placed so long as all local and state building standards are satisfied and permits obtained.
History of Section.
P.L. 1994, ch. 269, § 1; P.L. 2013, ch. 262, § 1; P.L. 2013, ch. 428, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-16. - Department of business regulation to hear matters.

§ 31-44-16. Department of business regulation to hear matters.
(a)
The director of the department of business regulation, or his or her designee, shall hear matters involving mobile and manufactured housing park rules, specifically this chapter. The director shall not have jurisdiction over issues relative to rent increases or jurisdiction over evictions.
(b)
Nothing in this section shall preclude the right of the director to use the services of a mediator to resolve a dispute involving mobile/manufactured housing park rules.
History of Section.
P.L. 1996, ch. 94, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-17. - Filing of complaint with department — Notice — Rules of evidence not binding.

§ 31-44-17. Filing of complaint with department — Notice — Rules of evidence not binding.
(a)
Any resident of a mobile and manufactured housing park or any owner of a mobile and manufactured housing park may petition the director by filing a complaint with the department of business regulation. After review of the claim and a decision by the director that the matter has merit and is not frivolous, the director shall schedule a hearing within sixty (60) days from receipt of the claim. If the director finds the claim to be without merit or to be frivolous, the director shall dismiss the complaint and explain in writing to the complainant his or her reasons for dismissing the complaint.
(b)
The director, or his or her agent, shall serve notice, in writing, of the time and place of the hearing upon all appropriate parties at least twenty (20) days prior to the date of the hearing. Both parties to the complaint may be represented by counsel.
(c)
The director, or his or her agent, shall not be bound by common law or statutory rules of evidence but may admit all testimony having a reasonable probative value. Complaints filed shall be handled in accordance with the departments' rules of practice and the administrative procedures act, chapter 35 of title 42. It may exclude evidence which, in the opinion of the director or his or her agent, is immaterial, irrelevant, or unduly repetitious.
History of Section.
P.L. 1996, ch. 94, § 1; P.L. 1999, ch. 248, § 1; P.L. 2018, ch. 176, § 17; P.L. 2018, ch. 289, § 17.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-18. - Decisions, judicial review and enforcement.

§ 31-44-18. Decisions, judicial review and enforcement.
(a)
When the director makes a decision, an order shall be made in writing and shall include finding of facts. The findings of fact shall be

accompanied by a concise and explicit statement of the underlying facts supporting the findings. The parties shall be notified by mail of any decision or order.
(b)
A decision of the director may be appealed, by either party, by applying for a rehearing or appealing to the superior court for the county in which either party resides, within thirty (30) days of the date of the decision pursuant to the provisions of the Administrative Procedures Act, chapter 35 of title 42.
(c)
If no timely appeal is taken pursuant to subsection (b) of this section, the decision of the director shall become final. The director shall file a certified abstract of any final decision with the clerk of the superior court in the county of residence of the complainant. The clerk of the court shall enter judgment on it, and this judgment may be enforced as with any final judgment of the superior court.
History of Section.
P.L. 1996, ch. 94, § 1; P.L. 1999, ch. 248, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-19. - Notification and cooperation required.

§ 31-44-19. Notification and cooperation required.
The director shall notify the attorney general's consumer protection division and antitrust bureau, department of justice, that the attorney general may accept and act on written complaints properly forwarded to it by the director relative to mobile/manufactured housing.
History of Section.
P.L. 1996, ch. 94, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-2. - Evictions — Termination of tenancy.

§ 31-44-2. Evictions — Termination of tenancy.
(a)
A tenancy may be terminated by a park owner or operator pursuant to chapter 18 of title 34, provided, that jurisdiction as it relates to this chapter shall be in the district court but subject to one or more of the following reasons and limitations which shall take precedence over any conflicting state statute or local ordinance:
(1)
Nonpayment of rent, utility charges, or reasonable incidental service charges. No action for possession shall be maintained if prior to the expiration of a notice to quit the tenant shall pay or tender all arrearages due, including a late charge of five percent (5%) of the monthly rent due after a seven (7) day grace period for the rental payment has elapsed.
(2)
Failure of the tenant to comply with local ordinances or state or federal law or regulations relating to mobile and manufactured homes or mobile and manufactured home parks. The tenant is first given written notice of his or her failure to comply with the laws or regulations and a reasonable opportunity thereafter to comply with the laws or regulations.
(3)
Damage by the tenant to the demised property, reasonable wear and tear excepted.
(4)
Repeated conduct of the tenant, upon the mobile and manufactured home park premises, which disturbs the peace and quiet of other tenants in the mobile and manufactured home park.
(5)
Failure of the tenant to comply with reasonable written rules and regulations of the mobile and manufactured home park as established by the park owner or operator in the rental agreement at the inception of the tenancy or as amended subsequently with the written acknowledgement that the tenant has seen the amended rules, or without his or her consent upon three (3) months written notice; provided that the tenant is first given written notice of his or her failure to comply and a reasonable opportunity thereafter to comply with the rules and regulations. Nothing in this section, however, shall be construed to permit a park owner or operator to vary the terms of a written or oral rental agreement without notification to the tenant.
(6)
Condemnation or change of use of the mobile and manufactured home park.
(b)
No tenancy, however created, in a mobile and manufactured home park may be terminated by a mobile and manufactured home park owner or operator except upon giving notice in writing to the tenant in the manner prescribed in this chapter to remove from the premises within a period of not less than sixty (60) days; provided that upon grounds of nonpayment of rent, a tenancy may be terminated upon giving thirty (30) days notice.
History of Section.
P.L. 1984, ch. 382, § 2; P.L. 1993, ch. 309, § 1; P.L. 2000, ch. 109, § 45.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-20. - Mobile home conveyance tax.

§ 31-44-20. Mobile home conveyance tax.

(a)

There is imposed, on every deed, instrument, or writing by which any mobile or manufactured home shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser or purchasers, or any other person or persons, by his or her or their direction, when the consideration paid exceeds one hundred dollars ($100), a tax at the rate of one dollar and forty cents ($1.40) for each five hundred dollars ($500) or fractional part thereof which is paid for the purchase of the home (inclusive of the value of any lien or encumbrance remaining on it at the time of sale), and exclusive of any personal property that may be included in the sale which tax shall be payable at the time of making, execution, delivery, acceptance or presenting for recording of the instrument. In the absence of an agreement to the contrary, the tax shall be paid by the grantor.

(b)

In the event no consideration is actually paid for the mobile or manufactured home, the instrument of conveyance shall contain a statement to the effect that the consideration is such that no documentary stamps are required.

(c)

The tax administrator shall enforce the provisions of this section and may adopt and enforce rules and regulations relating to the enforcement of this section.

History of Section.

P.L. 1996, ch. 319, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-21. - Documentary stamps.

§ 31-44-21. Documentary stamps.

(a)

The payment of the tax imposed by this chapter shall be evidenced by the affixing of a documentary stamp or stamps to instrument by the person making, executing, delivering, or presenting for recording the instrument and only the original instrument shall be accepted for recording. The stamps shall be affixed in the manner that is consistent with § 44-25-4.1 authorizing the use of hand stamps. The recorder of deeds or clerks shall affix upon the face of each original instrument, by hand stamp issued by the tax administrator, a receipt clearly showing the amount of tax paid by the person making, executing, delivering, or presenting for recording the original instrument.

(b)

Whenever a hand stamp is authorized and used, the provisions of § 44-25-4(b) and (c) shall apply to the hand stamp.

History of Section.

P.L. 1996, ch. 319, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-22. - Sale price recording.

§ 31-44-22. Sale price recording.

Every deed presented for recording due to the sale of property, which results in the transfer in ownership of the property, shall contain or have endorsed upon it the total dollar amount of the actual sale, which shall be recorded as part of the deed. A city or town clerk may decline to accept a deed for recording if the deed is not in compliance with this section. Failure to comply with this section shall not affect the validity of any deed.

History of Section.

P.L. 2006, ch. 309, § 2; P.L. 2007, ch. 340, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-23. - Applicability.

§ 31-44-23. Applicability.

This chapter shall not apply to manufactured homes that are not located in a mobile and manufactured home park and which meet the criteria set forth in § 45-24-31.

History of Section.

P.L. 2024, ch. 286, § 1, effective June 25, 2024; P.L. 2024, ch. 287, § 1, effective June 25, 2024.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-3.1. - Sale of mobile home parks — Tenants association right of first refusal.

§ 31-44-3.1. Sale of mobile home parks — Tenants association right of first refusal.

(a)

In any instance in which a mobile home park owner has been sent a certified letter from an incorporated home owner households

association indicating that the association has at least fifty-one percent (51%) of the home owner households residing within that park as members, and has articles of incorporation specifying all rights and powers, including the power to negotiate for, acquire, and operate the mobile home park on behalf of the member residents, then, before a mobile home park may be sold for any purpose and before it may be leased for any purpose that would result in a discontinuance, the owner shall notify the association by certified mail return receipt requested of any bona fide offer that the owner intends to accept, to buy the park or to lease it for a use that would result in a discontinuance. The park owner shall also give notice by certified mail return receipt requested to the incorporated homeowners' association of any intention to sell or lease the park for a use which will result in a discontinuance within fourteen (14) days of any advertisement or other public notice by the owner or his or her agent that the park is for sale or the land upon which the park is located is for lease. Nothing in this section shall limit the association from acting as an agent of the residents in any other cause of action, objective or purpose in advancing a stated purpose in the articles of incorporation of the homeowners' association.

(b)

The notice of pending bona fide sale from the owner must contain at a minimum the following if known and available and applicable to the sale:

(1)

An affidavit from the buyer or lessee stating the offered purchase price or offered lease payment;

(2)

The terms of seller financing, including the amount, the interest rate and its amortization rate;

(3)

The terms of assumable financing, if any, including the amount, the interest rate and its amortization rate;

(4)

The legal description and a statement of appraised or assessed value of property included in any land trade involved in the sale of the park;

(5)

Proposed improvements to the property to be made by the owner in connection with the sale, or other economic concessions by the owner in connection with the sale, if any;

(6)

A statement that the owner will allow reasonable access to the property by parties involved in the potential purchase including, but not limited to, the tenants' association, consultants, and lenders;

(7)

A statement that the owner will make available to the residents copies of any easements either on or off the property to which the owner is a party and copies of all permits or licenses in force within seven (7) days of a signed purchase and sale agreement with the residents;

(8)

A statement that the owner will make available to the residents a survey and legal description of the park, plus an itemized list of monthly operating expenses, utility consumption rates, taxes, insurance and capital expenditures for each of the past three (3) years within seven (7) days of a signed purchase and sale agreement with the residents;

(9)

A statement that the owner will make available to the tenants' association the most recent rent roll, a list of tenants, a list of vacant units and a statement of the vacancy rate at the park for the three (3) preceding calendar years within seven (7) days of a signed purchase and sale agreement with the residents;

(10)

A statement that the owner will make available to the tenants' association any available data relating to the past and present existence of hazardous waste either on the property or in close proximity within seven (7) days of a signed purchase and sale agreement with the residents;

(11)

A statement that the owner will make available to the tenants' association any available data relating to the water, sewer and electrical systems of the park within seven (7) days of a signed purchase and sale agreement with the residents;

(12)

A statement that the owner will make available to the tenants' association all income and operating expenses relating to the property to be purchased for the three (3) preceding calendar years within seven (7) days of a signed purchase and sale agreement with the residents and any other information that may be required by the lender. Any additional information that is required by the lender shall be kept strictly confidential.

(c)

Any incorporated home owners' association entitled to notice under this section shall have the right to purchase, in the case of a third party bona fide offer to purchase, or to lease in the case of a third party bona fide offer to lease, the park, provided it meets the same price and the same terms and conditions of any offer of which it is entitled to notice under this section by:

(1)

Executing a contract or purchase and sale or lease agreement with the owner within forty-five (45) days of notice of the offer; and

(2)

Obtaining any necessary financing or guarantees within an additional one hundred thirty-five (135) days.

(d)

No owner shall unreasonably refuse to enter into, or unreasonably delay the execution of a purchase and sale or lease agreement with a home owners' association that has made a bona fide offer to meet the same price and the same terms and conditions of an offer for which notice is required to be given pursuant to this section.

(e)

The deposit monies must be credited to the purchase price of the mobile home park.

(f)

The incorporated home owners' association will use diligent efforts to obtain a commitment for financing from a lender by making immediate application for financing upon signing of the purchase and sale agreement. In the event that the incorporated home owners' association, with the exercise of reasonable efforts, is unable to obtain necessary financing or comply with other contingencies of the purchase and sale agreement, the incorporated home owners' association shall immediately notify the park owner and the deposit shall be returned to the incorporated home owners' association.

(g)

If the incorporated home owners' association shall default in the performance of its obligations as a purchaser under the terms of the purchase and sale agreement, the park owner shall have, as sole and exclusive remedy for the default, the right to retain the deposit as liquidated damages in full settlement and discharge of all obligations of the incorporated home owners' association without further recourse in law or equity.

(h)

Failure of the incorporated home owners' association to execute a purchase and sale agreement or lease within the forty-five (45) day period or to obtain a binding commitment for financing within the one hundred thirty-five (135) day period shall serve to terminate the right of the association to purchase or lease the mobile park home.

(i)

Residents shall have a total of one hundred eighty (180) days from the receipt of notice of a bona fide sale to complete a transaction under the right of first refusal legislation. Any delays by the seller in supplying requested information as stated in this legislation or any delay resulting from litigation involving the sale and/or litigation affecting the marketability of the title of the mobile home park shall result in the same number of days over the due date being added to the one hundred eighty (180) days available to the residents for a right of first refusal purchase unless the litigation is frivolous and prompted for the sole purpose of delay by the home owners association.

(j)

The time periods provided in this section may be extended by agreement of the association and the owner.

(k)

Nothing in this section shall be construed to require an owner to provide financing to any association or to prohibit an owner from requiring an association which is offering to lease a park to have within its possession a sum equivalent to the capitalized value of the proposed rent of the park and requiring that a portion of that sum, of an amount necessary to pay the rent on the park for a period of no greater than two (2) years, be kept in escrow for that purpose during the term of the lease.

(l)

The right of first refusal created in this section shall inure to a home owners' association for the time periods provided in this section, beginning on the date of notice to the home owners' association. The effective period of the right of first refusal shall apply separately for each substantially different bona fide offer to purchase the park or to lease it for a purpose that would result in a discontinuance, and for each offer the same as an offer made more than three (3) months prior to the later offer. However, in the case of the same offer made by a prospective buyer who has previously made an offer for which notice to a home owners' association was required by this section, the right of first refusal shall apply only if the subsequent offer is made more than six (6) months after the earlier offer. The right of first refusal shall not apply with respect to any offer received by the owner for which notice to a home owners' association is not required pursuant to this section.

(m)

No right of first refusal shall apply to a government taking by eminent domain or negotiated purchase, a forced sale pursuant to a foreclosure, transfer by gift, devise, or operation of law, or a sale to a person who would be included within the table of descent and distribution if there were to be a death intestate of a park owner.

(n)

In any instance in which the incorporated home owners' association of a mobile home park is not the successful purchaser or lessee of the mobile home park, the seller or lessor of the park shall prove compliance with this section by filing an affidavit of compliance in the official land evidence records of the city or town where the property is located within seven (7) days of the sale or lease of the park.

(o)

In any instance in which the incorporated homeowners' association of a mobile home park is the successful purchaser or lessee of the mobile home park, the association shall have the right to distinguish in terms of lease conditions and rent and fees as between members of said association and non-members of said association. For purposes of this chapter, members of a homeowners' association and non-members of a homeowners' association shall not be deemed residents of a similar class.

History of Section.
P.L. 1987, ch. 136, § 1; P.L. 1992, ch. 384, § 1; P.L. 1993, ch. 309, § 1; P.L. 1994, ch. 198, § 1; P.L. 1998, ch. 57, § 1; P.L. 2001, ch. 86, § 95.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-3.2. - Mobile home parks — Discontinuance.

§ 31-44-3.2. Mobile home parks — Discontinuance.
(a)(1)
In any instance in which a mobile home park is to be sold or leased for any purpose which would result in a discontinuance of the mobile home park, the mobile home park owner shall give at least one year written notice by certified mail return receipt requested to each mobile home resident of the proposed sale or lease.
(2)
The mobile home park owner shall pay to any resident who is entitled to receive notice pursuant to this section, relocation benefits of up to four thousand dollars ($4,000) or the actual relocation expenses incurred, whichever is less. The relocation benefits shall be payable within ten (10) days of the departure of the resident and the removal of the mobile home unit from the park. In the event that the resident fails to remove the unit from the park and the park owner is required to remove the unit, the relocation benefits shall be reduced by an amount equal to the documented out of pocket moving costs incurred by the park owner for the physical removal of the unit.
(3)
Any mobile home park owner shall provide to each resident who is entitled to receive relocation benefits pursuant to this section, a rental agreement. The agreement shall begin on the date of the issuance of the notice of discontinuance. The provisions of the rental agreement shall not alter in any manner the tenancy arrangement existing between the park owner and resident prior to issuance of the notice of discontinuance, except with respect to the amount of annual rent, which may be increased by an amount not to exceed the increase in the consumer price index for urban consumers, published by the United States department of labor, bureau of labor statistics, from the calendar year immediately preceding the date upon which the rental agreement is commenced plus the proportionate amount of any documented increase in real estate taxes or other municipal fee or charge; provided, that the total amount of the increase shall not exceed ten percent (10%) of the annual rent charged in the immediately preceding year. Once a resident has received a notice of discontinuance, his or her rent, and fees, shall not be increased unless a year has passed from the date of the last increase imposed upon the resident.
(b)
Any new resident taking up residence at the park, after the initial notice of discontinuance has been mailed, shall be given a copy of the notice in hand prior to his or her signing a lease and/or placing his or her unit in the park. The new resident shall be provided a form upon which he or she shall acknowledge in writing having received a copy of the notice.
(c)
Any new resident taking up residence at the park after the initial notice of discontinuance has been mailed and who receives a copy of the notice of discontinuance provided for in the preceding paragraph shall not be entitled to any relocation benefits as provided for in this section.
History of Section.
P.L. 1991, ch. 238, § 1; P.L. 2009, ch. 119, § 1; P.L. 2009, ch. 146, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-3.3. - Future qualified sale of mobile- and manufactured-home community.

§ 31-44-3.3. Future qualified sale of mobile- and manufactured-home community.
The qualified sale of a mobile- or manufactured-home community to a resident-owned organization is exempt from the real estate conveyance tax imposed under chapter 44-25.
History of Section.
P.L. 2012, ch. 364, § 2; P.L. 2012, ch. 391, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-3. - Rules and regulations.

§ 31-44-3. Rules and regulations.
The following requirements and restrictions shall apply to all mobile- and manufactured-home parks:
(1)
A mobile- and manufactured-home park licensee shall promulgate reasonable rules and regulations that shall specify standards for mobile and manufactured homes in the park, entry requirements, and rules governing the rental or occupancy of a mobile- and manufactured-home lot and mobile- and manufactured-home park;
(2)
Current rules and regulations promulgated by a mobile- and manufactured-home park licensee shall be delivered by the licensee to a prospective resident prior to entering into a rental agreement, and to the resident(s) as soon as promulgated and whenever revised. A

copy of the rules and regulations shall be filed with the director and posted in a conspicuous place in the mobile- and manufactured-home park;

(3)

Any rule or change in rent that does not apply uniformly to all mobile- and manufactured-home residents of a similar class shall create a rebuttable presumption that the rule or change in rent is unreasonable;

(4)(i)

A mobile- and manufactured-home park licensee shall not impose any conditions of rental or occupancy that restricts the mobile- and manufactured-home owner in his or her choice of a seller of fuel, furnishings, goods, services, accessories, or other utilities connected with the rental or occupancy of a mobile- and manufactured-home lot;

(ii)

The licensee who purchases electricity or gas (natural, manufactured, or similar gaseous substance) from any public utility or municipally owned utility or who purchases water from a water system for the purpose of supplying or reselling the electricity or gas to any other person to whom he leases, lets, rents, subleases, sublets, or subrents the premises upon which the electricity, gas, or water is to be used, shall not charge, demand, or receive directly or indirectly, any amount for the resale of any electricity, gas, or water greater than that amount charged by the public utility or municipally owned utility from which the electricity, gas, or water was purchased or by the public water system from which the water was purchased;

(iii)

However, if the licensee incurs costs in bringing the utility service to individual units, or in utilizing individual meters, or in some similar cost, the licensee will be entitled to a return for the investment;

(iv)

The park operator shall post in a conspicuous place the prevailing utility rate schedule as published by the serving utility;

(5)

If any mobile- and manufactured-home park licensee adds, changes, deletes, or amends any rule governing the rental or occupancy of a mobile- and manufactured-home lot in a mobile- and manufactured-home park, a new copy of all those rules shall be furnished to all mobile- and manufactured-home residents in the park, and filed with the department for its review, recommendations, and recording for future reference at least forty-five (45) days prior to the effective date of the addition, change, deletion, or amendment. The new copy furnished to the resident shall be signed by both the mobile- and manufactured-home park owner and the mobile- and manufactured-home park resident. Any mobile park resident who believes the rule change is in violation of the chapter, may file a complaint with the director in accordance with § 31-44-17. The complaint shall be filed within twenty (20) days of receipt of written notice of the change. The complaint shall specify the rule in dispute and contain the basis by which the change violates this chapter;

(6)

If any mobile- and manufactured-home park licensee changes the rent or fees associated with a mobile- and manufactured-home lot, notice of the change shall be given to the mobile- and manufactured-home resident at least sixty (60) days prior to the effective date of the change. Any mobile park resident who believes that the rule change is in violation of this chapter, may file a complaint with the director in accordance with § 31-44-17. The complaint shall be filed within twenty (20) days after receipt of written notice of the change. The complaint shall specify the basis by which the change violates this chapter;

(7)

The owners of individual mobile and manufactured homes shall be entitled to have as many occupants in their homes as is consistent with the number of bedrooms and/or bed spaces certified by the manufacturer; provided that the occupancy does not violate any provision of the general laws or other municipal regulations. All bedrooms shall consist of a minimum of fifty square feet (50 sq. ft.) of floor area and bedrooms designed and certified for two (2) or more people shall consist of seventy square feet (70 sq. ft.) of floor area plus fifty square feet (50 sq. ft.) for each person in excess of two (2). If there is sufficient bed space, according to the criteria set forth in this subdivision, additional rent or charges may not be imposed by a park owner or manager for any person or persons moving in with current resident owners of a mobile and manufactured home;

(8)

A prospective resident shall not be charged an entrance fee for the privilege of leasing or occupying a mobile- and manufactured-home lot, except as provided in § 31-44-4; provided, that when a mobile and manufactured home is transported onto the mobile- and manufactured-home park, an entrance fee may be charged. However, if the park owner received a commission for the sale of the mobile and manufactured home, no entrance fee shall be charged. A reasonable charge for the fair value of the owner’s cost in obtaining, preparing, and maintaining a lot, or for the fair value of services performed in placing a mobile and manufactured home on a lot, shall not be considered an entrance fee, but shall be deemed a hook-up fee or maintenance fee and shall be detailed in the fee schedule. No tenant, or person seeking space in a mobile- and manufactured-housing park, shall be required to purchase manufactured housing from any particular person unless the person designated is the park owner or operator and the requirement is imposed only in connection with the initial leasing or renting of a newly-constructed lot or space not previously leased or rented to any other person. A resident may remove and replace a mobile and manufactured home; provided, that the resident shall install the mobile and manufactured home in accordance with present park standards regarding structural requirements and aesthetic maintenance in the mobile- and manufactured-home park where the replacement occurs, and in accordance with minimum standards for mobile and manufactured homes established by the United States Department of Housing and Urban Development. No fee shall be charged by the licensee to residents as a result of the resident’s installation of cable television;

(9)
Prior to signing a lease, a licensee shall disclose, in writing, to the prospective resident:
(i)
The rental for the space or lot; and
(ii)
Any charges, including service charges, imposed by the licensee. The licensee shall disclose the rent and charges that were in effect during the three (3) preceding years, or the period during which the licensee has operated the mobile home park, whichever is shorter;
(10)
A copy of the fee schedule shall be filed with the commission and posted in a conspicuous place in the mobile- and manufactured-home park; and
(11)(i)
A resident shall not be charged a fee for keeping a pet in a mobile- and manufactured-home park unless the park owner or management actually provides special facilities or services for pets. If special pet facilities are maintained by the park owner or management, the fee charged shall reasonably relate to the cost of maintenance of the facilities or services and the number of pets kept in the park;
(ii)
If the park owner or management of a mobile- and manufactured-home park implements a rule or regulation prohibiting residents from keeping pets in the park, the new rule or regulation shall not apply to prohibit the residents from continuing to keep the pets currently in the park if the pet otherwise conforms with the previous park rules or regulations relating to pets. However, if the pet dies, the resident shall have the right to replace the pet;
(iii)
Any rule or regulation prohibiting residents from keeping pets in a mobile- and manufactured-home park shall not apply to guide, signal, or service animals;
(12)
Any board or commission vested with governing powers over a mobile- or manufactured-home community, including resident-owned and nonresident-owned mobile home park resident associations, shall establish and/or adhere to fair and impartial written guidelines and bylaws for conducting elections that have been provided to all residents of the mobile home park at least forty-five (45) days prior to any election. The written guidelines and bylaws shall ensure transparency in the election process with reasonable and meaningful notice to, and participation of, all residents. The department is authorized to promulgate rules and regulations necessary to implement this subsection.
History of Section.
P.L. 1984, ch. 382, § 2; P.L. 1985, ch. 88, § 2; P.L. 1985, ch. 414, § 1; P.L. 1987, ch. 116, § 1; P.L. 1991, ch. 217, § 1; P.L. 1992, ch. 347, § 1; P.L. 1993, ch. 287, § 1; P.L. 1993, ch. 309, § 1; 1994, ch. 182, § 1; P.L. 1999, ch. 248, § 1; P.L. 2009, ch. 119, § 1; P.L. 2009, ch. 146, § 1; P.L. 2014, ch. 349, § 1; P.L. 2014, ch. 378, § 1; P.L. 2016, ch. 512, art. 1, § 19.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-4.1. - Recording of sale or transfer documents — Penalties.

§ 31-44-4.1. Recording of sale or transfer documents — Penalties.
Every deed, instrument, or writing by which an interest in any mobile or manufactured home is granted, assigned, transferred, or otherwise conveyed to, or vested in, a purchaser or purchasers, or any other person or persons, shall be filed with the recorder of deeds of the city or town in within which the mobile home or manufactured home is located, within ten (10) days after execution of the deed instrument, or writing. The fee for the filing shall be in accordance with § 34-13-7. The city or town shall assess a fine to be determined by each city or town for failure to comply with the provisions of this section.
History of Section.
P.L. 1996, ch. 319, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-4. - Sale of mobile and manufactured homes.

§ 31-44-4. Sale of mobile and manufactured homes.
(a)
No owner of a mobile and manufactured home park shall deny any resident the right to sell his or her mobile and manufactured home owned by him or her while the mobile and manufactured home is in the park or require the resident to remove the mobile and manufactured home because of the sale of the home, except as provided in this section.
(b)
A mobile and manufactured home park licensee, directly or indirectly engaged in the business of selling mobile and manufactured homes, may impose conditions on the rental or occupancy of a new lot, including the right to sell the first unit or impose an entrance fee on that lot.
(c)

An owner of a mobile home or manufactured home remaining within the park may utilize one of the following methods in selling the home to a qualified buyer:

(1)

Sell the home through his or her own individual efforts;

(2)

List the home with a licensed real estate broker at a commission not to exceed ten percent (10%);

(3)

List the home with park licensee at a commission not to exceed ten percent (10%).

The mobile and manufactured home commission shall provide recommendations for screening of prospective purchasers by the park licensees.

(d)

No licensee shall exact a commission or fee with respect to the price realized by the resident, except as provided in this section, unless he or she has acted as agent for the resident in a sale pursuant to a written contract.

(e)

No owner of a mobile and manufactured home park shall make or enforce any rules which require any resident to sell his or her mobile and manufactured home to the owner.

No owner of a mobile and manufactured home park shall make any rule or enter into a contract, which shall abrogate or limit the tenant's right to place "for sale" signs on or in his or her mobile manufactured housing. However, the park owner may by rule or contract provision impose reasonable limitations as to size, quality registration of the signs, requirements that the posting of the signs be pursuant to bona fide efforts to sell, and removal when the home is no longer being offered for sale. No limitation as to size or quality shall restrict the use of painted or printed signs which are two feet (2′) by two feet (2′) or less in size and which contains no more than "for sale," "address" and "phone number".

(f)

An owner may refuse to sell a mobile and manufactured home, allow a mobile and manufactured home to remain in the park, or to approve entry to the mobile and manufactured home park for good cause. For the purpose of this section, "good cause" means a reasonable cause for the owner to believe:

(1)

That the purchaser will not meet the entry requirements for the park and the entry requirements are equally applied by the owner to all purchasers and prospective residents;

(2)

That the purchaser intends to utilize that purchased mobile and manufactured home for an illegal purpose or for any purpose that would disturb the quiet enjoyment of the other residents of the park;

(3)

That the purchaser is or will be financially unable to pay the rent for the mobile and manufactured home space or lot upon which the purchased mobile and manufactured home is located;

(4)

An owner may require the removal of a mobile home being sold whose age and condition does not meet the standards of mobile homes in the park; or

(5)

No owner or operator of a mobile and manufactured home park shall require a mobile or manufactured home at the time of sale or foreclosure, which is safe, sanitary, and in conformance with aesthetic standards, to be removed from the park; provided that this clause (5) shall not apply where the owner or operator has initiated the foreclosure as mortgagee.

(6)

Any resident or prospective resident who is aggrieved pursuant to this subsection, shall have the right to petition the director for a hearing within twenty (20) days of the alleged violation by the owner. Said hearing shall occur within thirty (30) days from the receipt of said petition. The director or his or her designee shall take all reasonable action to effectuate prompt resolution of said claim and shall render a decision within fifteen (15) days of the conclusion of said hearing.

(g)

A mobile and manufactured home shall be presumed to be safe if it is established that the mobile and manufactured home was constructed to any nationally recognized building or construction code or standard. Failure to meet any standard or code shall raise no presumption that the mobile manufactured home is unsafe; nor may the failure be used as a reason for withholding approval of an on site sale.

(h)

The mobile and manufactured home park owner shall have the burden of showing that a mobile and manufactured home is unsafe, unsanitary, or fails to meet the aesthetic standards of the development. No aesthetic standard shall be applied against a mobile and manufactured home if the standard relates to physical characteristics, such as size, original construction materials, or color which cannot be changed without undue hardship to the tenant.

(i)

Any homeowner wishing to sell his or her home must request in writing a statement of the park owner's intentions regarding the

conditions of the dwelling. Within ten (10) days of the receipt of the request of the homeowner for the park owner's intentions, the park owner must approve the home's condition for resale or deliver a written statement specifying ways in which the home is not safe, sanitary, or in conformance with aesthetic standards. Failure of the park owner to respond within ten (10) days shall be deemed approval of the home's condition for resale.

(j)

In the event of resale or resiting of a mobile and manufactured home, the local building official in the city or town where the mobile and manufactured home is to be located shall, upon the request of either party, inspect the unit and shall issue a certificate of approval in the case of an on site sale or a certificate of occupancy in the case of resiting, to the owner of the unit, provided the authority finds the unit safe for human habitation and the site meets local zoning requirements. A fee of not more than thirty dollars ($30.00) may be charged for the inspection by building officials.

(k)

No licensee shall discriminate in the treatment of tenants of mobile and manufactured homes as the result of the sale of the home, whether the tenant is the tenant prior or subsequent to the sale.

(l)

Every person who sells a mobile and/or manufactured home shall warrant to the buyer that the home is free and clear of all liens and if the seller violates the warranty, then the seller shall be strictly liable to the buyer in damages.

(m)

Every person who sells a mobile and/or manufactured home in this state which will be located at a mobile or manufactured home park in this state and retains a secured interest in the mobile and/or manufactured home shall file a notice of the lien with the recorder of deeds of the city or town within which the park is located as allowed by the provisions of § 34-13-8 and with the uniform commercial code division of the department of state.

(n)

Prior to the execution of a purchase and sale agreement, every owner of a mobile and manufactured home park, shall disclose to the prospective purchaser the rental history for the preceding three (3) years of the land on which the home will be located.

(o)

The owner of a mobile and manufactured home park shall not require the purchaser to provide the names of more than three (3) references from whom the park owner can seek information concerning the behavior and financial reliability of the purchaser; nor shall the purchaser be required to obtain a written report from any reference; the park owner shall not require the purchaser to submit copies of any personal income tax returns in order to obtain approval for residency in the park. However, the park owner may require the purchaser to document the amount and source of his or her gross monthly income or means of financial support. If the park owner or management rejects a purchaser as a prospective homeowner, the ownership or management shall inform the selling homeowner in writing no later than ten (10) days of its reasons for the rejection. If the approval of a purchaser is withheld for any reason other than those stated in these articles, the park owner or management may be held liable for all damages proximately resulting in it.

(p)

The park owner or management may require the right of prior approval of a purchaser of a mobile and manufactured home that will remain in the park and that the selling homeowner or his or her agent give notice of the sale to the park owner or management before the close of the sale. Approval cannot be withheld if the purchaser has the financial ability to pay the rent and charges of the park unless the park owner or management reasonably determines that, based on the purchaser's prior tenancies, he or she will not comply with the rules and regulations of the park.

(q)

If the park owner or management collects a fee or charge from a prospective purchaser of a mobile and manufactured home in order to obtain a financial report or credit rating, the full amount of the fee or charge shall be credited toward payment of the first month's rent for that mobile and manufactured home purchaser.

(r)

If, for whatever reason, the prospective purchaser is rejected by the park owner or management, the park owner or management shall refund to the prospective purchaser the full amount of that fee or charge within thirty (30) days from the date of rejection. If the prospective purchaser is approved by the park owner or management, but, for whatever reason, the prospective purchaser elects not to purchase the mobile or manufactured home, the park owner or management may retain the fee, or a portion of it, to defray its administrative costs under this section.

(s)

No owner or operator of a mobile and manufactured home park shall require any person as a precondition to renting, leasing, or otherwise occupying a space for mobile and manufactured housing in a mobile and manufactured home park to pay any fee of any kind, unless services are actually rendered. The park owner or management shall not perform any service unless so requested in writing.

History of Section.

P.L. 1984, ch. 382, § 2; P.L. 1986, ch. 79, § 2; P.L. 1986, ch. 173, § 1; P.L. 1987, ch. 116, § 1; P.L. 1990, ch. 456, § 1; P.L. 1991, ch. 234, § 1; P.L. 1993, ch. 309, § 1; P.L. 2009, ch. 119, § 1; P.L. 2009, ch. 146, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-5. - Reprisals.

§ 31-44-5. Reprisals.

(a)

No licensee shall take reprisal(s) against a resident or prospective resident or association formed pursuant to § 31-44-3.1.

(b)

An increase in rent, nonrenewal of lease, refusal to offer a lease, or termination of tenancy, taken by a licensee against a resident, prospective resident, or association within six (6) months after the resident, prospective resident, or association has taken any protected lawful action, shall create a rebuttable presumption that the act by the licensee is a reprisal. Reprisal may be pleaded as a defense in any court proceeding brought against a resident or prospective resident after he or she has taken any protected lawful action.

(c)

In addition to any other remedy under this chapter, a resident, prospective resident, or association who has been the subject of a reprisal shall be entitled to the remedies provided for retaliatory actions in § 34-18-46.

History of Section.

P.L. 1984, ch. 382, § 2; P.L. 1990, ch. 307, § 1; P.L. 1994, ch. 182, § 1; P.L. 1998, ch. 57, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-6. - Notice of judgment.

§ 31-44-6. Notice of judgment.

In any action to enforce the provisions of this chapter, the clerk of the court shall mail copies of any final judgment, decree, permanent injunction, arbitration decision or order of the court upon the entry of it to the attorney general and if licenses are involved, the department of business regulation.

History of Section.

P.L. 1984, ch. 382, § 2; P.L. 1993, ch. 309, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-7.1. - Security deposits.

§ 31-44-7.1. Security deposits.

In any rental agreement for the lease of a mobile home in which the licensee requires the payment of a security deposit by the resident:

(1)

The deposit shall accumulate interest on an annual basis at the rate of three percent (3%).

(2)

No deposit will be required which is more than the amount of one month’s rent.

(3)

The interest shall be paid to the resident annually or upon termination of the rental.

(4)

Upon termination of the rental, the licensee shall return the deposit along with accumulated interest within thirty (30) days, or shall provide the resident with a written itemized list of damages caused by the resident during the rental, other than ordinary wear and tear, and return to the resident the difference, if any, between the deposit and interest and the damages sustained.

(5)

The resident shall provide the licensee with a forwarding address upon vacating the premises so as to permit the licensee to return the deposit.

(6)

If the licensee fails to either return the deposit within thirty (30) days or pay interest on it, he or she shall be liable for damages not to exceed twice the amount of the deposit and three (3) times the amount of interest due.

(7)

Any security deposits received by the licensee shall be deposited in a savings account and earmarked specifically as a security deposit account, and that fund shall not be used by the licensee for any purpose except as provided in subdivision (4) of this section.

(8)

No security deposit shall be required for the rental of a mobile home lot or space.

History of Section.

P.L. 1984, ch. 382, § 2; P.L. 1990, ch. 308, § 1; P.L. 1993, ch. 309, § 1; P.L. 2000, ch. 109, § 45.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-7.2. - Trailer parks located within the town of Exeter.

§ 31-44-7.2. Trailer parks located within the town of Exeter.

Any agreement for the lease of a mobile home or a mobile home lot or space located within the town of Exeter and offered pursuant to the provisions of § 31-44-7, must be in writing and shall not be executed unless each term of it either shall have been completed in full or shall contain a statement that the terms may not be applicable. All lease agreements executed pursuant to the provisions of this section shall be executed in duplicate original, one of which shall be provided to the lessee within thirty (30) days of its execution.
History of Section.
P.L. 1986, ch. 422, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-7. - Lease.

§ 31-44-7. Lease.
All terms and conditions of the occupancy must be fully disclosed in a written lease by the mobile and manufactured home park owner to any prospective mobile and manufactured home park resident at a reasonable time prior to the rental or occupancy of a mobile and manufactured home space or lot. The disclosures shall include, but shall not be limited to, the following:
(1)
The licensee shall agree at all times during the tenancy to:
(i)
Maintain the premises when necessary to prevent the accumulation of stagnant water;
(ii)
Keep each mobile and manufactured home space or lot marked in such a way that each resident will be certain of his or her area of responsibility;
(iii)
Keep any exterior area of the mobile and manufactured home park within his or her control, not the responsibility of each resident, free from any species of weed or plant growth which are noxious or detrimental to the health of the residents;
(iv)
Be responsible for the extermination of any insect, rodent, vermin, or other pest dangerous to the health of the residents whenever infestation exists in the area of the mobile and manufactured home park not the responsibility of the resident or in the area for which the resident is responsible including the mobile and manufactured home if the infestation is not the fault of the resident and particularly if the infestation existed prior to the occupancy of the resident claiming relief;
(v)
Maintain all mobile and manufactured homes rented by the owner in a condition which is structurally sound and capable of withstanding adverse effects of weather conditions;
(vi)
Maintain all electrical, plumbing, gas, or other utilities provided by the licensee in good working condition. In the event of any repairs or construction to any utility in any mobile and manufactured home park, written notice shall be given twenty-four (24) hours prior to the repairs or construction to each tenant of the mobile and manufactured home park, except in cases of emergencies, after which any repair shall be completed within seventy-two (72) hours unless good cause is shown as to why the action or repair has not been completed. No utility shall be discontinued during the repairs or construction for more than three (3) consecutive hours unless the plans have been reviewed by the city or town engineer;
(vii)
Maintain all utilities provided to mobile and manufactured homes within the park up to and including the connection to the individual mobile/manufactured home, and all water and sewage lines and connections in good working order, and in the event of any emergency, make necessary arrangements if possible for the provisions of the service on a temporary basis; and there shall be no additional charge for the use of water because a resident has children;
(viii)
If the park operator fails to comply with paragraph (vi) or (vii) of this subdivision, the resident may notify the park operator of the resident’s intention to correct the condition at the park operator’s expense. After being notified by the resident in writing, if the park operator fails to comply within fourteen (14) days or more promptly as conditions reasonably require in case of emergency, the resident may cause the work to be done by a contractor and, after submitting to the park operator an itemized statement, deduct from the resident’s rent the actual and reasonable cost of the work.
(ix)
Respect the privacy of the resident and if only the mobile and manufactured home space or lot is rented, agree to enter the mobile and manufactured home only with the permission of the owner only after notice to the resident;
(x)
Allow all residents freedom of choice in the purchase of all services, pursuant to § 31-44-3 “rules and regulations”;
(xi)
Allow a resident to terminate a rental agreement whenever a change in the location of the resident’s employment requires a change in the location of his or her residence if the resident gives thirty (30) days notice; provided, that a resident who is a member of the armed forces of the United States may terminate his or her rental agreement with less than thirty (30) days if he or she receives

reassignment orders which do not allow prior notification;
(xii)
Maintain any road in the mobile and manufactured home park within the licensee's control in good condition, provide adequate space for parking of one car for each lot and be responsible for damage to any vehicle, excluding damages from speed bumps, which is the direct result of any unrepaired or poorly maintained access road within the park and that is within the licensee's control;
(xiii)
Make reasonable rules for guest parking which shall be clearly stated in the rules of the park;
(xiv)
Provide a written lease having a term of not less than one year unless the resident requests, in writing, a term for less than one year, or unless a resident in writing states that he or she does not desire a written lease; provided, nothing in this section shall prevent prospective residents from assuming from the current resident the balance of leasehold if same shall have a period of less than one year; provided further the notice of any rental increase shall be provided to the prospective resident in the event that less than sixty (60) days of the leasehold is remaining on the assumed portion of the lease.
(2)
The resident shall agree at all times during the tenancy to:
(i)
Keep the unit and his or her area of responsibility as marked by the owner in a clean and sanitary condition, free of garbage and rubbish;
(ii)
Keep the supplied, basic facilities including any plumbing fixture, cooking and refrigeration equipment, and electrical fixtures in a rented mobile and manufactured home unit in a clean and sanitary condition and exercise reasonable care in their proper use and operation;
(iii)
Observe all reasonable rules and regulations of the licensee concerning the use, occupation, and maintenance of the premises, provided the rules and regulations comply with the provisions of § 31-44-3;
(3)
Any action on the part of the resident which may be grounds for eviction from the mobile and manufactured home park or termination of the rental agreement shall be clearly stated in it.
(4)
The terms for the payment of rent shall be clearly set forth and any charges for services, mobile and manufactured home space or lot rent, unit rent, or any other charge shall be specifically itemized in the rental agreement and in any billing to the resident by the owner. The total rent for the term of the rental agreement shall be stated in it.
(5)
The right of the mobile and manufactured home park owner to designate himself or herself as the sole and exclusive agent for the sale of any mobile and manufactured home pursuant to § 31-44-4 "sale of mobile and manufactured homes" of this chapter shall be clearly stated in the rental agreement.
(6)
The lease prescribed by this chapter shall not contain the following:
(i)
Any provision allowing less than a seven (7) day grace period in which to pay rent without the assessment of a late charge;
(ii)
Any provision allowing the licensee to assess a late charge in excess of five percent (5%) of the monthly rent due;
(iii)
Any provision which allows the owner to increase the total rent or change the payment arrangements during the term of the rental agreement; provided that prorated increases for increased taxes only may be added if stated in the original lease;
(iv)
Any provision allowing the owner to charge an entrance fee to a resident assuming occupancy, except as provided in this section;
(v)
Any provision which denies to the resident the right to treat as a breach of the agreement, a continuing violation by the owner, substantial in nature, of any provisions set forth in the lease or of any state statute unless the owner discontinues the violation within a reasonable time after written notice is given by the resident by registered or certified mail;
(vi)
Any provision waiving the restrictions of § 31-44-7.1;
(7)
Except as provided in this section, the lease shall be signed by both the mobile and manufactured home park licensee and the mobile and manufactured home park resident and shall contain the notice set forth in § 31-44-8, printed verbatim in a clear and conspicuous manner.
(8)
It shall be the obligation of the licensee to abide by all the terms and conditions set forth in this section notwithstanding the

execution of written lease of any resident.
History of Section.
P.L. 1984, ch. 382, § 2; P.L. 1993, ch. 154, § 1; P.L. 1997, ch. 109, § 1; P.L. 1997, ch. 140, § 1; P.L. 1998, ch. 278, § 1; P.L. 2000, ch. 519, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-8. - Notice required by law.

§ 31-44-8. Notice required by law.
The following notice must be given by the licensee to the tenant prior to occupancy:
"The terms of your tenancy must be in accordance with the Rhode Island Mobile and Manufactured Home Act, title 31, chapter 44. Section 31-44-3 requires all the rules and regulations governing your tenancy to be fair and reasonable. Unreasonable rules, or those not in compliance with § 31-44-3, cannot be enforced against you.
"No licensee may offer a mobile and manufactured home or a mobile and manufactured home space or lot for rent without showing to the prospective resident a copy of the written lease before the resident occupies that mobile and manufactured home space or lot. No licensee may rent a mobile and manufactured home or mobile and manufactured home space or lot until a written lease has been signed by the resident and the owner. The term of the lease shall not be less than one year unless the resident requests, in writing, a term for less than one year, or requests in writing that he or she does not desire a written lease.
"The licensee of this park shall not require you to deal exclusively with a certain fuel dealer or other merchant for goods or services in connection with the use or occupancy of your mobile and manufactured home lot unless that restriction is necessary to protect the health, safety, or welfare of mobile and manufactured home residents in the park. If you are required to deal with a certain dealer or merchant, the price you pay for such goods or services may not be more than the prevailing price in this locality for similar goods and services.
"An increase in fees or rent, nonrenewal of lease, refusal to offer a lease, or termination of tenancy which is taken against you by a licensee as a penalty for reporting a violation of the Mobile and Manufactured Home Act or of any applicable building or health code, or for any other justified complaint to a governmental authority is a reprisal and is prohibited by law."
History of Section.
P.L. 1984, ch. 382, § 2; P.L. 1993, ch. 309, § 1; P.L. 2009, ch. 119, § 1; P.L. 2009, ch. 146, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-9.1. - Remedies.

§ 31-44-9.1. Remedies.
In addition to any other remedy authorized by law, equity or regulation, the director of the department may order, following notice and opportunity to be heard, the owner and residents of any mobile and manufactured home park to pay monthly rents directly to an interest bearing escrow account established by and under the control of, the director and may make the payment of those amounts to the owner of the mobile and manufactured home park contingent on the owner's submission of satisfactory evidence of compliance with all orders of the director. Upon submission of evidence of compliance, the director shall promptly cause any escrowed rents to be paid to the owner.
History of Section.
P.L. 1993, ch. 309, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-9.2. - Investigations.

§ 31-44-9.2. Investigations.
When, in the opinion of the director, sufficient cause exists to begin an investigation of alleged violations of any provision of this chapter or a license issued pursuant to this chapter, the director may commence an investigation of any act or practice or failure to act of any mobile and manufactured home park owner or operator and may bill the costs of the investigation to the mobile home park owner or operator. However, the investigation fees payable under this section shall not exceed one thousand dollars ($1,000) in any one calendar year unless the director petitions the superior court for the ability to continue the investigation, at which time the director shall demonstrate to the court's satisfaction that further investigation is warranted, whereby the fees may exceed one thousand dollars ($1,000).
History of Section.
P.L. 1993, ch. 309, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-44 - Mobile and Manufactured HomesSection 31-44-9. - Enforceability.

§ 31-44-9. Enforceability.
(a)
Any provision of this chapter and any provision of a license issued pursuant to this chapter may be enforced by the department of

business regulation. In addition to and notwithstanding any action taken by or pending at the department of business regulation, any resident of a mobile home park may seek to enforce any provision of a license or this chapter by civil action in the court exercising jurisdiction over the subject matter. However, failure to comply with tax laws and violations of land use regulations and water supply and sewage disposal requirements shall be subject to the jurisdiction of and shall be enforceable by, the municipality in which the park is located and/or the state agency having regulatory authority over the matter. (b) Any park owner or operator who violates any of the provisions of §§ 31-44-3, 31-44-3.1, 31-44-3.2, 31-44-4, 31-44-5, 31-44-7, 31-44-7.1, 31-44-7.2, 31-44-8 and 31-44-13 shall be deemed to have engaged in an unfair and deceptive trade practice under § 6-13.1-2 and, in addition to other remedies, shall be subject to the enforcement provisions of that chapter.
History of Section.
P.L. 1984, ch. 382, § 2; P.L. 1993, ch. 309, § 1; P.L. 1994, ch. 182, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-45 - Noise Limits for Motor VehiclesSection 31-45-1. - Noise limits.

§ 31-45-1. Noise limits.
(a)
No person shall operate a motor vehicle, nor shall the owner of any vehicle allow the vehicle to be operated, at any time, or under any condition of grade, load, acceleration, or deceleration, in such a manner as to exceed the following noise limit based on a distance of fifty feet (50′) from the center of the lane of travel within the speed limit. For the purposes of this section, “dbA” means decibels measured with a calibrated sound level meter weighted to the “A” scale.
(b)
In speed zones of thirty-five miles per hour (35 mph) or less, not more than eighty-six (86) dbA. In speed zones of more than thirty-five miles per hour (35 mph), not more than ninety (90) dbA.
(c)
Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1976, ch. 197, § 1; P.L. 2002, ch. 292, § 126.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-45 - Noise Limits for Motor VehiclesSection 31-45-2. - Establishment of regulations.

§ 31-45-2. Establishment of regulations.
The director of the department of revenue is authorized to adopt rules, regulations, and procedures to be utilized in the enforcement of this chapter. The director is further authorized to lower the noise standards set forth in this chapter consistent with economic and technological feasibility. The procedure shall allow, to the extent feasible, noise measurement and enforcement action to be accomplished in reasonably confined areas such as residential areas. The adoption of those rules, regulations, and limits shall be pursuant to chapter 35 of title 42.
History of Section.
P.L. 1976, ch. 197, § 1; P.L. 2008, ch. 98, § 28; P.L. 2008, ch. 145, § 28.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-45 - Noise Limits for Motor VehiclesSection 31-45-3. - Applicability.

§ 31-45-3. Applicability.
This chapter applies to the total noise from a vehicle and shall not be construed as limiting or precluding the enforcement of any other provisions of law relating to motor vehicle exhaust noise.
History of Section.
P.L. 1976, ch. 197, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-45 - Noise Limits for Motor VehiclesSection 31-45-4. - Penalty.

§ 31-45-4. Penalty.
Every person convicted of violating this chapter shall be punished by a fine of not less than fifty dollars ($50.00) nor more than five hundred dollars ($500).
History of Section.
P.L. 1976, ch. 197, § 1; P.L. 2002, ch. 134, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-45 - Noise Limits for Motor VehiclesSection 31-45-5. - Motor vehicle radios, stereos and audio systems.

§ 31-45-5. Motor vehicle radios, stereos and audio systems.
It shall be unlawful for any motor vehicle with a radio, stereo or audio system to produce sound which exceeds those limits specified

in this chapter. Police cars, ambulances and fire engines shall not be subject to this section. Local cities and towns may, at their discretion, issue temporary exemption by special permit upon a showing of good cause. Violations of this section are subject to fines enumerated in § 31-41.1-4.
History of Section.
P.L. 1996, ch. 150, § 2; P.L. 2002, ch. 292, § 126.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-46 - Rhode Island Salvage LawSection 31-46-1.1. - Classification of salvage vehicles.

§ 31-46-1.1. Classification of salvage vehicles.
There shall be two (2) classifications of salvage vehicles: Classification A indicates the vehicle has extensive damage and is good for “parts only.” Classification B indicates the vehicle has considerable damage but is considered repairable. It will be the responsibility of insurance companies to evaluate and classify salvage. The classification is subject to review and evaluation by the administrator of the division of motor vehicles or his or her designee.
History of Section.
P.L. 1983, ch. 221, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-46 - Rhode Island Salvage LawSection 31-46-1. - Duty of insurance company and salvage motor vehicle dealer.

§ 31-46-1. Duty of insurance company and salvage motor vehicle dealer.
(a)
Any insurance company taking possession of a motor vehicle for which a certificate of title has been issued in this state, that has been declared a total loss because of damage to that vehicle, in settlement of a claim for damage or theft shall within ten (10) days deliver to the division of motor vehicles the certificate of title of that vehicle and obtain a salvage certificate of title for that vehicle as prescribed for by the administrator of the division of motor vehicles. If the insurance company is unable to obtain the certificate of title of the vehicle for more than thirty (30) days after payment of the total loss claim on the vehicle, the insurance company or its agent may apply for and obtain, free and clear of all liens and claims of ownership, a salvage certificate of title in the insurance company’s name without delivering the certificate of title to the division of motor vehicles. The application shall be accompanied by evidence that the insurance company has paid a total loss claim on the vehicle and has attempted to obtain the certificate of title by sending at least two (2) written attempts, sent by certified mail or by another commercially available delivery service providing proof of delivery and addressed to the last known owner of the vehicle and any known lienholders, at the address shown on the records of the appropriate registry, in the state in which the vehicle is registered.
(b)
If:
(1)
A motor vehicle dealer, the primary business of which is the sale of salvage motor vehicles on behalf of insurance companies, is asked by an insurance company to take possession of a motor vehicle for which a certificate of title has been issued in this state;
(2)
The motor vehicle is the subject of an insurance claim; and
(3)
Subsequently a total loss claim is not paid by the insurance company with respect to the motor vehicle, the motor vehicle dealer may, if the motor vehicle has been abandoned at the facility of the motor vehicle dealer for more than thirty (30) days, apply for and obtain, free and clear of all liens and claims of ownership, a salvage certificate of title in the dealer’s name without surrendering the certificate of title to the division of motor vehicles. The application shall be accompanied by evidence that the motor vehicle dealer made at least two (2) written attempts, sent by certified mail or by another commercially available delivery service providing proof of delivery and addressed to the last known owner of the vehicle and any known lienholders, at the address shown on the records of the appropriate registry, in the state in which the vehicle is registered, to have the vehicle removed from the motor vehicle dealer’s facility. In such application, the motor vehicle dealer shall also classify the vehicle as Classification A or Classification B, as the classifications are described in § 31-46-1.1.
History of Section.
P.L. 1977, ch. 144, § 1; P.L. 1983, ch. 221, §§ 1, 3; P.L. 2021, ch. 423, § 1, effective July 20, 2021; P.L. 2021, ch. 424, § 1, effective July 20, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-46 - Rhode Island Salvage LawSection 31-46-2. - Salvage by insurer.

§ 31-46-2. Salvage by insurer.
If the insurance company sells the motor vehicle for any reason, it shall make application for a salvage certificate of title. The division of motor vehicles shall issue the salvage certificate of title on a form prescribed for by the administrator of the division of motor vehicles, that shall be of a color easily distinguished from the original certificate of title, and shall bear the same number and information as the original certificate of title. The salvage certificate of title shall be assigned by the insurance company to a salvage

dealer or any other person for use as evidence of ownership upon the sale or other disposition of the salvage motor vehicle, and the title shall be assignable to any other person. The division of motor vehicles shall charge the insurance company a fee of fifty dollars ($50.00) for the cost of processing each salvage certificate title.
History of Section.
P.L. 1977, ch. 144, § 1; P.L. 1990, ch. 13, § 4; P.L. 1992, ch. 15, art. 7, § 2; P.L. 2009, ch. 5, art. 9, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-46 - Rhode Island Salvage LawSection 31-46-3. - Salvage by non-insurer.

§ 31-46-3. Salvage by non-insurer.
If the total cost of repairs to rebuild or reconstruct the motor vehicle to its condition immediately before it was wrecked, destroyed or damaged, and for legal operations on the roads or highways, exceeds seventy-five percent (75%) of the fair market value of the motor vehicle immediately preceding the time it was wrecked, destroyed or damaged, and the motor vehicle is less than seven (7) years beyond the date of manufacture, the owner shall return within ten (10) days to the division of motor vehicles, the certificate of title of that vehicle and obtain a salvage certificate of title for that vehicle as prescribed for by the administrator of the division of motor vehicles. For the purposes of this section, “fair market value” shall mean the retail value of a motor vehicle as set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive industry to establish the values of motor vehicles, or determined pursuant to market survey of comparable vehicles with regard to condition and equipment. If any person, individual, or corporation or other owner sells the motor vehicle for any reason, that owner shall make application for a salvage certificate of title. The division of motor vehicles shall issue the salvage certificate of title on a form prescribed by the administrator of the division of motor vehicles that shall be of a color easily distinguished from the original certificate of title and shall bear the same number and information as the original certificate of title. The administrator of the division of motor vehicles shall charge the owner a fee of fifty dollars ($50.00) for the cost of processing each salvage certificate of title.
History of Section.
P.L. 1977, ch. 144, § 1; P.L. 1983, ch. 221, § 2; P.L. 1988, ch. 196, § 1; P.L. 1990, ch. 13, § 4; P.L. 1992, ch. 15, art. 7, § 2; P.L. 1993, ch. 138, art. 85, § 4; P.L. 2007, ch. 385, § 1; P.L. 2007, ch. 489, § 1; P.L. 2009, ch. 5, art. 9, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-46 - Rhode Island Salvage LawSection 31-46-4. - Restoration.

§ 31-46-4. Restoration.
If a motor vehicle is restored for operation on the highways, application shall be made to the division of motor vehicles for a certificate of title. Upon inspection by the division of motor vehicles, which shall include establishing proof of ownership, and upon the surrender of the salvage certificate of title, the division of motor vehicles shall issue a certificate of title for a fee prescribed by the administrator of the division of motor vehicles. The certificate of title shall be in the same form and color as the original certificate and bear the same number as the salvage certificate and the original certificate and shall bear the word “re-constructed salvage” on the title. A fee of fifty-five dollars ($55.00) shall be assessed for each inspection made pursuant to this section.
History of Section.
P.L. 1977, ch. 144, § 1; P.L. 1983, ch. 78, § 1; P.L. 1992, ch. 133, art. 69, § 1; P.L. 1993, ch. 138, art. 85, § 4; P.L. 1995, ch. 108, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-46 - Rhode Island Salvage LawSection 31-46-5. - Penalties.

§ 31-46-5. Penalties.
Any person, firm, or corporation who violates any of the provisions of this chapter shall be guilty of a felony and shall be punished by imprisonment for not more than five (5) years, a fine of not more than five thousand dollars ($5,000), or both.
History of Section.
P.L. 1977, ch. 144, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-46 - Rhode Island Salvage LawSection 31-46-6. - Removal of vehicle identification number prohibited.

§ 31-46-6. Removal of vehicle identification number prohibited.
Under no circumstances shall any person intentionally remove any vehicle identification number, or other distinguishing number, from any part of a salvage motor vehicle, new or used, or any part of it.
History of Section.
P.L. 1983, ch. 221, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-46 - Rhode Island Salvage LawSection 31-46-7. - Repair of salvaged vehicles — Licenses.

§ 31-46-7. Repair of salvaged vehicles — Licenses.
(a)
A salvage rebuilders' license shall be established and issued to all licensed auto body repair facilities that qualify under established guidelines. The regulations shall outline equipment and training necessary to rebuild (total loss) salvage vehicles prior to the issuance of a certificate of salvage title by the division of motor vehicles under § 31-46-4. The guidelines shall be promulgated by and the license shall be issued by the department of business regulation.
(b)
No company, corporation, business or person(s) shall rebuild salvage vehicles unless in possession of a valid salvage rebuilders license.
(c)
Any vehicle repaired or rebuilt by person(s) not in possession of this license shall have its title stamped "FOR PARTS ONLY".
(d)
Any company, agency or person(s) found in violation of this section shall be guilty of a felony and shall be punished by imprisonment for not more than two (2) years, or a fine of five thousand dollars ($5,000), or both.
(e)
The director of the department of business regulation shall be required to issue a "salvage rebuilders license form" which for the purposes of record keeping shall be numbered. Any salvage vehicle sold to a salvage rebuilder licensee shall be assigned a salvage rebuilders license form which shall be presented at the time of registration of any salvage vehicle.
History of Section.
P.L. 1993, ch. 316, § 1; P.L. 1995, ch. 205, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.1 - Motor Vehicle Emissions Inspection ProgramSection 31-47.1-1. - Legislative findings.

§ 31-47.1-1. Legislative findings.
The general assembly finds and declares that:
(1)
Air quality in Rhode Island does not meet the national and state ambient air quality standard for ozone;
(2)
Poor air quality has an adverse effect on the health of all Rhode Island residents, particularly the elderly, the very young and those with respiratory ailments;
(3)
Motor vehicle emissions account for a substantial amount of air pollution problems in the state;
(4)
There is a dramatic need to reduce motor vehicle emissions in Rhode Island;
(5)
The Clean Air Act Amendments of 1990 (42 U.S.C. § 7401 et seq.) mandates that the states formulate and implement individual programs to systematically improve ambient air quality, including a program to reduce emissions through the inspection and maintenance of motor vehicles;
(6)
Should Rhode Island fail to act in a timely manner to improve its ambient air quality pursuant to the Clean Air Act Amendments of 1990, notwithstanding the continued adverse effect air pollution will have on the environment and citizenry of the state, the United States department of transportation will withhold highway funding until compliance is attained, the United States environmental protection agency will withhold grants to support air pollution planning and control programs until compliance is attained, require new emissions be offset by emissions reductions at a ratio of two (2) to one, and will implement a motor vehicle emissions inspection program in the state. In addition, the citizens of the state of Rhode Island may seek injunctive relief under the provisions of the Clean Air Act (42 U.S.C. § 7401 et seq.).
(7)
The general assembly enacted legislation mandating a centralized system for motor vehicle emissions inspections and maintenance during the January 1993 session;
(8)
The centralized motor vehicle emission inspection and maintenance program was never implemented;
(9)
A decentralized system for motor vehicle emission inspection is more desirable than a centralized system;
(10)
Designing, promulgating and implementing a decentralized system for motor vehicle emissions inspection and maintenance will improve air quality, protect the health of Rhode Islanders, assure compliance with the federal clean air act and allow the removal of sanctions imposed on the state of Rhode Island.
History of Section.
P.L. 1993, ch. 254, § 1; P.L. 1997, ch. 65, § 2; P.L. 1998, ch. 327, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.1 - Motor Vehicle Emissions Inspection ProgramSection 31-47.1-10. - Proceedings for enforcement.

§ 31-47.1-10. Proceedings for enforcement.

(a)

The traffic tribunal shall have jurisdiction to enforce the criminal penalty provisions of this chapter.

(b)

The traffic tribunal shall have jurisdiction to enforce the provisions of any rule or regulation issued by the department pursuant to this chapter. The division of enforcement of the department of environmental management shall have jurisdiction to enforce the provisions of any rule or regulation issued by the department of environmental management pursuant to this chapter.

History of Section.

P.L. 1993, ch. 254, § 1; P.L. 2000, ch. 109, § 47.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.1 - Motor Vehicle Emissions Inspection ProgramSection 31-47.1-11. - Fees.

§ 31-47.1-11. Fees.

(a)

Beginning in fiscal year 2015, a fee of fifty-five dollars ($55.00) is to be charged for each motor vehicle inspected. The amount of fees collected shall provide for the cost of the inspection, the costs of administering the motor vehicle emissions inspection program and other costs provided by law. The fee must be paid for each motor vehicle inspected at an emissions inspection station at the time of the inspection and is payable whether a compliance certificate, waiver certificate, or no certificate is issued. There shall be no fee charged for one reinspection of a vehicle that failed an initial inspection when the reinspection is conducted at the AIRS that conducted the initial inspection.

Of the fifty-five dollars ($55.00) fee, nineteen dollars ($19.00) shall be retained by the inspection station owner to cover the costs of performing the inspection. The remaining thirty-six dollars ($36.00) shall be remitted to the program manager. The program manager shall retain no more than four dollars ($4.00) of the fee and remit no less than thirty-two dollars ($32.00) for deposit in the Rhode Island highway maintenance account. Be it further provided that twenty dollars ($20.00) generated from the fee be deposited into the Rhode Island highway maintenance fund according to the schedule provided in subsection (b) of § 39-18.1-5. The general assembly shall annually appropriate such sums as may be required to cover the costs of administering the program by the division of motor vehicles and the department of environmental management.

(b)

[Deleted by P.L. 2014, ch. 145, art. 21, § 6].

History of Section.

P.L. 1993, ch. 254, § 1; P.L. 1995, ch. 370, art. 40, § 107; P.L. 1997, ch. 65, § 2; P.L. 1998, ch. 327, § 1; P.L. 2000, ch. 55, art. 27, § 1; P.L. 2006, ch. 246, art. 8, § 1; P.L. 2007, ch. 73, art. 34, § 1; P.L. 2014, ch. 145, art. 21, § 6.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.1 - Motor Vehicle Emissions Inspection ProgramSection 31-47.1-2. - Definitions.

§ 31-47.1-2. Definitions.

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings:

(1)

“Authorized inspection and repair stations (AIRS)” means a facility which has been authorized by the department to conduct motor vehicle emissions inspections and re-inspections.

(2)

“Compliance certificate” means a written statement, instrument or device indicating that a motor vehicle complies with the standards and criteria for motor vehicle emissions inspection.

(3)

“Department” means the department of revenue.

(4)

“Motor vehicle” means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except vehicles moved exclusively by human power and motorized wheelchairs.

(5)

“Motor vehicle emissions inspection” means a test of the emissions of air contaminants from a motor vehicle and any visual and functional checks related to the emission of air contaminants from a motor vehicle conducted pursuant to this chapter.

(6)

“Waiver certificate” means a written statement, instrument or device indicating the requirement of compliance with the standards and criteria for motor vehicle emissions inspection for a particular motor vehicle has been waived.

History of Section.

P.L. 1993, ch. 254, § 1; P.L. 1997, ch. 65, § 2; P.L. 2008, ch. 98, § 30; P.L. 2008, ch. 145, § 30.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.1 - Motor Vehicle Emissions Inspection ProgramSection 31-47.1-3. - Inspection requirement.

§ 31-47.1-3. Inspection requirement.

(a)

Each motor vehicle subject to the provisions of this chapter shall be subject to a motor vehicle emissions inspection, conducted no more frequently than annually. Different classes of motor vehicles or model years may be subject to different inspection frequencies.

(b)

Motor vehicles subject to this chapter shall be determined by regulations, and shall include, but not necessarily be limited to, all 1975 and later model year light duty vehicles and light duty trucks up to and including eight thousand five hundred pounds (8,500 lbs.) gross vehicle weight rating.

(c)

Any motor vehicle which is inspected and found not to comply with the standards and criteria for motor vehicle emissions inspections must, within thirty (30) days of the inspection, be re-inspected and found to comply with the standards and criteria for motor vehicle emissions inspections, or have received a waiver certificate, or not be operated on the highways of the state.

(d)

Any certificate issued under this chapter shall always be carried in an easily accessible place in or about the vehicle for which the certificate was issued.

History of Section.

P.L. 1993, ch. 254, § 1; P.L. 1995, ch. 152, § 1; P.L. 1996, ch. 165, § 1; P.L. 1997, ch. 65, § 2; P.L. 1998, ch. 327, § 1; P.L. 2000, ch. 109, § 47.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.1 - Motor Vehicle Emissions Inspection ProgramSection 31-47.1-4. - Law enforcement.

§ 31-47.1-4. Law enforcement.

Any law enforcement officer or designee of the director of the department of revenue whose duty it is to enforce laws related to motor vehicles, may demand and inspect any certificate issued under this chapter.

History of Section.

P.L. 1993, ch. 254, § 1; P.L. 2008, ch. 98, § 30; P.L. 2008, ch. 145, § 30.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.1 - Motor Vehicle Emissions Inspection ProgramSection 31-47.1-5. - Exemptions.

§ 31-47.1-5. Exemptions.

The following motor vehicles shall be exempt from the requirements of this chapter:

(1)

A motor vehicle twenty-five (25) years or older.

(2)

Any class of motor vehicles that is exempted by regulation of the department because the vehicle presents prohibitive inspection problems or is inappropriate for inspection.

(3)

Motor vehicles operated exclusively by electric power.

(4)

New motor vehicles until twenty-four (24) months after their date of purchase or twenty-four thousand (24,000) miles, whichever occurs first.

(5)

Motor vehicles that are in compliance with an enhanced motor vehicle inspection program operated by another jurisdiction may be exempt upon the owner providing a current written certification of compliance, if the inspection program in that jurisdiction is approved by the United States environmental protection agency.

History of Section.

P.L. 1993, ch. 254, § 1; P.L. 1997, ch. 65, § 2; P.L. 1998, ch. 327, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.1 - Motor Vehicle Emissions Inspection ProgramSection 31-47.1-7. - Motor vehicle emissions programs.

§ 31-47.1-7. Motor vehicle emissions programs.

(a)

The department and the department of environmental management shall establish programs for the purpose of inspecting motor vehicles. It shall be the responsibility of the department to provide for the supervision of the operational aspects of emission inspection stations. It shall be the responsibility of the department of environmental management to provide for the environmental aspects of the motor vehicle emissions inspections. The programs, in total, shall be no less stringent than any performance standard

for enhanced motor vehicle inspection/maintenance programs promulgated by the U.S. Environmental Protection Agency and shall meet the requirements necessary for motor vehicles to qualify for the emission performance warranty provisions of the federal Clean Air Act (42 U.S.C. § 7401 et seq.). The department and the department of environmental management may contract with private entities to assist the state in the administration of motor vehicle inspection programs.

(b)

The department shall promulgate rules and regulations for the issuance of certificates of compliance and certificates of waiver.

(c)

The department shall promulgate rules and regulations specifying the vehicles subject to the motor vehicle emissions inspection requirement.

(d)

The department shall conduct an on-road testing program. The department may require that vehicles it has reason to believe are not in compliance with the standards and criteria for motor vehicle emissions inspections submit to an out of cycle inspection at an AIRS and, if necessary, be brought into compliance as provided by this chapter.

(e)

The department shall assess the availability of adequate repair technician training and shall ensure that training is made available to interested individuals either through private or public facilities.

(f)

The department shall establish procedures to ensure that vehicles subject to either a voluntary emissions recall or a remedial plan pursuant to § 207(c)(42 U.S.C. § 7541(c)) of the federal Clean Air Act received the required repairs.

(g)

The department of environmental management shall promulgate rules and regulations establishing standards and criteria for motor vehicle emissions inspections, giving consideration to the levels of emissions necessary to achieve and maintain federal and state ambient air quality standards and the levels necessary to protect human health and the environment. The standards and criteria shall include, but not be limited to, a requirement to test the exhaust of motor vehicles for hydrocarbons, carbon monoxide and oxides of nitrogen. The standards and criteria may include, in lieu of the requirement to test the exhaust of model year 1996 and later motor vehicles, a requirement to inspect on-board diagnostic systems and to repair malfunctions or system deterioration identified by or affecting the systems. The standards and criteria may be different for different model years and types of vehicles. The department of environmental management shall promulgate regulations relative to: testing equipment specifications, quality assurance and quality control procedures for testing equipment, calibration gases, failure rates, emission standards, testing procedures, data collection and data analysis.

(h)

The department shall fund and establish a program for the quality assurance of motor vehicle emissions inspections with the state police and municipal police departments. This program may include a requirement for inspections of emissions inspection stations to determine compliance with all operational requirements.

(i)

The department of environmental management shall establish programs for public information and consumer protection.

(j)

The department of environmental management shall submit all appropriate aspects of the motor vehicle emissions inspection programs to the Environmental Protection Agency as revisions to the State Implementation Plan in accordance with the requirements of the federal Clean Air Act.

(k)

Rules and regulations promulgated by the department and the department of environmental management shall specify that the emissions inspection programs required by this chapter shall be a decentralized system of authorized inspection and repair stations and shall incorporate the inspection required by chapter 38 of title 31 of the general laws relating to motor vehicles.

(l)

Each AIRS must participate in any state sponsored program which provides emissions inspection equipment on a lease or purchase basis.

History of Section.

P.L. 1993, ch. 254, § 1; P.L. 1997, ch. 65, § 2; P.L. 1998, ch. 327, § 1; P.L. 2002, ch. 201, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.1 - Motor Vehicle Emissions Inspection ProgramSection 31-47.1-8. - Waiver certificate.

§ 31-47.1-8. Waiver certificate.

(a)

A motor vehicle which, after inspection or re-inspection, fails to comply with the standards and criteria for motor vehicle emissions inspections shall be eligible for a waiver certificate, provided that:

(1)

The cost of emission related repairs performed exceeds the repair cost limit. The cost of repairs may include the cost of emission related repairs made after the inspection or the cost of emission related repairs made up to sixty (60) days prior to the inspection.

The cost of repairs shall not include any costs covered by an emission control performance warranty or the cost to repair or replace any emission control system or mechanism which has been removed, dismantled or rendered inoperative. The repair cost limit shall be two hundred and fifty dollars ($250) in 1999, 2000, and 2001 and shall be four hundred fifty dollars ($450) in 2002 and 2003. After 2003 the repair cost limit shall be four hundred and fifty dollars ($450) and shall be adjusted in January of each year by the percentage, if any, by which the Consumer Price Index for the preceding calendar year differs from the Consumer Price Index for 1989; or

(2)

A complete, documented physical and functional diagnosis and inspection, conducted by the department, shows that no additional emission related repairs are needed.

(b)

No person shall knowingly give false information to an AIRS or the department concerning the repair costs or repairs needed to bring a motor vehicle into compliance with the standards and criteria for motor vehicle emissions inspections.

(c)

Any person may perform repairs on a vehicle in order to meet the requirements of this chapter or chapter 38 of this title, except that the cost of repairs, including diagnosis, parts, and labor, to be applied to the repair cost limit must be performed by a certified repair technician. Only the cost of parts may be applied to the repair cost limit if repairs are performed by someone other than a certified repair technician.

History of Section.

P.L. 1993, ch. 254, § 1; P.L. 1997, ch. 65, § 2; P.L. 1998, ch. 327, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.1 - Motor Vehicle Emissions Inspection ProgramSection 31-47.1-9. - Prohibitions.

§ 31-47.1-9. Prohibitions.

(a)

No person may issue a compliance certificate or a waiver certificate for a motor vehicle that has not been inspected in accordance with or is not in compliance with the standards and criteria for motor vehicle emissions inspections.

(b)

No person may alter, falsify or counterfeit a compliance certificate or a waiver certificate.

(c)

No person may materially alter or change any equipment or mechanism of a motor vehicle that has received a compliance certificate in a manner that the motor vehicle no longer complies with the standards and criteria for motor vehicle emissions inspections. This section shall not be construed as preventing the temporary alteration of equipment for the purpose of motor vehicle repair.

(d)

Any person under contract to the state to provide motor vehicle emission testing support service and/or any employee of such a contractor and the operator of an AIRS and/or an employee of an AIRS violating any of the provisions of this chapter may be subject to criminal penalties of a fine of up to one thousand dollars ($1,000), by imprisonment of not more than thirty (30) days, or by both fine and imprisonment for each violation.

(e)

Any person under contract to the state to assist the state in the administration of a motor vehicle emission inspection program and/or any employee of the contractor and the operator of an AIRS and/or an employee of an AIRS, or any person who is or acts as a garage repair person, violating any rule or regulation promulgated under the authority of this chapter shall be subject to a civil or administrative penalty of not more than one thousand dollars ($1,000) for each violation.

(f)

Any person violating any of the provisions of this chapter or any rule or regulation promulgated under the authority of this chapter shall be subject to a civil or administrative penalty of not more than one thousand dollars ($1,000) for each violation.

History of Section.

P.L. 1993, ch. 254, § 1; P.L. 1997, ch. 65, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.2 - Heavy Duty Diesel Vehicle Emission InspectionsSection 31-47.2-1. - Legislative findings.

§ 31-47.2-1. Legislative findings.

The general assembly finds and declares that:

(1)

Exhaust emissions from heavy-duty diesel engines used in trucks and buses traveling within Rhode Island contribute significantly to air pollution within the state;

(2)

Heavy-duty diesel engines in a poor state of repair emit higher levels of pollution than engines that are well maintained;

(3)

Citizens of Rhode Island frequently raise concerns about emissions from heavy-duty diesel engines;

(4)
These emissions diminish the quality of life and health of our citizens;
(5)
Technology exists to determine the level of exhaust emissions from heavy-duty vehicles;
(6)
Maintenance and repair procedures are available that can readily be employed to correct unacceptable exhaust emissions;
(7)
Rhode Island is a party to a memorandum of understanding among states of the northeast United States in which each state agreed to use its best efforts to implement heavy-duty diesel testing programs consistent with the elements of the memorandum of understanding; and
(8)
It is in the public interest to establish a program regulating exhaust emissions from heavy-duty diesel trucks and buses traveling within Rhode Island.
History of Section.
P.L. 2000, ch. 280, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.2 - Heavy Duty Diesel Vehicle Emission InspectionsSection 31-47.2-2. - Inspection requirement.

§ 31-47.2-2. Inspection requirement.
(a)
The administrator of the division of motor vehicles shall, at the direction of the director of the department of revenue and in coordination with the department of environmental management, establish rules and regulations and develop testing techniques and emission standards for motor vehicles subject to the provisions of this chapter.
(b)
Motor vehicles subject to this chapter shall be determined by regulation, and shall include, but not necessarily be limited to, all diesel powered trucks and buses of all model years and over eight thousand five hundred pounds (8,500 lbs.) gross vehicle weight rating that operate on the highways of Rhode Island.
(c)
Standards for opacity of emissions shall be promulgated for all subject vehicles.
(d)
In establishing such standards, the administrator shall review standards in effect in other states in the northeast United States and to the extent practicable shall establish standards consistent with standards in other states.
(e)
Emissions inspections may be performed at roadside or in conjunction with any safety or weight inspection.
(f)
Any motor vehicle which is inspected and found not to comply with the standards for heavy-duty diesel motor vehicle emissions shall be repaired within forty-five (45) consecutive calendar days after the inspection so as to comply with the standards for heavy-duty diesel motor vehicle emissions, or not be operated on the highways of the state.
History of Section.
P.L. 2000, ch. 280, § 1; P.L. 2008, ch. 98, § 31; P.L. 2008, ch. 145, § 31.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.2 - Heavy Duty Diesel Vehicle Emission InspectionsSection 31-47.2-3. - On-road inspection.

§ 31-47.2-3. On-road inspection.
Beginning no later than January 1, 2001, motor vehicles subject to the provisions of this chapter shall be subject to a roadside emissions inspection conducted by the state police or such other police officer defined in § 31-1-21 upon a specific designation by the state police, and provided such officers are certified by the Commercial Vehicle Safety Alliance as a North American Standard Truck Inspector.
History of Section.
P.L. 2000, ch. 280, § 1; P.L. 2007, ch. 401, § 1; P.L. 2007, ch. 491, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.2 - Heavy Duty Diesel Vehicle Emission InspectionsSection 31-47.2-4. - Periodic inspection.

§ 31-47.2-4. Periodic inspection.
(a)
Beginning no later than January 1, 2003, all vehicles subject to the provisions of this chapter and registered in Rhode Island shall be inspected for emissions on a periodic basis.
(b)
Vehicles subject to the provisions of this chapter which are operated in fleets of ten (10) or more vehicles may be self-inspected or

inspected at a heavy-duty authorized inspection and repair (HD-AIRS) facility on an annual basis.
(c)
Individual heavy-duty vehicle owners, not in a fleet of ten (10) or more vehicles, shall have their vehicles inspected at a heavy-duty authorized inspection and repair (HD-AIRS) facility on an annual basis.
History of Section.
P.L. 2000, ch. 280, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.2 - Heavy Duty Diesel Vehicle Emission InspectionsSection 31-47.2-5. - Inspection fee.

§ 31-47.2-5. Inspection fee.
A fee, established in accordance with the rules and regulations of the department of revenue, is to be charged for each motor vehicle inspected. The amount of the fee collected shall provide for the cost of inspection, the cost of administering the motor vehicle inspection program, and other costs provided by law.
History of Section.
P.L. 2000, ch. 280, § 1; P.L. 2008, ch. 98, § 31; P.L. 2008, ch. 145, § 31.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.2 - Heavy Duty Diesel Vehicle Emission InspectionsSection 31-47.2-6. - Penalty for violations.

§ 31-47.2-6. Penalty for violations.
(a)
After July 1, 2001, any person who fails to comply with the provisions of this chapter or any rule or regulation promulgated under this chapter shall be subject to a civil violation and penalty of:
(1)
One hundred twenty-five dollars ($125) for a first offense;
(2)
Five hundred twenty-five dollars ($525) for a second offense; and
(3)
One thousand twenty-five dollars ($1,025) for the third and subsequent offenses.
(b)
The penalties may be reduced upon a showing that repairs have been made to bring failing vehicles into compliance with emission standards. There shall be no reduction for a first offense. Any reduction of the penalty for second, third, and subsequent offenses shall be by not more than four hundred fifty dollars ($450).
(c)
No person shall knowingly give false information to a HD-AIRS, the administrator or his designee concerning compliance with the provisions of this chapter and regulations promulgated under this chapter.
History of Section.
P.L. 2000, ch. 280, § 1; P.L. 2002, ch. 58, § 11.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.2 - Heavy Duty Diesel Vehicle Emission InspectionsSection 31-47.2-7. - Contract.

§ 31-47.2-7. Contract.
The administrator may contract the services of an independent contractor in order to carry out his or her duties under this chapter.
History of Section.
P.L. 2000, ch. 280, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.3 - The Diesel Emissions Reduction ActSection 31-47.3-1.1. - Purpose.

§ 31-47.3-1.1. Purpose.
This act shall be known and may be cited as “An Act Concerning Government Responsibility To Protect Public Health From Diesel Pollution.” The general purposes of this act are to:
(1)
Minimize human exposure to and health risks from diesel pollution;
(2)
Reduce health costs, missed school days, lost worker productivity and premature mortality linked to exposure to the diesel particulate matter (PM) and other diesel pollutants;
(3)
Achieve maximum feasible diesel particulate matter emissions reductions and diminished human exposure that is additional to the impact of federal diesel emission rules, which focus mostly on new engines;

(4)
Advance the state’s climate protection goals and climate action plan by reducing the amount of black carbon pollution emitted by diesels; and
(5)
Achieve health benefits for Rhode Island by ensuring state contracting and leasing takes advantage of retrofits that are occurring in the marketplace.
History of Section.
P.L. 2010, ch. 171, § 1; P.L. 2010, ch. 184, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.3 - The Diesel Emissions Reduction ActSection 31-47.3-1. - Legislative findings.

§ 31-47.3-1. Legislative findings.
(a)
Diesel emissions, due in large part to their high concentrations of particulate matter, are associated with severe and multiple health risks to the citizens of Rhode Island, including increased risks of cancer, decreased lung function, aggravated asthma, heart attacks and premature death. Reducing diesel pollution will also help advance the state’s climate protection goals and climate action plan by reducing black carbon pollution.
(b)
Diesel exhaust also contains nitrogen oxides, which contribute to the formation of ground-level ozone, or smog. Rhode Island continues to be classified as a “serious-nonattainment area” for ozone.
(c)
Reducing diesel pollution may help to stem the tide of the asthma epidemic in Rhode Island where more than one in ten (10) citizens have asthma. Rhode Island ranks eighth (8th) in the U.S. for the worst asthma rates overall, and has the fifth (5th) highest rate for children. Rhode Islanders pay about forty-one million dollars ($41,000,000) per year in asthma-associated health costs. Asthma is the most common chronic disease in children and responsible for the most school absences in Rhode Island.
(d)
The EPA, recognizing the harmful effects of diesel emissions, issued new fuel and engine emission standards that will reduce particulate matter emissions from engines model year 2007 and newer ninety percent (90%) below previous levels.
(e)
The same technology that reduces emissions by up to ninety percent (90%) for new engines can be retrofitted onto existing engines, which will continue to operate for years.
(f)
As a first step in tackling the diesel pollution problem in Rhode Island, school buses should be given high priority.
History of Section.
P.L. 2007, ch. 177, § 1; P.L. 2007, ch. 219, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.3 - The Diesel Emissions Reduction ActSection 31-47.3-2. - Definitions.

§ 31-47.3-2. Definitions.
When used in this chapter:
(1)
“Best available retrofit technology” means technology, verified by the United States Environmental Protection Agency or California Air Resources Board (CARB) for achieving reductions in particulate matter emissions at the highest classification level for diesel emission control strategies that is applicable to the particular engine and application. Such technology shall not result in a net increase in nitrogen oxides.
(2)
“Closed crankcase ventilation system (CCV)” means a system that separates oil and other contaminant from the blow-by gases and routes the blow-by gases into a diesel engine’s intake system downstream of air filter.
(3)
“CMAQ” means the federal congestion mitigation and air quality improvement program, reauthorized by congress in 2005 by Sections 1101, 1103 and 1808 of the safe, accountable, flexible, efficient transportation equity act: a legacy for users (SAFETEA-LU) (Pub.L. 109-59, Aug. 10, 2005). SAFETEA-LU requires states and metropolitan planning organizations to give priority in distributing CMAQ funds for diesel engine retrofit projects, as well as other cost-effective emission reduction and congestion mitigation activities that benefit air quality.
(4)
“Contractor” means any person contracting directly or indirectly with the state to provide labor, services, materials and/or equipment for the performance of a public works contract. Contractor includes a prime contractor, subcontractor, and any contractor(s) hired by such subcontractor.
(5)

“DEM” means the Rhode Island department of environmental management.
(6)
“DERA” means the federal diesel emission reduction act, enacted by congress as sections 791 through 797 of the energy policy Act of 2005 (Pub. L. 109-58, Aug. 8, 2005).
(7)
“Director” refers to the director of the department of environmental management (DEM).
(8)
“DOT” means the Rhode Island department of transportation.
(9)
“Equipment list” means a list of all equipment owned, rented, or leased to be used on site.
(10)
“Fleet owner” means a person, business or the state that owns ten (10) or more heavy duty vehicles operating in Rhode Island. Included in the total are related businesses owned and operated by a person, business or state.
(11)
“Full-sized school bus” means a school bus, as defined in Rhode Island general law § 31-1-3, which is a type 1 diesel school bus, including spare buses operated by or under contract to a school district, but not including emergency contingency vehicles or low usage vehicles.
(12)
“Heavy duty vehicle” or “vehicle” means any on-road or nonroad vehicle powered by diesel fuel and having a gross vehicle weight of greater than fourteen thousand (14,000) pounds, or in the case of a nonroad vehicle, powered by diesel fuel and an engine with a rating of at least seventy-five (75) horsepower, including, but not limited to, non-stationary generators.
(13)
“Inventory list” means a list of all equipment owned, rented, or leased by a contractor.
(14)
“Level 1 control” means a verified diesel emission control device that achieves a particulate matter (PM) reduction of twenty-five percent (25%) or more compared to uncontrolled engine emissions levels.
(15)
“Level 2 control” means a verified diesel emission control device that achieves a particulate matter (PM) emission reduction of fifty percent (50%) or more compared to uncontrolled engine emission levels.
(16)
“Level 3 control” means a verified diesel emission control device that achieves a particulate matter (PM) emission reduction of eighty-five percent (85%) or more compared to uncontrolled engine emission levels, or that reduces emissions to less than or equal to one one-hundredth (0.01) grams of (PM) per brake horsepower-hour. Level 3 control includes repowering or replacing the existing diesel engine with an engine meeting US EPA’s 2007 Heavy-duty Highway Diesel Standards, published in the federal register at 66 Fed. Reg. 5001 (January 18, 2001), or in the case of a nonroad engine, an engine meeting the US EPA’s Tier 4 Nonroad Diesel Standards, published in the federal register at 69 Fed. Reg. 38957 (June 19, 2004).
(17)
“Model year 2007 emission standards” means engine standards promulgated by the federal Environmental Protection Agency in 40 CFR Parts 69, 80 and 86.
(18)
“Public works contract” means a contract with a state agency for a construction program or project involving the construction, demolition, restoration, rehabilitation, repair, renovation, or abatement of any building, structure, tunnel, excavation, roadway, park or bridge; a contract with a state agency regarding the preparation for any construction program or project involving the construction, demolition, restoration, rehabilitation, repair, renovation, or abatement of any building, structure, tunnel, excavation, roadway, park or bridge; or a contract with a state agency for any final work involved in the completion of any construction program or project involving the construction, demolition, restoration, rehabilitation, repair, renovation, or abatement of any building, structure, tunnel, excavation, roadway, park or bridge.
(19)
“State agency” means each state board, commission, department, or officer, other than quasi-public corporations, the legislature or the courts, authorized by law to make rules or to determine contested cases.
(20)
The “state” shall mean state agencies or when related to “contractors” in this statute, the “state” shall mean the procuring agency or procuring agent.
(21)
“Ultra low sulfur diesel fuel” means diesel fuel having sulfur content of fifteen parts per million (15ppm) of sulfur or less, as defined by the U.S. Environmental Protection Agency at 40 CFR section 80.520.
(22)
“Verified emissions control device” means a device that has been verified by the federal Environmental Protection Agency or the California Air Resources Board to reduce particulate matter emissions by a given amount.

History of Section.
P.L. 2007, ch. 177, § 1; P.L. 2007, ch. 219, § 1; P.L. 2010, ch. 171, § 2; P.L. 2010, ch. 184, § 2; P.L. 2010, ch. 239, § 32.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.3 - The Diesel Emissions Reduction ActSection 31-47.3-3. - Reducing emissions from school buses.

§ 31-47.3-3. Reducing emissions from school buses.
(a) Purpose.
To reduce health risks from diesel particulate matter (DPM) to Rhode Island school children by significantly reducing tailpipe emissions from school buses, and preventing engine emissions from entering the passenger cabin of the buses.
(b)
Requirements for Rhode Island school buses:
(1)
By September 1, 2010, no full-size school bus with an engine model year 1993 or older may be used to transport school children in Rhode Island; and,
(2)
By September 1, 2010 any new bus added to current bus fleets or after September 1, 2010 whenever a new contract is entered into by a city, town, school district or the state all busses included in that contract shall be equipped with a closed crankcase ventilation system and either: (i) Shall be equipped with a Level 1, Level 2, or Level 3 device verified by the US Environmental Protection Agency or the California Air Resources Board; or (ii) Shall be equipped with an engine of model year 2007 or newer; or (iii) Shall achieve the same or higher diesel PM reductions through the use of alternative fuel such as compressed natural gas verified by CARB/EPA to reduce DPM emissions at a level equivalent to or higher than subparagraph (b)(2)(ii) above; and,
(3)
Providing there is sufficient federal or state monies, by September 1, 2012, all full-sized school buses transporting children in Rhode Island must be retrofitted with a closed crankcase ventilation system and either: (i) be equipped with a level 1, level 2, or level 3 device verified by the US Environmental Protection Agency or the California Air Resources Board; or (ii) be equipped with an engine of model year 2007 or newer; or (iii) achieve the same or higher diesel PM reductions through the use of an alternative fuel such as compressed natural gas verified by CARB/EPA to reduce DPM emissions at a level equivalent to or higher than subparagraph (b)(3)(ii) above.
(c)
Financial assistance to defray costs of pollution reductions called for in (b)(2):
(1)
The director shall work with the Rhode Island department of transportation or other authorized agencies to maximize the allocation of federal grants and loan monies provided for Rhode Island pursuant to the congestion mitigation and air quality improvement program (CMAQ) for diesel emissions reductions in federal FY 2008 and thereafter until the retrofit goals in this act are met.
(2)
Drawing upon any available federal or state monies, the director shall establish and implement a system of providing reimbursements consistent with this section to municipalities, vendors, or school bus owners for the purchase and installation of any CARB/EPA-verified emission control retrofit device together with the purchase and installation of closed crankcase ventilation system (CCV) retrofit device. To the extent practicable, in kind services will also be utilized to offset some of the costs. Incentive recipients must also certify that newly purchased or retrofitted buses with a level 3 technology will operate in the state of Rhode Island for a minimum of four (4) years unless the bus fleet owner’s contract with the school district or state has expired.
(d)
Priority community provision:
(1)
When federal funds or funds from state or other sources become available, for use under subsection (c), these shall be allocated by the director, to the extent practicable, as follows: (i) First, for control of emissions from school buses operating primarily in urban core or urban ring cities. Buses operating primarily in urban core or urban ring cities must be retrofitted to the best available standard as defined in paragraph (d)(3); (ii) Next, for control of emissions from buses not operating primarily in urban core or urban ring cities. (iii) Lastly, for buses operating primarily in urban core or urban ring cities already retrofitted with a level 1, level 2, or level 3 and/or crankcase ventilator device but that do not meet the best available standard as defined in paragraph (d)(3). Buses already meeting the best available standard as defined in paragraph (d)(3) will not be considered for this retrofitting program and municipalities, vendors, or school bus owners owning equipment retrofitted either prior to the implementation of this retrofit program or through another retrofit program with a level 1, level 2, level 3 and/or crankcase ventilator device will not be reimbursed as outlined in paragraph (c)(2).
(2)
Fleet owners currently holding contracts with Rhode Island school districts, and Rhode Island school districts owning their own fleets must comply with the retrofitted prioritization scheme as determined by the director and work with DEM to ensure that (i) By September 1, 2012 all buses are retrofit as outlined in paragraph (b)(3); and (ii) By September 1, 2010 no new bus may be added to their current fleets unless they meet standards outlined in paragraph (b)(2).

(3)
The “best available” standard is attained by all new buses (engine MY2007 and newer); by diesel buses engine model year 2003 to 2006, inclusive, that have been retrofitted with level 3-verified diesel particulate filters and closed crankcase ventilation systems; provided, however, that if DEM finds that the cost of a level 3 verified diesel particulate filter is not reasonable or otherwise not appropriate for use on a particular engine, the standard shall be at least a level 1 verified diesel emission control device and closed crankcase ventilation system; by diesel buses engine model year 1994 to 2002, inclusive, that has been retrofitted with at least level 1 verified diesel emission control devices and closed crankcase ventilation systems; and by natural gas buses that achieve the same or better emissions standards as a 2007 engine model year diesel bus.
(4)
“Urban core cities” means Central Falls, Newport, Providence, Pawtucket, and Woonsocket
(5)
“Urban ring cities” means North Providence, East Providence, West Warwick, Cranston, and Warwick.
(e)
To achieve the pressing public health and environmental goals of this act, DEM shall identify opportunities to achieve maximize PM reductions from diesel powered heavy duty vehicle or equipment that is owned by, operated by, or on behalf of, or leased by, or operating under a contract to a state agency or state or regional public authority (except vehicles that are specifically equipped for emergency response) and diesel powered waste collection and recycling vehicles that are owned, leased, or contracted to perform the removal or transfer or municipal, commercial or residential waste, or recycling services. No later than January 1, 2008, DEM shall present a report to the general assembly, governor, house committee on environment and natural resources, and the senate committee on environment and agriculture on such opportunities to maximum PM reductions from the aforementioned fleets including legislative changes, regulatory changes, funding sources, contract requirements, procurement requirements, and other mechanisms that will bring about maximum PM reductions from these two priority fleets. This report shall explore funding sources beyond CMAQ, including but not limited to Diesel Reductions Emissions Reduction Act (DERA) funds under the Federal Energy Act.
(f) Severability.
If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid and after exhaustion of all further judicial review, the judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this act directly involved in the controversy in which the judgment shall have been rendered.
History of Section.
P.L. 2007, ch. 177, § 1; P.L. 2007, ch. 219, § 1; P.L. 2008, ch. 475, § 7; P.L. 2010, ch. 171, § 2; P.L. 2010, ch. 184, § 2; P.L. 2010, ch. 239, § 32.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.3 - The Diesel Emissions Reduction ActSection 31-47.3-4. - Emission reduction strategies in new public works contracts.

§ 31-47.3-4. Emission reduction strategies in new public works contracts.
Effective upon passage of this legislation, any solicitation for a public works contract with the state, and any contract entered into as a result of such solicitation, shall include provisions requiring all heavy duty vehicles used in the performance of such contract to adhere to the following requirements:
(1)
Contractors shall establish staging zones, provided that such space is available at no extra cost, for diesel vehicles away from the general public or sensitive receptors, including, but not limited to, hospitals, schools, and residential neighborhoods, to minimize the impact of emissions from idling vehicles.
(2)
Idling of diesel engines shall be limited to no more than five (5) minutes, except in cases where the engine must idle to perform normal operations, as with a cement truck.
(3)
Onroad and nonroad heavy-duty diesel vehicles, including generators, shall use only ultra-low sulfur diesel fuel.
History of Section.
P.L. 2010, ch. 171, § 1; P.L. 2010, ch. 184, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.3 - The Diesel Emissions Reduction ActSection 31-47.3-5.1. - Establishment of the Rhode Island clean diesel fund.

§ 31-47.3-5.1. Establishment of the Rhode Island clean diesel fund.
(a)
There is hereby authorized and created within the Rhode Island department of environmental management (DEM) a Rhode Island clean diesel fund for the purpose of reducing emissions from heavy-duty diesel engines operating on state roads and helping companies improve supply chain efficiency as described in the United States Environmental Protection Agency’s SmartWay Program. The clean diesel fund will solicit projects that undertake eligible clean diesel measures and award grants from the fund to

reimburse applicants for undertaking these measures.
(b)
DEM shall promulgate rules and regulations pursuant to chapter 35 of title 42 containing a list of eligible clean diesel measures that shall include, but not be limited to, the following:
(1)
Aerodynamic technologies;
(2)
Clean alternative fuel conversions;
(3)
Diesel emission reduction solutions;
(4)
Engine repowers;
(5)
Idle reduction technologies;
(6)
Low-rolling resistance tires;
(7)
Vehicle replacements;
(8)
Replacement or upgrades of transport refrigeration units or transport refrigeration unit generator sets; and
(9)
Routine maintenance shown to improve fuel efficiency or decrease emissions including, but not limited to, oil changes and cleaning of diesel particulate filters.
(c)
Equipment eligible for grant funding must:
(1)
Be intended for on-road use;
(2)
Be registered with the Rhode Island division of motor vehicles;
(3)
Be kept or garaged in Rhode Island as indicated on the vehicle registration issued by the division of motor vehicles;
(4)
Have been certified to DEM that fifty percent (50%) or more of vehicle miles traveled, or hours of operation, shall be projected to be in Rhode Island for at least five (5) years following the grant award; and
(5)
Meet any other criteria established in DEM rules and regulations promulgated by DEM pursuant to chapter 35 of title 42.
(d) Administrative costs.
The cost of administration and outreach by DEM shall not in any year exceed two hundred thousand dollars ($200,000), or ten percent (10%), of the fund appropriation, whichever is greater.
(e) Project priority list.
DEM shall promulgate rules and regulations pursuant to chapter 35 of title 42 that contain a project priority list for the Rhode Island clean diesel fund and the process through which an eligible applicant may submit an application for inclusion of a project on the project priority list. Upon issuance of the project priority list by DEM, the project priority list shall be used by DEM to determine the order in which grants shall be awarded.
(f) Awarding of grants.
DEM shall only award grant funds after verifying that the eligible measures outlined in the application have been implemented successfully by the applicant. If the final invoice price of an eligible measure is less than the initial quoted price, the grant award shall be reduced accordingly. Grants shall not be awarded to aid in compliance with existing mandates in state or federal law.
(g) Grant amounts.
For each eligible measure implemented by the applicant, DEM shall only issue grants for up to fifty percent (50%) of the total project cost. DEM shall promulgate rules and regulations pursuant to chapter 35 of title 42 that set the exact reimbursement amount for each eligible measure. The total project cost shall include both the material and labor needed to implement each eligible measure. No one applicant shall be awarded more than twenty-five percent (25%) of the grant funds appropriated during a given fiscal year, provided that the total grants requested exceed the amount appropriated. If the total amount of grants requested is less than the amount appropriated in a given fiscal year, DEM may allocate more than twenty-five percent (25%) of the fund to one applicant.
(h) Vehicle replacements.
For projects that propose to replace vehicles, the following conditions shall be met:
(1)

The applicant shall replace an older vehicle with a newer vehicle certified to more stringent emissions standards than the engine or vehicle being replaced;
(2)
The vehicle being replaced is a model year at least ten (10) years old;
(3)
The vehicle being replaced has a gross vehicle weight rating of thirty-three thousand one pounds (33,001 lbs.) or greater;
(4)
The replacement vehicle purchased by the applicant is a model year no more than three (3) years old;
(5)
The replacement vehicle has a gross vehicle weight rating of thirty-three thousand one pounds (33,001 lbs.) or greater;
(6)
The replacement vehicle must be operable with remaining useful life as defined in rules and regulations promulgated by DEM pursuant to chapter 35 of title 42;
(7)
The engine of the vehicle being replaced must be scrapped or otherwise rendered inoperable in a manner consistent with rules and regulations promulgated by DEM pursuant to chapter 35 of title 42;
(8)
The amount of funding requested must contain the sale price of the vehicle, not including any interest or other finance charges; and
(9)
A vehicle purchased on a lease must be operated for the life of the project, with the life of the project being included in the application approved by DEM.
(i) Transport refrigeration unit replacement.
For projects that propose to replace or upgrade transport refrigeration units or transport refrigeration unit generator sets, the following conditions shall be met:
(1)
The transport refrigeration unit or transport refrigeration unit generator set being replaced or upgraded is powered by a diesel engine;
(2)
The transport refrigeration unit or transport refrigeration unit generator set being replaced or upgraded is being used on a vehicle with a gross vehicle weight rating of thirty-three thousand one pounds (33,001 lbs.) or greater;
(3)
The replacement or upgraded transport refrigeration unit or transport refrigeration unit generator set produces fewer emissions than the equipment being replaced or upgraded; and
(4)
The replacement or upgraded transport refrigeration unit or transport refrigeration unit generator set meets emission criteria established by DEM in rules and regulations promulgated by DEM pursuant to chapter 35 of title 42.
(j) Reporting.
Projects receiving grant funding from DEM shall be subject to any reporting and data collection requirement specified in DEM rules and regulations promulgated by DEM pursuant to chapter 35 of title 42.
(k) Penalties.
Applicants awarded funds under this program may be penalized for breaching the terms of their grant award or for other project non-performance through the:
(1)
Cancellation of the grant award;
(2)
Recovery of all, or a portion of, the grant award;
(3)
Other fiscal penalties on an applicant based on the severity of non-performance and as specified in rules and regulations promulgated by DEM pursuant to chapter 35 of title 42; or
(4)
Prohibiting an applicant or a specific vehicle from participating in the program in the future.
(
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) Appropriation.
The general assembly shall annually appropriate such funds as it deems appropriate for this program.
History of Section.
P.L. 2016, ch. 132, § 1; P.L. 2016, ch. 139, § 1; P.L. 2016, ch. 142, art. 16, § 1.

ActSection 31-47.3-5. - Use of emission control technology in new public works contracts.

§ 31-47.3-5. Use of emission control technology in new public works contracts.

(a)

Effective upon passage of this legislation, the department of transportation (DOT) shall implement contract requirements specified in subsection (b) on at least one project to be out to bid no later than September 30, 2010. Performance of the project, if deemed practicable by the director of DOT, must be started no later than six (6) months after the project bid has been awarded. DOT shall provide a summary report of the results of the project, implementation of these provisions and any recommendations to the governor and the general assembly no later than sixty (60) days after project completion. In selecting the project, the DOT shall prioritize otherwise eligible projects that:

(1)

Each have a total individual budget of no less than six million dollars ($6,000,000);

(2)

Serve areas in Rhode Island:

(i)

With highest population density; and/or

(ii)

Exposed to a disproportionate amount of air pollution from diesel fleets.

(b)

Beginning January 1, 2013, any solicitation for a public works contract or contracts with the state funded in whole or in part by federal monies and having a total project cost of at least five million dollars ($5,000,000), and any contract entered into as a result of such solicitation, shall include provisions requiring all heavy duty vehicles used in the performance of such contract to adhere to the following requirements:

(1)

Subject to the provisions of subdivisions (2) through (4), onroad and nonroad heavy-duty diesel vehicles, including generators, shall be powered by engines with properly operating and maintained Level 3 controls. Provided, however, that if the department of environmental management (DEM) finds that no Level 3 verified emission control devices have been verified and are otherwise appropriate for use on particular engines, Level 2 verified devices shall be required; if neither Level 3 nor Level 2 devices have been verified and are otherwise appropriate for use on particular engines, Level 1 verified devices shall be required; and

(2)

emission control technology requirements of subdivision (1) shall not apply to:

(i)

Vehicles and equipment dedicated for snow removal;

(ii)

Farm equipment;

(iii)

Vehicles that are specially equipped and used for emergency response and vehicles that are used during a declared state of emergency and for the life of the project associated with the state of emergency;

(iv)

Vehicles that are used to deliver equipment or material to and from the project site;

(v)

Standby generators; and

(vi)

Vehicles used on the project for less than thirty (30) total work days over the life of the project; and

(3)

Unregulated, or pre-Tier 1 diesel engines are exempt from the requirements in subdivision (1). No later than December 1, 2011, DEM shall initiate a stakeholder process to determine how to reduce particulate emissions from unregulated, or pre-Tier 1 diesel engines, and how to create a statewide inventory of heavy duty diesel vehicles and how this inventory is published. The stakeholder process shall include representatives from industries that utilize pre-Tier 1 diesel engines. DEM shall report findings and recommendations from the stakeholder process to the governor and the general assembly no later than July 1, 2012; and

(4)

Emission controls shall be required only to the extent of available reimbursement from project funds covering the equipment purchase and installation labor costs of the controls, provided that at least one percent (1%) of the total of each project budget shall be dedicated for such reimbursement.

(i)

Funds shall be generally allocated to pay for the most cost-effective emission controls in terms of particulate pollution reduction per dollar spent.

(ii)

Dedicated funds, subject to this subdivision (4), remaining after all eligible vehicles and equipment have been retrofit and reimbursement to contractors has been rendered subject to the provisions of this statute, may be considered part of the overall

project budget as determined by the state.
(c) Implementation.
The requirements of subsections (a) and (b) shall be implemented as specified by the state, and shall include the following:
(1)
A blind bidding process;
(2)
When project bids are awarded, the state shall notify the contractor in writing of the total budget for retrofits according to the provisions of subdivision (b)(4);
(3)
Contractors must select vehicles and equipment to be retrofitted according to the requirements of subsection (b) within the budget specified by the state. Contractors shall give priority to retrofitting vehicles and equipment that:
(i)
Will likely spend the most time operating on the project;
(ii)
Will disproportionately expose the surrounding community and sensitive receptors including, but not limited to, hospitals, schools and residential neighborhoods to diesel pollution; and
(iii)
Are most cost-effective in terms of emission controls for particulate pollution reduction per dollar spent.
(4)
Construction shall not proceed until the contractor submits an equipment list of all heavy-duty vehicles to be used on site, in the format specified by the department of environmental management, including the following:
(i)
Contractor and subcontractor names and addresses, plus contact person responsible for the vehicles and or equipment; and
(ii)
Documentation, including the technology type, EPA/CARB verification number/control Level, manufacturer, make, model, serial number of the retrofit device; the date the retrofit was installed; or in the case of a delayed shipment for retrofit parts and/or equipment, proof of purchase and the expected ship date from the manufacturer, for the retrofitted vehicles to be used on the project; and
(5)
Equipment, as further defined in subdivisions (c)(3) and (4), not meeting the requirements of this section shall not be used on the project site; provided, however, that:
(i)
If the contractor can provide documentation demonstrating that a retrofit was ordered for noncompliant equipment, but not arrived yet, and that the failure to retrofit in a timely manner was caused by circumstances beyond the contractor's control, the noncompliant equipment may begin work on the project and operate on site for a maximum thirty (30) total work days or for additional time if authorized by the procuring agency.
(ii)
If the contractor subsequently needs to bring on site equipment not on the equipment list specified in subdivision (4), the contractor shall submit written notification within forty-eight (48) hours to the procuring agency and the additional equipment shall be used on the project site for no more than thirty (30) total work days or for additional time if authorized by the procuring agency; provided that noncompliant equipment shall not be authorized for use more than three times during the life of the project.
(d) Reporting.
(1)
The contractor shall submit monthly summary reports to the project manager, updating the equipment list, including diesel fuel use for the reporting time period for all equipment used in the performance of the contract. The addition or deletion of any equipment shall be included in the summary and noted in the monthly report.
(2)
By December 1, 2013, and December 1 of each subsequent year through 2015, the state shall submit contractors' monthly summary reports, along with all inventory lists and equipment lists to DEM in the form requested.
(3)
By February 1, 2013, and February 1 of each subsequent year through 2015, DEM shall create and submit a summary report to the legislature. The report will be made accessible to the public by posting on the DEM website.
(4)
The report submitted by February 1, 2013 shall include:
(i)
A description of the state's implementation of the new contract requirements;
(ii)
An estimate of the resulting diesel emission reductions;
(iii)

An estimate of the total population of heavy-duty diesel vehicles and equipment in the state;
(iv)
An estimate of the total population of retrofitted heavy-duty diesel vehicles and equipment in the state;
(v)
A description of other appropriate measures of progress;
(vi)
A description of problems encountered and opportunities for additional reductions in diesel emissions; and
(vii)
Recommendations for any statutory changes including but not limited to:
(A)
The appropriate emissions control technology for specific vehicle groups;
(B)
The types of projects that shall require emissions controls;
(C)
The appropriate funding mechanism for continued implementation of the program;
(D)
The reporting requirements necessary to track and number heavy duty vehicles in use, and the number of retrofits that are achieved under the program, and
(E)
The appropriate enforcing agent for the program.
(5)
DEM shall provide written notice and opportunity for a public meeting and comment on the draft of the report due February 1, 2013.
(e)
DEM, DOT and other state agencies may promulgate regulations regarding the solicitation, bidding and awarding of public works projects as defined in subdivisions 31-47.3-5(b)(1), (b)(2), (c)(4), and (d)(1) and regarding enforcement as defined in § 31-47.3-6, provided that the scope of the rulemaking authority granted hereunder shall be narrowly construed. No rule promulgated hereunder shall expand the scope of or impose more stringent limitations than those expressly set forth in this act.
(f) Funding.
(1)
All costs associated with the purchase and installation by a contractor of the emission control technologies for a specific project in order to comply with the contract provisions required by subsections (a) and (b) shall be fully reimbursed from project funds within sixty (60) days of the technology installation; provided that the compliant control technology is installed within thirty (30) work days after the applicable vehicle is brought onto the project site unless it meets the requirements provided in subdivision (c)(5).
(2)
Retrofits installed with funds from the project shall remain on the heavy-duty diesel vehicle for the useful life of the emission control device or the vehicle or in the event the vehicle is sold out-of-state the retrofit technology may be removed at the contractor’s expense and used on a piece of equipment that performs work within Rhode Island no later than one year from the date it was removed from the original equipment.
(g) Public education.
Any project that is subject to public hearing requirements shall include at a minimum an overview of the diesel abatement strategies for the project as part of the public hearing presentation.
History of Section.
P.L. 2010, ch. 171, § 1; P.L. 2010, ch. 184, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.3 - The Diesel Emissions Reduction ActSection 31-47.3-6. - Enforcement.

§ 31-47.3-6. Enforcement.
(a) Enforcement.
The state shall include enforcement provisions in each contract subject to the provisions of § 31-47.3-4 and 31-47.3-5, which shall include, authorization for the state to conduct random inspections of contractor’s equipment and records to ensure compliance provided that for the purpose of inspecting heavy duty vehicles and their records to determine compliance with these regulations, an agent or employee of DEM, upon presentation of proper credentials, shall have the right to enter any project location (with necessary safety clearances) where the designated vehicles are located or kept.
(b)
After January 1, 2013 any person who fails to submit any information, report, or statement required by this regulation, or who knowingly submits any false statement or representation in any application, report, statement, or other document filed, maintained or used for the purposes of compliance with this regulation may be subject to administrative penalties. Administrative penalties shall be assessed by the department of environmental management in accordance with section 42-17.6. In assessing penalties, DEM will consider factors, including, but not limited to, the willfulness of the violation, the length of time of noncompliance, whether the fleet

made an attempt to comply, and the magnitude of noncompliance.
History of Section.
P.L. 2010, ch. 171, § 1; P.L. 2010, ch. 184, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.3 - The Diesel Emissions Reduction ActSection 31-47.3-7. - Severability.

§ 31-47.3-7. Severability.
If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid and after exhaustion of all further judicial review, the judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this act directly involved in the controversy in which the judgment shall have been rendered.
History of Section.
P.L. 2010, ch. 171, § 1; P.L. 2010, ch. 184, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.4 - Uninsured Motorist Identification Database ProcedureSection 31-47.4-1. - Definitions.

§ 31-47.4-1. Definitions.
As used in this chapter:
(1)
“Account” means the uninsured motorist identification restricted account created in § 31-47.4-2.
(2)
“Database” means the uninsured motorist identification database created in § 31-47.4-2.
(3)
“Designated agent” means the third party the division of motor vehicles contracts with under § 31-47.4-2.
(4)
“Division” means the division of motor vehicles.
(5)
“Program” means the uninsured motorist identification database program created in § 31-47.4-2.
History of Section.
P.L. 2013, ch. 316, § 1; P.L. 2013, ch. 372, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.4 - Uninsured Motorist Identification Database ProcedureSection 31-47.4-10. - Use of information.

§ 31-47.4-10. Use of information.
Information provided to the designated agent by the division or any insurance company shall not be further disclosed or disseminated by the designated agent without the express written consent of the division and the insurance company. The designated agent shall enter contractual relationships with insurers to further protect the confidentiality and security of information under this section.
History of Section.
P.L. 2013, ch. 316, § 1; P.L. 2013, ch. 372, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.4 - Uninsured Motorist Identification Database ProcedureSection 31-47.4-2. - Program creation — Administration — Selection of designated agent — Duties — Rulemaking — Audits.

§ 31-47.4-2. Program creation — Administration — Selection of designated agent — Duties — Rulemaking — Audits.
(a)
There is hereby created the uninsured motorist identification database program to:
(1)
Establish an uninsured motorist identification database to verify compliance with motor vehicle owner’s or operator’s security requirements under chapter 47 of title 31 and other provisions under this chapter; and
(2)
Assist in reducing the number of uninsured motor vehicles on the highways of the state.
(b)
The program shall be administered by the division of motor vehicles with the assistance of the designated agent.
(c)
The program will be funded by a percentage of the reinstatement fees collected pursuant to this chapter. The percentage of the reinstatement fee that will be provided to the designated agent will be determined by the division of motor vehicles. These fees will be maintained in the uninsured motorist identification restricted account.

(d)(1)
The division of motor vehicles shall contract with a third party to establish and maintain an uninsured motorist identification database for the purposes established under this chapter.
(2)
The contract may not obligate the department to pay the third party more money than is available in the account.
(e)(1)
The third party under contract under this section is the department's designated agent, and shall develop and maintain a computer database from the information provided by:
(i)
Automobile liability insurers under § 31-47.4-3; and
(ii)
The division of motor vehicles.
(2)
The database shall be developed and maintained by the designated agent in accordance with guidelines established by the division of motor vehicles so that state and local law enforcement agencies can efficiently access the records of the database, including reports useful for the implementation of the provisions of this chapter.
(i)
The reports provided by the designated agent shall be in a form and contain information approved by the division of motor vehicles.
(ii)
The reports may be made available through the internet or through other electronic medium, if the division of motor vehicles determines that sufficient security is provided to ensure compliance regarding limitations on disclosure of information in the database.
(f)
With information provided by the division of motor vehicles, the designated agent shall, on a weekly basis, for submissions under § 31-47.4-3:
(1)
Update the database with the motor vehicle insurance information provided by the insurers in accordance with § 31-47.4-3; and
(2)
Compare all current motor vehicle registrations against the database.
(g)
The division shall provide the designated agent with the name, date of birth, address, and driver license number, if available, of all persons having active registrations. The division shall also provide the make, year, and vehicle identification number for all active registrations.
(h)
In accordance with chapter 35 of title 42, "the administrative procedures act," the division of motor vehicles shall make rules and develop procedures to use the database for the purpose of administering and enforcing this chapter.
(1)
The designated agent shall archive computer data files at least semi-annually for auditing purposes.
(2)
The internal audit unit of the department of administration shall audit the program at least every three (3) years.
(3)
The audit under subsection (h)(2) shall include verification of:
(i)
Billings made by the designated agent; and
(ii)
The accuracy of the designated agent's matching of vehicle registration with insurance data.
History of Section.
P.L. 2013, ch. 316, § 1; P.L. 2013, ch. 372, § 1; P.L. 2018, ch. 160, § 1; P.L. 2018, ch. 245, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.4 - Uninsured Motorist Identification Database ProcedureSection 31-47.4-3. - Motor vehicle insurance reporting — Penalty.

§ 31-47.4-3. Motor vehicle insurance reporting — Penalty.
(a)
Each insurer that issues a policy that includes motor vehicle liability coverage, uninsured motorist coverage, underinsured motorist coverage, or personal injury coverage under this section shall provide weekly to the division of motor vehicles designated agent selected in accordance with the uninsured motorist identification database program, a record of each motor vehicle insurance policy in effect for vehicles registered or garaged in Rhode Island as of the date of the previous submission that was issued by the insurer.
(b)
This subsection does not preclude more frequent reporting by an insurer on a voluntary basis.

(c)(1)
A record provided by an insurer under subsection (a) shall include:
(i)
The make, year, and vehicle identification number of each insured vehicle; and
(ii)
The policy number, effective date, and expiration date of each policy.
(iii)
The name, date of birth, and if available, driver's license number of each insured owner or operator, and the address of the named insured; and
(d)
Each insurer shall provide this information by an electronic means or by another form the division of motor vehicles designated agent agrees to accept.
(e)(1)
The division of motor vehicles may, following procedures adopted pursuant to chapter 35 of title 42, "the administrative procedures act," assess a fine against an insurer of up to two hundred fifty dollars ($250) for each day the insurer fails to comply with this section.
(2)
The division of motor vehicles shall excuse the fine if an insurer shows that the failure to comply with this section was:
(i)
Inadvertent;
(ii)
Accidental; or
(iii)
The result of excusable neglect.
History of Section.
P.L. 2013, ch. 316, § 1; P.L. 2013, ch. 372, § 1; P.L. 2018, ch. 160, § 1; P.L. 2018, ch. 245, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.4 - Uninsured Motorist Identification Database ProcedureSection 31-47.4-4. - Notice — Proof — Revocation of registration — False statement — Penalties.

§ 31-47.4-4. Notice — Proof — Revocation of registration — False statement — Penalties.
(a)
If the comparison under § 31-47.4-2 shows that a motor vehicle is not insured for four (4) consecutive reporting periods as set forth in § 31-47.4-3(a), the division of motor vehicles shall direct that the designated agent provide notice to the owner of the motor vehicle that the owner has fifteen (15) days to provide to the designated agent:
(1)
Proof of owner's or operator's security; or
(2)
Proof of exemption from the owner's or operator's security requirements.
(b)
If an owner of a motor vehicle fails to provide satisfactory proof of owner's or operator's security to the designated agent, the designated agent shall:
(1)
Provide a second (2nd) notice to the owner of the motor vehicle that the owner now has fifteen (15) days to provide:
(i)
Proof of owner's or operator's security; or
(ii)
Proof of exemption from the owner's or operator's security requirements;
(c)
For each notice provided, the designated agent shall:
(i)
Indicate information relating to the owner's failure to provide proof of owner's or operator's security in the database; and
(ii)
Provide this information to the division of motor vehicles;
(d)
If the designated agent notifies the department of motor vehicles that an owner of a motor vehicle failed to provide satisfactory proof of owner's or operator's security to the designated agent, the division of motor vehicles:
(1)
Shall revoke the registration; and
(2)

Shall provide appropriate notices of the revocation, the legal consequences of operating a vehicle with revoked registration and without owner's or operator's security and instructions on how to get the registration reinstated.
(e)
A registration that has been revoked under this section shall not be reinstated and a new license or registration shall not be issued to the holder of the revoked registration until the person:
(1)
Pays to the division of motor vehicles an administrative reinstatement fee of two hundred fifty dollars ($250), the fee imposed by the section is in addition to any other fines or penalties imposed by law;
(2)
Complies with the other requirements of this act. The fee imposed by this section is in addition to any other fees or penalties imposed by law.
(f)
The department of motor vehicles may direct the designated agent to provide the notices under subsection (d)(2).
(g)
Any action by the division of motor vehicles to revoke the registration of a motor vehicle under this section may be in addition to an action by a law enforcement agency to impose the penalties.
(h)(1)
A person may not provide a false or fraudulent statement to the division of motor vehicles or designated agent.
(2)
In addition to any other penalties, a person who violates subsection (h)(1) is guilty of a misdemeanor.
(i)
This section does not affect other actions or penalties that may be taken or imposed for violation of the owner's and operator's security requirements of this title.
History of Section.
P.L. 2013, ch. 316, § 1; P.L. 2013, ch. 372, § 1; P.L. 2018, ch. 160, § 1; P.L. 2018, ch. 245, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.4 - Uninsured Motorist Identification Database ProcedureSection 31-47.4-5. - Disclosure of insurance information — Penalty.

§ 31-47.4-5. Disclosure of insurance information — Penalty.
(a)
Information in the database established under § 31-47.4-2 provided by a person to the designated agent is considered to be the property of the person providing the information.
(b)
The information may not be disclosed from the database, except as follows:
(1)
For the purpose of investigating, litigating, or enforcing the owner's or operator's security requirement, the designated agent shall verify insurance information through the state computer network for a state or local government agency or court;
(2)
For the purpose of investigating, litigating, or enforcing the owner's or operator's security requirement, the designated agent shall, upon request, issue to any state or local government agency or court a certificate documenting the insurance information, according to the database, of a specific individual or motor vehicle for the time period designated by the government agency;
(3)
Upon request, the division of motor vehicles or its designated agent shall disclose whether or not a person is an insured individual and the insurance company name to:
(i)
That individual or, if that individual is deceased, any interested person of that individual;
(ii)
The parent or legal guardian of that individual if the individual is an unemancipated minor;
(iii)
The legal guardian of that individual if the individual is legally incapacitated;
(iv)
A person who has power of attorney from the insured individual;
(v)
A person who submits a notarized release from the insured individual dated no more than ninety (90) days before the date the request is made; or
(vi)
A person suffering loss or injury in a motor vehicle accident in which the insured individual is involved, but only as part of an accident report;
(4)

For the purpose of investigating, enforcing, or prosecuting laws or issuing citations by state or local law enforcement agencies related to the:
(i)
Registration and renewal of registration of a motor vehicle;
(ii)
Purchase of a motor vehicle; and
(iii)
Owner's or operator's security requirements.
(5)
Upon request of a peace officer acting in an official capacity under the provisions of this chapter, the division of motor vehicles or the designated agent shall, upon request, disclose relevant information for investigation, enforcement, or prosecution;
(6)
For the purpose of the state auditor, the legislative auditor general, or other auditor of the state conducting audits of the program;
(7)
Upon the request of a state or local law enforcement agency for the purpose of investigating and prosecuting identity theft and other crimes.
(c)(1)
The division of motor vehicles may allow the designated agent to prepare and deliver upon request, a report on the insurance information of a person or motor vehicle in accordance with this section.
(2)
The report may be in the form of:
(i)
A certified copy that is considered admissible in any court proceeding in the same manner as the original; or
(ii)
Information accessible through the Internet or through other electronic medium if the department determines that sufficient security is provided to ensure compliance with this section.
(3)
The department may allow the designated agent to charge a fee established by the division of motor vehicles for each:
(i)
Document authenticated, including each certified copy; and
(ii)
Record accessed by the Internet or by other electronic medium.
(d)
A person who knowingly releases or discloses information from the database for a purpose other than those authorized in this section or to a person who is not entitled to it is guilty of a felony.
(e)
An insurer is not liable to any person for complying with § 31-47.4-3 by providing information to the designated agent.
(f)
Neither the state nor the division of motor vehicles' designated agent is liable to any person for gathering, managing, or using the information in the database as provided in § 31-47.4-2 and this chapter.
History of Section.
P.L. 2013, ch. 316, § 1; P.L. 2013, ch. 372, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.4 - Uninsured Motorist Identification Database ProcedureSection 31-47.4-6. - Compliance.

§ 31-47.4-6. Compliance.
Every property and casualty insurance company that is licensed to issue motor vehicle insurance policies or is authorized to do business in Rhode Island shall comply with this chapter for verification of evidence of vehicle insurance for every vehicle insured by that company in Rhode Island as required by the rules and regulations of the department.
History of Section.
P.L. 2013, ch. 316, § 1; P.L. 2013, ch. 372, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.4 - Uninsured Motorist Identification Database ProcedureSection 31-47.4-7. - Civil and administrative immunity.

§ 31-47.4-7. Civil and administrative immunity.
Insurers and the designated agent shall be immune from civil and administrative liability for good faith efforts to comply with the terms of this chapter.
History of Section.
P.L. 2013, ch. 316, § 1; P.L. 2013, ch. 372, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.4 - Uninsured Motorist Identification Database ProcedureSection 31-47.4-8. - Commercial exemption.

§ 31-47.4-8. Commercial exemption.
For the purposes of this chapter, commercial auto coverage is defined as any coverage provided to an insured, regardless of number of vehicles or entities covered, under a commercial coverage form and rated from a commercial manual approved by the commissioner of insurance. This chapter shall not apply to vehicles insured under commercial auto coverage; however, insurers of such vehicles may participate on a voluntary basis.
History of Section.
P.L. 2013, ch. 316, § 1; P.L. 2013, ch. 372, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47.4 - Uninsured Motorist Identification Database ProcedureSection 31-47.4-9. - Rental vehicle exemption.

§ 31-47.4-9. Rental vehicle exemption.
This chapter shall not apply to vehicles registered and used as rental vehicles pursuant to § 31-5-33.
History of Section.
P.L. 2013, ch. 316, § 1; P.L. 2013, ch. 372, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-1.1. - Legislative findings and intent.

§ 31-47-1.1. Legislative findings and intent.
WHEREAS, the General Assembly has conducted extensive hearings on the issue of mandatory automobile insurance and finds that:
(1)
Mandatory automobile liability insurance will not guarantee that all drivers will carry automobile liability insurance and in other states with mandatory automobile insurance nearly twenty percent (20%) to twenty-five percent (25%) of drivers do not comply with the state mandate and drive without insurance;
(2)
Because of the evidence described in subdivision (1), Rhode Island drivers will need to carry additional insurance, to protect themselves from harm by uninsured motorists;
(3)
All presently uninsured drivers who try to acquire automobile insurance will be placed in the assigned risk pool regardless of a good driving record, at an excessive rate;
(4)
The state of Rhode Island ranks the eighth (8th) highest in the country for the cost of automobile insurance litigation per capita, this high cost of legal action adds to the already high cost of automobile insurance;
(5)
No-fault insurance can reduce the cost of automobile insurance by reducing litigation and right-to-sue, but evidence also indicates that no-fault insurance can increase the cost of insurance if not properly enacted;
(6)
A proposed rate increase in the Rhode Island Auto Insurance Plan of thirty-four percent (34%) has been granted without full disclosure by insurance companies of their investments, profits, losses, administrative costs and other pertinent information to justify the rate increase;
(7)
Fraud, theft and inflated automobile repair costs are significant elements of the increased cost of automobile insurance which must be reduced;
(8)(i)
The Governor of the state has agreed to immediately institute a blue ribbon task force to investigate the causes for the high cost of automobile insurance, recommend remedies to reduce the cost of automobile insurance and prepare legislation for introduction. The scope of the task force shall include, but not be limited to, the reviewing of:
(A)
Procedures and processes concerning claims, appraisals, adjustments and auto repair charges,
(B)
Costs of litigation, including the imposition of ceiling or caps on legal fees,
(C)
Disclosure by insurance companies of all costs to do business, including those that affect premium rates,
(D)
Enforcement and restitution procedures.
(ii)

The task force shall make specific recommendations to the general assembly pertaining to the alternatives of no-fault insurance, traditional liability and so-called “choice” legislation which provides an option of no-fault or traditional liability insurance.
History of Section.
P.L. 1992, ch. 431, § 1; P.L. 2000, ch. 109, § 46.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-1.2. - Subpoena.

§ 31-47-1.2. Subpoena.
The governor shall have the right to grant subpoena powers, by executive order, to any commission or task force created to investigate the causes for the high cost of automobile insurance in Rhode Island, as referenced in § 31-47-1.1(8).
History of Section.
P.L. 1992, ch. 431, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-1. - Short title and declaration of purpose.

§ 31-47-1. Short title and declaration of purpose.
(a)
This chapter shall be known and may be cited as the “Motor Vehicle Reparation Act.”
(b)
The legislature is concerned over the rising toll of motor vehicle accidents and the suffering and loss inflicted by them. The legislature has determined that it is a matter of grave concern that motorists shall be financially able to respond in damages for their negligent acts, so that innocent victims of motor vehicle accidents may be recompensed for the injury and financial loss inflicted upon them.
History of Section.
P.L. 1991, ch. 167, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-11. - Reinstatement of suspended license or registration.

§ 31-47-11. Reinstatement of suspended license or registration.
Any order of suspension or impoundment issued under this chapter may be terminated at any time if the administrator of the division of motor vehicles determines upon a showing of proof of financial security that the operator or owner of the motor vehicle was in compliance with financial security requirements of this chapter at the time of the traffic offense or accident which resulted in the order against the person. That determination may be made without a hearing. This section does not apply unless the person shows good cause for the person’s failure to present satisfactory proof of financial responsibility to the court, traffic tribunal, or administrator of the division of motor vehicles prior to the issuance of the order.
History of Section.
P.L. 1991, ch. 167, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-12.1. - Right to choose auto body repair facility.

§ 31-47-12.1. Right to choose auto body repair facility.
Any evidence of proof of financial responsibility or security shall include the following statement therein in bold face print: “PURSUANT TO RHODE ISLAND LAW, THE CONSUMER HAS THE RIGHT TO CHOOSE THE REPAIR FACILITY TO COMPLETE REPAIRS TO A MOTOR VEHICLE. AN INSURANCE COMPANY MAY NOT INTERFERE WITH THE CONSUMER’S CHOICE OF REPAIRER.”
History of Section.
P.L. 2005, ch. 205, § 1; P.L. 2007, ch. 526, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-12. - Police officers and agents of administrator of the division of motor vehicles — Fees collected, forms of proof.

§ 31-47-12. Police officers and agents of administrator of the division of motor vehicles — Fees collected, forms of proof.
(a)
For the purpose of enforcing the provisions of this chapter, every police officer of a state, town, or municipality is deemed an agent of the administrator of the division of motor vehicles. Any police officer who, in the performance of his or her duties as authorized by law, becomes aware of a person whose license is under an order of suspension, or whose certificate of registration and registration plates are under an order of impoundment, pursuant to this section may confiscate the license, certificate of registration, and registration plates, and return them to the administrator of the division of motor vehicles. Any forms used by law enforcement agencies in administering this section shall be prescribed by the administrator of the division of motor vehicles, the cost of which

shall be borne by these agencies. No police officer, law enforcement agency employing a police officer, or political subdivision or governmental agency that employs a police officer shall be liable in a civil action for damages or loss to persons arising out of the performance of the duty required or authorized by this section. “Police officer” means the full-time police from the rank of patrol up to and including the rank of colonel or chief of any police department in any city or town within the state of Rhode Island or of the state police.

(b)

All fees, except court costs, collected under this chapter shall be paid into the state treasury and credited to the highway safety fund in a special account hereby created, to be known as the “financial responsibility compliance special account.” This special account shall be used exclusively to cover costs incurred by the division of motor vehicles in the administration of this chapter, and by any law enforcement agency employing any police officer who returns any license, certificate of registration, and registration plates to the administrator of the division of motor vehicles pursuant to this chapter.

(c)

The administrator of the division of motor vehicles, court, or traffic tribunal may require proof of financial security. A person may demonstrate proof of financial responsibility under this section by presenting to the court, traffic tribunal, or administrator of the division of motor vehicles any of the following documents or a copy of these documents:

(1)

A certificate of proof of financial responsibility;

(2)

A bond or certification of the issuance of a bond;

(3)

A certificate of deposit of money or securities; or

(4)

A certificate of self insurance.

(d)

At the time of investigation of a motor vehicle offense or accident by a police officer or when a motor vehicle is stopped by a police officer for probable cause, the police officer making the investigation or stopping the motor vehicle shall ask for evidence of proof of financial security as defined in this chapter. Proof of financial responsibility may be provided using a mobile electronic device; provided, however, that the police officer requiring the proof of financial responsibility shall be prohibited from viewing any other content on the mobile electronic device. Any person utilizing an electronic device to provide proof of insurance shall assume any and all liability for any damage sustained to the mobile electronic device. If the evidence is not provided, a citation to appear before the traffic tribunal shall be issued to the operator. However, any citation issued solely for failing to provide evidence of financial responsibility shall be held by the issuing police officer or law enforcement agency for at least one business day before submitting the citation to the traffic tribunal. Any operator who receives a citation for failing to provide valid evidence of financial responsibility shall have the opportunity to provide evidence of financial responsibility that existed at the time of the violation within the one-business-day period, at which time the issuing police officer or law enforcement agency shall withdraw the citation, and the motorist shall not be required to appear before the traffic tribunal. Notwithstanding this provision, police officers who issue a citation for lack of evidence of financial responsibility, in addition to one or more other citations, need not wait the one-business-day waiting period before submitting the citation for lack of evidence of financial responsibility to the traffic tribunal. The traffic tribunal may, by rule and regulation, prescribe the procedures for processing the citations. Motor vehicles may not be stopped solely for the purpose of checking for evidence of proof of financial security.

(e)(1)

Upon a first offense, one must provide proof of current insurance and a binder or release letter covering the cost of the accident, as long as the accident does not include bodily injury or death.

(2)

In addition, penalties do not release the motorist from any pending matter before any other appropriate court.

(f)

Any operator of a motor vehicle registered in this state who shall operate a motor vehicle without proof of financial security, as defined in this chapter, being in full force and effect on the date of the motor vehicle stop or accident, may be subject to suspension of license and fines as follows:

(1)

For a first offense, a suspension of up to thirty (30) days and may be fined one hundred dollars ($100) up to two hundred and fifty dollars ($250);

(2)

For a second offense, a suspension of up to six (6) months and may be fined five hundred dollars ($500); and

(3)

For a third and subsequent offense, a suspension of up to one year. Additionally, any person violating this section a third or subsequent time shall be punished as a civil violation and may be fined one thousand dollars ($1,000).

History of Section.

P.L. 1991, ch. 167, § 1; P.L. 1993, ch. 182, § 1; P.L. 1993, ch. 204, § 1; P.L. 1998, ch. 476, § 1; P.L. 2007, ch. 498, § 1; P.L. 2007,

ch. 513, § 1; P.L. 2014, ch. 24, § 1; P.L. 2014, ch. 28, § 1; P.L. 2018, ch. 180, § 1; P.L. 2018, ch. 201, § 1; P.L. 2019, ch. 308, art. 2, § 10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-13. - Insurers and sureties.

§ 31-47-13. Insurers and sureties.
(a)
A finding by the administrator of the division of motor vehicles or traffic tribunal, or court that a person is covered by financial responsibility in the form of an insurance policy or surety bond is not binding upon the named insurer or surety or any of its officers, employees, agents, or representatives and has no legal effect except for the purpose of administering this section.
(b)
The preparation and delivery of a document authorized to be used as financial responsibility under this division does not do any of the following:
(1)
Create any liability or estoppel against an insurer or surety, or any of its officers, employees, agents, or representatives;
(2)
Constitute an admission of the existence of, or of any liability or coverage under, any policy or bond;
(3)
Waive any defenses or counterclaims available to an insurer, surety, agent, employee, or representative in an action commenced by an insured or third party claimant upon a cause of action alleged to have arisen under an insurance policy or surety bond or by reason of the preparation and delivery of a document for use as financial responsibility.
(c)
Whenever it is determined by a final judgment in a judicial proceeding that an insurer or surety, which has been named on a document accepted by a court or the administrator of the division of motor vehicles as financial responsibility covering the operation of a motor vehicle at the time of an accident or offense, is not liable to pay a judgment for injuries or damages resulting from that operation, the administrator of the division of motor vehicles shall, notwithstanding any previous contrary finding, immediately suspend the operating privileges and registration rights of the person against whom the judgment was rendered as provided by this chapter.
History of Section.
P.L. 1991, ch. 167, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-14. - Notice to other jurisdictions.

§ 31-47-14. Notice to other jurisdictions.
The administrator of the division of motor vehicles shall transmit a certified copy of any record of any conviction under this chapter or of any action taken pursuant to this chapter resulting in revocation of a nonresident’s privilege to operate a motor vehicle in this state or the privilege of the operation within this state of any motor vehicle owned by the nonresident to the administrator of the division of motor vehicles or officer performing similar functions in the state in which the nonresident resides.
History of Section.
P.L. 1991, ch. 167, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-15.1. - Exception for seasonal vehicles.

§ 31-47-15.1. Exception for seasonal vehicles.
(a)
Upon receipt of a signed written request for a suspension from the owner of a registered motor vehicle stating that the vehicle will not be operated upon any highway during a period of not less than thirty (30) consecutive days, the insurer of the vehicle shall suspend, to the extent requested by the owner, insurance afforded under the policy providing the security required by this chapter, for the vehicle until notified by the owner that the coverage should be reinstated. During the period of suspension only, the provisions of this chapter shall not apply with respect to the vehicle. If the vehicle is operated upon any highway by or with the permission of the owner during the period of suspension, the provisions of this chapter shall immediately become applicable.
(b)
As used in this section, the term “highway” includes all roads as defined in § 31-1-23, except a private road or driveway.
(c)
This section shall not apply to a motor vehicle for which proof of financial responsibility is required under the provisions of chapter 32 of this title. This section shall not apply to motorized vehicles used seasonally in the town of New Shoreham commonly referred to as mopeds.
History of Section.
P.L. 1996, ch. 334, § 1; P.L. 2021, ch. 398, § 7, effective July 14, 2021; P.L. 2021, ch. 399, § 7, effective July 14, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-15.2. - Exception — Vehicles owned by active duty military personnel.

§ 31-47-15.2. Exception — Vehicles owned by active duty military personnel.
(a)
"Highway," as used in this section, means all roads as defined in § 31-1-23, except a private road or driveway.
(b)
Upon receipt of a signed written request for a suspension from the owner of a registered motor vehicle stating that the vehicle will not be operated upon any highway during a period of not less than thirty (30) consecutive days as a consequence of the entrance of the owner into the active duty military service of the United States, the insurer of that vehicle shall suspend, to the extent requested by the owner, insurance afforded under the policy providing the security required by this chapter for that vehicle until notified by the owner that the coverage should be reinstated. During the period of suspension only, the provisions of this chapter do not apply as to that vehicle. If the vehicle is operated upon any highway by or with the permission of the owner during the period of suspension, the provisions of this chapter immediately become applicable. Reinstatement of coverage shall be under the same terms and conditions as were in effect at the time of notification of suspension.
History of Section.
P.L. 2002, ch. 256, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-15. - Exceptions.

§ 31-47-15. Exceptions.
This chapter shall not apply to any motor vehicle for the operation of which security or proof of financial responsibility is required to be furnished under §§ 39-14-18, 39-14-19, 39-13-7, 39-13-8, and 39-13-9, nor to any vehicle for which a permit or certificate is in force pursuant to the Interstate Commerce Act (see now 49 U.S.C. § 10101 et seq.), nor to any motor vehicle owned by the United States, any state, or any political subdivision of any state.
History of Section.
P.L. 1991, ch. 167, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-16. - Assigned risk plans.

§ 31-47-16. Assigned risk plans.
After consultation with insurance companies authorized to issue automobile liability policies in this state, the insurance commissioner shall approve a reasonable plan or plans for the equitable apportionment among the insurance companies of applicants for those policies and for motor vehicle liability policies who are in good faith entitled to them, and are unable to procure those policies through ordinary methods. When any plan has been approved, all insurance companies shall subscribe to and participate in it. Any applicant for any automobile liability policy, any person insured under any assigned risk plan, and any insurance company affected, may appeal to the insurance commissioner from any ruling or decision of the manager or committee designated to operate the plan. Any person aggrieved under this section by any order or act of the insurance commissioner may, within ten (10) days after notice of it, file a petition in the superior court for the counties of Providence and Bristol for a review of the petition. The court shall summarily hear the petition and may make any appropriate order or decree.
History of Section.
P.L. 1991, ch. 167, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-17. - Insurance companies.

§ 31-47-17. Insurance companies.
If there is reason to believe that there has been a noncompliance with any of the provisions of this chapter, every insurance company authorized to issue automobile liability policies shall be required upon request to provide the division of motor vehicles with information sufficient to evidence an individual's compliance with this chapter within ten (10) days of request.
History of Section.
P.L. 1991, ch. 167, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-18. - Automobile liability insurance rates.

§ 31-47-18. Automobile liability insurance rates.
Any general or public law to the contrary notwithstanding, the commissioner shall, after consulting with all insurers licensed to write automobile liability insurance in this state, promulgate regulations which provide that automobile liability insurance rates shall take into account the past claim experience of the applicant for the insurance and incorporate the principles used in so called "merit rating" or "experience rating" rate plans which are now in effect in other states.

History of Section.
P.L. 1991, ch. 167, § 1; P.L. 2000, ch. 109, § 46.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-19. - Constitutionality.

§ 31-47-19. Constitutionality.
If any part or parts of this chapter shall be held unconstitutional, the unconstitutionality shall not affect the validity of the remaining parts of this chapter. The legislature declares that it would have passed the remaining parts of this chapter if it had known that any part or parts of it would be declared unconstitutional.
History of Section.
P.L. 1991, ch. 167, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-2. - Definitions.

§ 31-47-2. Definitions.
As used in this chapter the term:
(1)
“Accident” or “motor vehicle accident” means any accident involving a motor vehicle that results in bodily injury to, or death of, any person, or damage to the property of any person in excess of five hundred dollars ($500).
(2)
“Administrator ” means the administrator of the division of motor vehicles in the department of revenue.
(3)
“Commissioner” means the insurance commissioner of this state.
(4)
“Dealer engaged in the business of leasing motor vehicles” means any person engaged in the business of regularly making available, offering to make available, or arranging for another person to use a motor vehicle pursuant to a bailment, lease, or other contractual arrangement.
(5)
“Driver” means every person who drives, or is in actual physical control of, a motor vehicle.
(6)
“Financial security bond” means for each motor vehicle a bond executed by the owner and by a surety company duly authorized to transact business in this state.
(7)
“Financial security deposit” means for each motor vehicle the deposit with the assistant director of seventy-five thousand dollars ($75,000) in cash or securities, such as may legally be purchased by savings banks or trust funds, of a market value of seventy-five thousand dollars ($75,000).
(8)
“License” includes any license, permit, or privilege to operate a motor vehicle issued under the laws of this state including:
(i)
Any temporary instruction permit or examiner’s driving permit;
(ii)
The privilege of any person to drive a motor vehicle whether or not the person holds a valid license; or
(iii)
Any nonresident’s operating privilege.
(9)
“Motor vehicle” means every vehicle required to display registration plates for operation upon public highways of this state.
(10)
“Nonresident” means every person who is not a resident of this state.
(11)
“Nonresident’s operating privilege” means the privilege conferred upon a nonresident by the laws of this state pertaining to the operation by that person of a motor vehicle, or the use of a motor vehicle owned by that person, in this state.
(12)
“Owner” means a person who holds the legal title of a motor vehicle. If a motor vehicle is the subject of an agreement for conditional sale or lease with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, the vendee or lessee is the owner. If a mortgagor of a motor vehicle is entitled to possession, the mortgagor is the owner.
(13)(i)
“Owner’s policy of liability insurance” means a policy:
(A)

Affording coverage as defined in the minimum provisions prescribed in a regulation that shall be promulgated by the commissioner. The commissioner, before promulgating the regulations or any amendments to them, shall consult with all insurers licensed to write automobile liability insurance in this state and shall not prescribe minimum provisions that fail to reflect the provisions of automobile liability insurance policies issued within this state at the date of the regulation or amendment of it. Nothing contained in regulation or in this chapter shall prohibit any insurer from affording coverage under an owner's policy of liability insurance more liberal than that required by the minimum provisions. Every owner's policy of liability insurance shall provide insurance subject to the regulation against loss from the liability imposed by law for damages, including damages for care and loss of services, because of bodily injury to, or death of, any person and injury to, or destruction of, property arising out of the ownership, maintenance, use, or operation of a specific motor vehicle or motor vehicles within the state of Rhode Island or elsewhere in the United States, in North America, or the Dominion of Canada, subject to a limit, exclusive of interest and costs, with respect to each motor vehicle of twenty-five thousand dollars ($25,000) because of bodily injury to, or death of, one person in any one accident; and subject to the limit for one person, to a limit of fifty thousand dollars ($50,000), because of bodily injury to, or death of, two (2) or more persons in any one accident; and a limit of twenty-five thousand dollars ($25,000) because of injury to, or destruction of, property of others in any one accident; or seventy-five thousand dollars ($75,000) combined, single limit. Any insurer authorized to issue an owner's policy of liability insurance as provided for in this chapter may, pending the issue of the policy, make an agreement to be known as a binder, or may, in lieu of the policy, issue a renewal endorsement or evidence of renewal of an existing policy, each of which shall be construed to provide indemnity or protection in like manner and to the same extent as the policy. The provisions of this chapter shall apply to such binders, renewal endorsements, or evidences of renewal; and

(B)

In the case of a vehicle registered in this state, a policy issued by an insurer duly authorized to transact business in this state; or

(C)

In the case of a vehicle registered in another state in the name of a nonresident, either a policy issued by an authorized insurer, or a policy issued by an unauthorized insurer authorized to transact business in the state of the nonresident's residence if the unauthorized insurer files with the commissioner, in a form to be approved by him or her, a statement consenting to service of process and declaring its policies shall be deemed to be varied to comply with the requirements of this chapter; and

(D)

The form of which has been approved by the commissioner.

(ii)

No such policy shall be issued or delivered in this state until a copy of the form of the policy shall have been on file with the commissioner for at least thirty (30) days, unless sooner approved in writing by the commissioner, nor, if within that period of thirty (30) days, the commissioner shall have notified the carrier in writing that in the commissioner's opinion specifying the reasons for it, the form of the policy does not comply with the laws of the state.

(14)

"Person" includes every natural person, firm, partnership, association, or corporation.

(15)

"Proof of financial security" means proof of ability to respond in damages for liability arising out of the ownership, maintenance, or use of a motor vehicle as evidenced by an owner's policy of liability insurance, a financial security bond, a financial security deposit, or qualification as a self-insurer under this title, or in the case of a nonresident, under self-insurance provisions of the laws of the jurisdiction of that nonresident. Proof of financial security may be produced in either paper or electronic format. Acceptable electronic formats include display of documentation on any mobile electronic device.

(16)

"Registration" means registration certificates and registration plates issued under the laws of this state pertaining to the registration of motor vehicles.

(17)

"Self insurer" means a person who shall have been determined by the department of business regulation, in accordance with this title, to be financially responsible.

(18)

"State," when used in this chapter, unless the context clearly indicates otherwise, means any state, territory, or possession of the United States, the District of Columbia, or any province of the Dominion of Canada.

History of Section.

P.L. 1991, ch. 167, § 1; P.L. 2000, ch. 109, § 46; P.L. 2008, ch. 98, § 29; P.L. 2008, ch. 145, § 29; P.L. 2014, ch. 29, § 3; P.L. 2014, ch. 36, § 3; P.L. 2014, ch. 44, § 1; P.L. 2014, ch. 51, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-3.1. - Registration application.

§ 31-47-3.1. Registration application.

(a)

No motor vehicle shall be registered and no registration renewed in this state unless the application for the registration of a motor vehicle shall contain a statement to be signed by the applicant who does all of the following:

(1)
States that the applicant will not operate, or allow to be operated, the registered motor vehicle or any other motor vehicle unless all those motor vehicles shall be covered by financial security;
(2)
Contains a brief summary of the purposes and operation of this chapter, the rights and duties of the applicant and the penalties for violation of this chapter;
(3)
Warns the applicant that this chapter does not prevent the possibility that the applicant may be involved in an accident with an owner or operator of a motor vehicle who is without financial responsibility.
(b)(1)
In the case of a person who purchases any motor vehicle from a licensed motor vehicle dealer, who agrees to make application for registration of the motor vehicle on behalf of the purchaser, the person shall sign a statement that complies with subsection (a) of this section.
(2)
In the case of a person who leases any motor vehicle from a dealer engaged in the business of leasing motor vehicles who agrees to make application for registration of the motor vehicle on behalf of the lessee, the person shall sign a statement that complies with subsection (a) of this section, and the dealer shall do either of the following:
(i)
Submit the statement signed by the person to the division of motor vehicles;
(ii)
Sign and submit a statement that certifies that the statement has been signed and filed with the dealer or incorporated into the lease.
(iii)
The administrator of the division of motor vehicles shall prescribe the form for all statements required under this section and the manner in which these statements shall be presented to the applicant. Statements shall be designed to enable the applicant to retain a copy.
(iv)
An application for an operator's, chauffeur's, restricted or probationary license, or renewal of those licenses shall contain a statement to be signed by the applicant that does all of the following:
(A)
States that the applicant will not operate a motor vehicle in this state, unless he or she maintains, or has maintained on his or her behalf, financial security;
(B)
Contains a brief summary of the purposes and operation of this chapter, the rights and duties of the applicant and the penalties for violation of this chapter;
(C)
Warns the applicant that the financial responsibility law does not prevent the possibility that the applicant may be involved in an accident with an owner or operator of a motor vehicle who is without financial security.
History of Section.
P.L. 1991, ch. 167, § 1; P.L. 1992, ch. 431, § 2; P.L. 1993, ch. 4, § 1; ch. 142, § 2; P.L. 2000, ch. 109, § 46.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-3. - Regulations authorized — Access to court and agency records.

§ 31-47-3. Regulations authorized — Access to court and agency records.
(a)
The administrator of the division of motor vehicles is authorized to promulgate reasonable regulations to provide effective administration and enforcement of the provisions of this chapter.
(b)
Notwithstanding any contrary provisions of this or any other law of this state, the administrator of the division of motor vehicles, for the purpose of carrying out the provisions of this chapter, shall have access to the records of the family court and all other courts and agencies concerning motor vehicle violations of any person who has applied for motor vehicle liability insurance. Upon request of the insurance company to which application has been made, the administrator of the division of motor vehicles shall make available to the insurance company any information concerning motor vehicle violations of the applicant.
History of Section.
P.L. 1991, ch. 167, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-4. - Notice of termination.

§ 31-47-4. Notice of termination.
(a)

No contract of insurance or renewal of it shall be terminated by cancellation or failure to renew by the insurer until at least thirty (30) days after mailing to the named insured, at the address shown on the policy a notice of termination or cancellation by certificate of mailing, except that when cancellation is for nonpayment of premium the notice shall be mailed to the named insured at the address shown on the policy at least ten (10) days prior to the effective date of cancellation.
(b)
Time of the effective date and hour of termination stated in the notice shall become the end of the policy period.
(c)
Every notice of termination for any cause whatsoever sent to the insured shall include in type of which the face shall not be smaller than twelve (12) point, a statement that financial security is required to be maintained continuously throughout the registration period and that failure to maintain financial security shall subject the violator to a mandatory suspension of license and registration.
History of Section.
P.L. 1991, ch. 167, § 1; P.L. 1993, ch. 181, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-5. - Acceptance of financial security deposits.

§ 31-47-5. Acceptance of financial security deposits.
(a)
All moneys or securities delivered to the assistant director as a financial security deposit shall be placed by the assistant director in the custody of the general treasurer. These assets shall be subject to execution to satisfy any judgment for damages for bodily injury or death, or injury to or destruction of property arising out of the ownership, maintenance, use, or operation of the motor vehicle with respect to which the deposit has been accepted. This deposit is subject to the same limits on amount required by this chapter for an owner's policy of liability insurance, and if the moneys or securities shall be otherwise subjected to attachment or any execution, the depositor shall immediately furnish additional moneys or securities not otherwise subject to attachment or execution to meet the requirements of this chapter.
(b)
The assistant director shall not accept moneys or securities as a financial security deposit unless accompanied by evidence that there are no unsatisfied judgments against the person.
History of Section.
P.L. 1991, ch. 167, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-6. - Release of financial security bonds or deposits.

§ 31-47-6. Release of financial security bonds or deposits.
(a)
The administrator of the division of motor vehicles, upon the surrender of the registration and number plates for a motor vehicle for which a financial security bond or deposit was accepted by the administrator of the division of motor vehicles, shall permit the cancellation of any bond or shall direct that any deposit be returned by the general treasurer. The administrator of the division of motor vehicles shall not release the bond or deposit in the event any action for damages upon a liability referred to in this chapter is then pending, or any judgment upon any liability then outstanding and unsatisfied, or in the event the administrator of the division of motor vehicles has received notice that the person has within the period of three (3) months immediately preceding been involved as a driver in any motor vehicle accident. An affidavit of the applicant of nonexistence of those facts shall be sufficient evidence of it in the absence of evidence to the contrary in the records of the division of motor vehicles.
(b)
The administrator of the division of motor vehicles, subject to any reasonable regulations that he or she may establish, shall permit the form of financial security acceptable under this chapter to be substituted for another form of financial security which may already have been accepted by the assistant director as complies with the provisions of this chapter.
History of Section.
P.L. 1991, ch. 167, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-7. - Self-insurers.

§ 31-47-7. Self-insurers.
The director of the department of business regulation, in his or her discretion, may upon the application of a person having registered in his or her name in this state more than twenty-five (25) motor vehicles, issue a certificate of self insurance when he or she is reasonably satisfied that the person is possessed, and will continue to be possessed, of financial ability to respond to judgments obtained against the person arising out of the ownership, maintenance, use, or operation of the person's motor vehicles. Entities applying to, or previously authorized to, permissibly self-insure are subject to the jurisdiction of the department of business regulation. Upon due notice and hearing, the director of the department of business regulation may, in his or her discretion and upon reasonable grounds, cancel a certificate of self insurance. The department of business regulation is authorized to promulgate and

enforce rules and regulations that may be necessary to carry out the provisions of this section, including, but not limited to:
(1)
Obtaining and reviewing financial statements and related information necessary to ascertain the applicant's ability to self-insure,
(2)
Apportioning the cost of review to the applicant in a manner similar to that utilized to charge insurance companies for review and analysis of their financial statements, and
(3)
Imposing and enforcing upon entities authorized to permissibly self-insure any and all claims handling and settlement practices required of insurers in the settlement of claims.
History of Section.
P.L. 1991, ch. 167, § 1; P.L. 2014, ch. 29, § 3; P.L. 2014, ch. 36, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-9.1. - Penalties — Illegal evidence of financial security.

§ 31-47-9.1. Penalties — Illegal evidence of financial security.
(a)
No person shall knowingly make, sell or otherwise make available any invalid or counterfeit evidence of financial security as defined in this chapter. No person shall alter any invalid evidence of financial security to make it appear valid.
(b)
Any person convicted of a violation of this section shall be guilty of a felony and shall be punished by a fine of not less than five hundred dollars ($500), nor more than three thousand dollars ($3,000), or imprisonment of not more than one year, or both.
History of Section.
P.L. 1993, ch. 379, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-47 - Motor Vehicle Reparations ActSection 31-47-9. - Penalties.

§ 31-47-9. Penalties.
(a)
Any owner of a motor vehicle registered or required to be registered in this state who shall knowingly operate the motor vehicle or knowingly permit it to be operated in this state without having in full force and effect the financial security required by the provisions of this chapter, and any other person who shall operate in this state any motor vehicle registered or required to be registered in this state with the knowledge that the owner of it does not have in full force and effect financial security, except a person who, at the time of operation of the motor vehicle, had in effect an operator's policy of liability insurance with respect to his or her operation of the vehicle, may be subject to a mandatory suspension of license and registration as follows:
(1)
For a first offense, a suspension of up to three (3) months and may be fined one hundred dollars ($100) up to five hundred dollars ($500);
(2)
For a second offense, a suspension of six (6) months and may be fined five hundred dollars ($500); and
(3)
For a third and subsequent offense, a suspension of up to one year. Additionally, any person violating this section a third or subsequent time shall be punished as a civil violation and may be fined one thousand dollars ($1,000).
(b)
An order of suspension and impoundment of a license or registration, or both, shall state that date on or before which the person is required to surrender the person's license or certificate of registration and registration plates. The person is deemed to have surrendered the license or certificate of registration and registration plates, in compliance with the order, if the person does either of the following:
(1)
On or before the date specified in the order, personally delivers the license or certificate of registration and registration plates, or causes the delivery of those items, to the administrator of the division of motor vehicles or court, whichever issued the order; or
(2)
Mails the license or certificate of registration and registration plates to the administrator of the division of motor vehicles, in an envelope or container bearing a postmark showing a date no later than the date specified in the order.
(c)
The administrator of the division of motor vehicles shall not restore any operating privileges or registration rights suspended under this section or return any license, certificate of registration, or registration plates impounded under this section unless the rights are not subject to suspension or revocation under any other law and unless the person, in addition to complying with all other conditions required by law for reinstatement of operating privileges or registration rights, complies with all of the following:
(1)

Pays a reinstatement fee of thirty dollars ($30.00). The reinstatement fee may be increased, upon approval of the administrator of the division of motor vehicles, up to an amount not exceeding fifty dollars ($50.00); and
(2)
Files and maintains proof of financial security. To facilitate the administration of this chapter the clerk of the courts shall notify the administrator of the division of motor vehicles of all persons against whom judgments have been entered arising out of a motor vehicle collision.
(d)
For the purpose of this section, an "operator's policy of liability insurance" means a policy issued by an insurance carrier duly authorized to transact business in this state that shall insure the person named in it as insured, against loss from the liability imposed upon him or her by law for damages, including damages for care and loss of services, because of bodily injury to or death of any person and injury to or destruction of property arising out of the use by him or her of any motor vehicle not owned by him or her, subject to the same minimum provisions and approval required by this chapter with respect to an owner's policy of liability insurance. With respect to a nonresident, the policy may also be issued by a nonadmitted insurance carrier provided the requirements of this chapter, with respect to issuance of an owner's policy of liability insurance by the carrier, have been met.
History of Section.
P.L. 1991, ch. 167, § 1; P.L. 1993, ch. 142, § 2; P.L. 1998, ch. 229, § 1; P.L. 1998, ch. 440, § 1; P.L. 1998, ch. 476, § 1; P.L. 2000, ch. 97, § 1; P.L. 2021, ch. 105, § 1, effective July 1, 2021; P.L. 2021, ch. 106, § 1, effective July 1, 2021; P.L. 2021, ch. 398, § 7, effective July 14, 2021; P.L. 2021, ch. 399, § 7, effective July 14, 2021.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-48 - Motor Vehicle Chop Shop, Stolen and Altered PropertySection 31-48-1. - Short title.

§ 31-48-1. Short title.
This chapter shall be known as the "Motor Vehicle Chop Shop Stolen and Altered Property Act".
History of Section.
P.L. 1991, ch. 288, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-48 - Motor Vehicle Chop Shop, Stolen and Altered PropertySection 31-48-2. - Definitions.

§ 31-48-2. Definitions.
For the purposes of this chapter the following terms mean:
(1)
"Chop shop" means any building, lot, or other premise where one or more persons are or have been knowingly engaged in altering, destroying, disassembling, dismantling, reassembling, or knowingly storing any motor vehicle, or motor vehicle part known to be illegally obtained by theft, fraud, or conspiracy to defraud, in order to either:
(i)
Alter, counterfeit, deface, destroy, disguise, falsify, forge, obliterate, or remove the identity, including the vehicle identification number of the motor vehicle or motor vehicle part, in order to misrepresent the identity of the motor vehicle or motor vehicle part, or to prevent the identification of the motor vehicle or motor vehicle part; or
(ii)
Sell or dispose of the motor vehicle or motor vehicle part.
(2)
"Motor vehicle" includes every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, which is self propelled or which may be connected to and towed by a self propelled device, and also includes any and all other land based devices which are self propelled but which are not designed for use upon a highway, including, but not limited to, farm machinery and construction equipment.
(3)
"Person" includes a natural person, company, corporation, unincorporated association, partnership, professional corporation, and any other legal entity.
History of Section.
P.L. 1991, ch. 288, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-48 - Motor Vehicle Chop Shop, Stolen and Altered PropertySection 31-48-3. - Offenses committed.

§ 31-48-3. Offenses committed.
(a)
Any person who knowingly and with intent: (1) owns, operates, or conducts a chop shop; (2) transports any motor vehicle or motor vehicle part to or from a location knowing it to be a chop shop; or (3) sells, transfers, purchases, or receives any motor vehicle or motor vehicle part either to or from a location knowing it to be a chop shop, shall, upon conviction, be guilty of a felony.
(b)

Any person who is convicted of an offense under this section may be imprisoned for up to five (5) years for each offense, and shall be fined up to fifty thousand dollars ($50,000) but not less than two thousand dollars ($2,000) for each offense.
History of Section.
P.L. 1991, ch. 288, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-48 - Motor Vehicle Chop Shop, Stolen and Altered PropertySection 31-48-4. - Seizure.

§ 31-48-4. Seizure.
(a)
Any tool, implement, or instrumentality, including, but not limited to, a motor vehicle or motor vehicle part, used or possessed in connection with any violation of § 31-48-3 may be seized by a member of a state or local law enforcement agency upon process issued by any court of competent jurisdiction.
(b)
Seizure of property described in subsection (a) of this section may be made by a member of a state or local law enforcement agency without process:
(1)
If in accordance with any applicable law or regulation;
(2)
If the seizure is incident to inspection under an administrative inspection warrant;
(3)
If the seizure is incident to search made under a search warrant;
(4)
If the seizure is incident to a lawful arrest;
(5)
If the seizure is made pursuant to a valid consent to search;
(6)
If the property seized has been the subject of a prior judgment in favor of the state in a criminal proceeding, or in an injunction or forfeiture proceeding under § 31-48-6; or
(7)
If there are reasonable grounds to believe that the property is directly or indirectly dangerous to health or safety.
(c)
When property is seized under this section, the seizing agency may:
(1)
Lock and secure the property at its location; or
(2)
Remove the property to a place selected and designated by the seizing agency.
History of Section.
P.L. 1992, ch. 273, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-48 - Motor Vehicle Chop Shop, Stolen and Altered PropertySection 31-48-5. - Forfeiture.

§ 31-48-5. Forfeiture.
(a)
The following are subject to forfeiture unless obtained by theft, fraud or conspiracy to defraud and the rightful owner is known or can be identified and located:
(1)
Any tool,
(2)
Any implement, or
(3)
Any instrumentality, including, but not limited to, any motor vehicle or motor vehicle part, whether owned or not owned by the person from whose possession or control it was seized, which is used or possessed either in violation of § 31-48-3 or to promote or facilitate a violation of § 31-48-3.
(b)
Any motor vehicle, other conveyance, or motor vehicle part used by any person as a common carrier is subject to forfeiture under this section where the owner or other person in charge of the motor vehicle, other conveyance, or motor vehicle part is a consenting party to a violation of § 31-48-3.
(c)(1)
Any motor vehicle, motor vehicle part, other conveyance, tool, implement, or instrumentality is not subject to forfeiture under this

section by reason of any act or omission which the owner proves to have been committed or omitted without the owner's knowledge or consent.

(2)

Seizing agencies will utilize their best efforts to identify any seized motor vehicle or motor vehicle part to determine ownership or the identity of any person having a right or interest in a seized motor vehicle or motor vehicle part. In its reasonable identification and owner location attempts, the seizing agency will cause the stolen motor vehicle files of the local or state police to be searched for stolen or wanted information on motor vehicles similar to the seized motor vehicle or consistent with the seized motor vehicle part.

(d)

Where a motor vehicle or motor vehicle part has an apparent value in excess of one thousand dollars ($1,000):

(1)

The seizing agency shall consult with an expert, either law enforcement investigative personnel specially trained and experienced in motor vehicle theft investigative procedures and motor vehicle identification examination techniques, or by expert employees of not-for-profit motor vehicle theft prevention agencies specially trained and experienced in motor vehicle theft investigation procedures and motor vehicle identification examination technique.

(2)

The seizing agency shall also request searches of the on-line and off-line files of the National Crime Information Center (NCIC) and the National Automobile Theft Bureau (NATB) when the local or state police files have been searched with negative results.

(e)

A forfeiture of a motor vehicle, motor vehicle part, or other conveyance encumbered by a bona fide security interest is subject to the interest of the secured party where the secured party neither had knowledge of nor consented to the act or omission forming the ground for the forfeiture.

(f)

Property, described in subsection (a) of this section, seized and held for forfeiture, shall not be subject to replevin and is subject only to the order and judgments of a court of competent jurisdiction hearing the forfeiture proceedings.

(g)(1)

The attorney general shall bring an action for forfeiture in a court of competent jurisdiction. The forfeiture action shall be brought within sixty (60) days from the date of seizure except where the attorney general, by sound exercise of discretion determines that no forfeiture action should be brought because of the rights of property owners, lienholders, or secured creditors, or because of exculpatory, exonerating, or mitigating facts and circumstances.

(2)

The attorney general shall give notice of the forfeiture proceeding by mailing a copy of the complaint in the forfeiture proceeding to each person whose right, title, or interest is of record in the division of motor vehicles, or any other department or agency of the state, or any other state or territory of the United States, or of the federal government if that property is required to be registered in any department.

(3)

Notice of the proceeding shall be given to any other person as may appear, from the facts and circumstances, to have any right, title, or interest in or to the property.

(4)

The owner of the property, or any person having, or claiming, right, title, or interest in the property may within sixty (60) days after the mailing of the notice file a verified answer to the complaint and may appear at the hearing on the action for forfeiture.

(5)

The attorney general shall show at a forfeiture hearing, by a preponderance of the evidence, that the property was used in the commission of a violation of § 31-48-3, or was used or possessed to facilitate the violation.

(6)

The owner of property may show by a preponderance of the evidence that the owner did not know, and did not have reason to know, that the property was to be used or possessed in the commission of any violation or that any of the exceptions to forfeiture are applicable.

(7)

Unless the attorney general shall make the showing required of it, the court shall order the property released to the owner. Where the attorney general has made that showing, the court may order:

(i)

The property be destroyed by the agency which seized it or some other agency designated by the court,

(ii)

The property be delivered and retained for use by the agency which seized it or some other agency designated by the court, or

(iii)

The property be sold at public sale.

(h)

A copy of a forfeiture order shall be filed with each federal or state department with which the property is required to be registered.

The order, when filed, constitutes authority for the issuance to the agency to whom the property is delivered and retained for use or to any purchaser of the property of a title certificate, registration certificate, or other special certificate as may be required by law considering the condition of the property.

(i)

Proceeds from sale at public auction, after payment of all reasonable charges and expenses incurred by the agency designated by the court to conduct the sale in storing and selling the property, shall be paid to the general fund of the state of Rhode Island.

(j)

No motor vehicle, either seized under § 31-48-4 or forfeited under this section, shall be released by the seizing agency or used or sold by an agency designated by the court unless any altered, counterfeited, defaced, destroyed, disguised, falsified, forged, obliterated, or removed vehicle identification number is corrected by the issuance and affixing of either an assigned or replacement vehicle identification number plate as may be appropriate under laws or regulations of this state.

(k)

No motor vehicle part having any altered, counterfeited, defaced, destroyed, disguised, falsified, forged, obliterated, or removed vehicle identification number may be disposed of upon forfeiture except by its destruction. This provision shall not apply to any motor vehicle part which is assembled with and constitutes part of a motor vehicle.

(l)

No motor vehicle or motor vehicle part shall be forfeited under this section solely on the basis that it is unidentifiable. Instead of forfeiture, any seized motor vehicle or motor vehicle part which is unidentifiable shall be the subject of a written report sent by the seizing agency to the division of motor vehicles, which report shall include a description of the motor vehicle or motor vehicle part, its color, if any, the date, time, and place of its seizure, the name of the person from whose possession or control it was seized, the grounds for its seizure, and the location where the same is held or stored.

(m)

When a seized unidentifiable motor vehicle or motor vehicle part has been held for sixty (60) days or more after the notice to the division of motor vehicles specified in subsection (k) of this section have been given, the seizing agency or its agent shall cause the motor vehicle or motor vehicle part to be sold at public sale to the highest bidder. Notice of the time and place of sale shall be posted in a conspicuous place for at least thirty (30) days prior to the sale of the premises where the motor vehicle or motor vehicle part has been stored.

(n)

When a seized unidentifiable motor vehicle or motor vehicle part has an apparent value of one thousand dollars ($1,000) or less, the seizing agency shall authorize the disposal of the motor vehicle or motor vehicle part, provided that no disposition shall be made less than sixty (60) days after the date of seizure.

(o)

The proceeds of the public sale of an unidentifiable motor vehicle or motor vehicle part shall be deposited in the general fund of the state after deduction of any reasonable and necessary towing and storage charges.

(p)

Seizing agencies will utilize their best efforts to arrange for the towing and storing of motor vehicles and motor vehicles parts in the most economical manner possible. In no event shall the owner of a motor vehicle or a motor vehicle part be required to pay more than the minimum reasonable costs of towing and storage.

(q)

A seized motor vehicle or motor vehicle part that is neither forfeited nor unidentifiable shall be held subject to the order of the court in which the criminal action is pending or, if a request for its release from custody is made until the attorney general has notified the defendant or the defendant’s attorney of the request and both the prosecution and defense have been afforded a reasonable opportunity for an examination of the property to determine its true value and to produce or reproduce, by photographs or other identifying techniques, legally sufficient evidence for introduction at trial or other criminal proceedings. Upon expiration of a reasonable time for the completion of the examination which shall not exceed fourteen (14) days from the date of service upon the defense of the notice of request for return of property as provided in this chapter, the property shall be released to the person making the request after satisfactory proof of the person’s entitlement to the possession of it. However, upon application by either party with notice to the other, the court may order retention of the property if it determines that retention is necessary in the furtherance of justice.

(r)

When a seized vehicle is forfeited, restored to its owner, or disposed of as unidentifiable, the seizing agency shall retain a report of the transaction for a period of at least one year from the date of the transaction.

(s)

When an applicant for a certificate of title or salvage certificate presents to the division of motor vehicles proof that the applicant purchased or acquired a motor vehicle at a public sale conducted pursuant to this section and that fact is attested to by the seizing agency, the division of motor vehicles shall issue a certificate of title, salvage certificate for the motor vehicle upon receipt of the statutory fee, properly executed application for a certificate of title, or other certificate of ownership, and the affidavit of the seizing agency that a state-assigned number was applied for and affixed to the motor vehicle proper to the time that the motor vehicle was released by the seizing agency to the purchaser.

History of Section.
P.L. 1992, ch. 273, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-48 - Motor Vehicle Chop Shop, Stolen and Altered PropertySection 31-48-6. - Civil proceedings.

§ 31-48-6. Civil proceedings.
(a)
The attorney general or any aggrieved person may institute civil proceedings against any person in a court of competent jurisdiction seeking relief from conduct constituting a violation of any provision of this chapter. If the plaintiff in a proceeding proves the alleged violation, or its threat, by a preponderance of the evidence, any court of competent jurisdiction after due provision for the rights of innocent persons, shall grant relief by entering any appropriate order or judgment, including, but not limited to:
(1)
Ordering any defendant to be divested of any interest in any property;
(2)
Imposing reasonable restrictions upon the future activities or investments of any defendant, including prohibiting any defendant from engaging in the same type of endeavor as the defendant was previously engaged in;
(3)
Ordering the suspension or revocation of a license, permit, or prior approval granted by any public agency or any other public authority; or
(4)
Ordering the surrender of the charter of a corporation organized under the laws of the state of the revocation of a certificate authorizing a foreign corporation to conduct business within the state upon finding that the board of directors or a managerial agent acting on behalf of the corporation, in conducting the affairs of the corporation, has authorized or engaged in conduct made unlawful by this act and that, for the prevention of future criminal conduct, the public interest requires the charter of the corporation be surrendered and the corporation dissolved or the certificate revoked.
(b)
In a proceeding under this section, injunctive relief shall be granted in conformity with the principles that govern the granting of relief from injury or threatened injury in other cases, but no showing of special or irreparable injury shall have to be made. Pending final determination of a proceeding under this section, a temporary restraining order or a preliminary injunction may be issued upon a showing of immediate danger of significant injury, including the possibility that any judgment for money damages might be difficult to execute, and, in a proceeding initiated by an aggrieved person, upon the execution of proper bond against injury for an injunction improvidently granted.
(c)
Any person injured, directly or indirectly, by conduct constituting a violation by any person of § 31-48-3 shall, in addition to any other relief, have a cause of action for threefold the actual damages sustained by the person.
(d)
A final judgment or decree rendered against the defendant in any civil or criminal proceeding shall estop the defendant in any subsequent civil action or proceeding brought by any person as to all matters as to which the judgment or decree would be an estoppel as between the parties to the civil or criminal proceeding.
(e)
Notwithstanding any other provision of law providing a shorter period of limitations, a civil action under this section may be commenced at any time within five (5) years after the conduct made unlawful under § 31-48-3 terminates or the cause of action accrues or within any longer statutory period that may be applicable. If any action is brought by a prosecutor to punish, prevent or restrain any activity made unlawful under § 31-48-3, the running of the period of limitations shall be suspended during the pendency of the action and for two (2) years following its termination.
(f)
Personal service of any process in an action under this section may be made upon any person outside the state if the person has engaged in any conduct constituting a violation of § 31-48-3 in this state. The person shall be deemed to have submitted to the jurisdiction of the courts of this state for the purposes of this provision.
(g)
Obtaining any civil remedy under this section shall not preclude obtaining any other civil or criminal remedy under this act or any other provision of law. Civil remedies under this section are supplemental and not exclusive.
History of Section.
P.L. 1992, ch. 273, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-48 - Motor Vehicle Chop Shop, Stolen and Altered PropertySection 31-48-7. - Severability.

§ 31-48-7. Severability.
If any provision of this chapter or the application of it to any person or circumstances is held invalid, the invalidity shall not affect

other provisions or applications of the chapter, which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.
History of Section.
P.L. 1992, ch. 273, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-49 - Ignition Interlock SystemsSection 31-49-1. - Definitions.

§ 31-49-1. Definitions.
For the purposes of this chapter, “ignition interlock system” means a device that:
(1)
Connects a motor vehicle ignition system to a breath analyzer that measures a driver’s blood alcohol level; and
(2)
Prevents a motor vehicle ignition from starting if a driver’s blood alcohol level exceeds the calibrated setting on the device.
History of Section.
P.L. 1992, ch. 405, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-49 - Ignition Interlock SystemsSection 31-49-2. - Certification of ignition interlock systems.

§ 31-49-2. Certification of ignition interlock systems.
The division of motor vehicles shall certify, or cause to be certified, ignition interlock systems for use in the state, and adopt rules and regulations for the certification and requirements for participation of the ignition interlock systems. All costs associated with the installation of the ignition interlock system shall be borne by the person required to install said system and the division shall charge an administrative fee of one hundred dollars ($100) to the person ordered to install said system.
History of Section.
P.L. 1992, ch. 405, § 3; P.L. 2014, ch. 230, § 3; P.L. 2014, ch. 326, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-49 - Ignition Interlock SystemsSection 31-49-3. - Rules and regulations.

§ 31-49-3. Rules and regulations.
(a)
The rules and regulations adopted pursuant to § 31-49-2 shall include requirements that ignition interlock systems:
(1)
Do not impede the safe operation of the vehicle;
(2)
Minimize opportunities to be bypassed;
(3)
Correlate accurately with established measures of blood alcohol levels;
(4)
Work accurately and reliably in an unsupervised environment;
(5)
Require a proper and accurate measure of blood alcohol levels;
(6)
Resist tampering and provide evidence of attempted tampering;
(7)
Are difficult to circumvent, and require premeditation to circumvent;
(8)
Minimize inconvenience to a sober user;
(9)
Are manufactured by a party responsible for installation, user training, service, and maintenance;
(10)
Operate reliably over the range of motor vehicle environments or motor vehicle manufacturing standards;
(11)
Are manufactured by a person who is adequately insured for products liability; and
(12)
Provide the option for an electronic log of the driver’s experience with the system.
(b)
Upon the expiration of the interlock order by the court, the division of motor vehicles shall review the person’s compliance with the ignition interlock order to ensure that the person has fulfilled the specific requirements as set forth by the sentencing judge or magistrate. Upon verification that said conditions have been satisfied, a motorist’s license shall be reinstated.

History of Section.
P.L. 1992, ch. 405, § 3; P.L. 2014, ch. 230, § 3; P.L. 2014, ch. 326, § 3; P.L. 2016, ch. 127, § 2; P.L. 2016, ch. 141, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-49 - Ignition Interlock SystemsSection 31-49-4. - Warning label.

§ 31-49-4. Warning label.
The division of motor vehicles shall design and adopt a warning label to be affixed to an ignition interlock system on installation. The warning label shall state that a person tampering with, circumventing, or otherwise misusing the ignition interlock system is guilty of a misdemeanor, and on conviction, is subject to a fine up to one thousand dollars ($1,000), or one year imprisonment, or both.
History of Section.
P.L. 1992, ch. 405, § 3; P.L. 2008, ch. 98, § 32; P.L. 2008, ch. 145, § 32; P.L. 2014, ch. 230, § 3; P.L. 2014, ch. 326, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-49 - Ignition Interlock SystemsSection 31-49-5. - List of certified ignition interlock systems.

§ 31-49-5. List of certified ignition interlock systems.
(a)
The division of motor vehicles shall publish a list of certified ignition interlock systems that shall be included on the division of motor vehicles' website.
(b)
A manufacturer of an ignition interlock system that seeks to sell or lease the ignition interlock system to persons subject to the provisions of § 31-27-2.8 shall pay the costs of obtaining the required certification.
(c)
Said manufacturer who shall install and monitor said systems shall be approved by the division of motor vehicles every year. Said manufacturer shall also submit quarterly reports concerning proof of installation and proper use of said ignition interlock systems to the division of motor vehicles, which will be aggregated by the division of motor vehicles.
History of Section.
P.L. 1992, ch. 405, § 3; P.L. 2014, ch. 230, § 3; P.L. 2014, ch. 326, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-49 - Ignition Interlock SystemsSection 31-49-6. - Selling or leasing ignition interlock systems.

§ 31-49-6. Selling or leasing ignition interlock systems.
(a)
A person may not sell or lease, or offer to sell or lease, an ignition interlock system to a person subject to the provisions of § 31-27-2.8 unless:
(1)
The system has been certified by the division of motor vehicles; and
(2)
A warning label approved by the division of motor vehicles is affixed to the system stating that a person who tampers, circumvents, or otherwise misuses the system is guilty of a misdemeanor, and on conviction is subject to a fine up to one thousand dollars ($1,000), or one year imprisonment, or both.
(b)
A person who sells or leases ignition interlock systems in the state shall:
(1)
Monitor the use of the system as required by the division of motor vehicles; and
(2)
Issue a report of the results of the monitoring to the appropriate office of the division of motor vehicles and the division of parole and probation.
History of Section.
P.L. 1992, ch. 405, § 3; P.L. 2014, ch. 230, § 3; P.L. 2014, ch. 326, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-1. - Definitions.

§ 31-5.1-1. Definitions.
The following words and phrases, for the purposes of this chapter, have the following meanings:
(1)
"Designated family member" means the spouse, child, grandchild, parent, brother, or sister of the owner of a new motor vehicle dealership who, in the case of the owner's death, is entitled to inherit the ownership interest in the new motor vehicle dealership

under the terms of the owner's will, or who has been nominated in any other written instrument, or who, in the case of an incapacitated owner of a new motor vehicle dealership, has been appointed by a court as the legal representative of the new motor vehicle dealer's property.
(2)
"Distributor" means any person, firm, association, corporation, or trust, resident or nonresident, who in whole or in part offers for sale, sells, or distributes any new motor vehicle to new motor vehicle dealers, who maintains factory representatives or who controls any person, firm, association, corporation or trust, resident or nonresident, who in whole or in part offers for sale, sells or distributes any new motor vehicle to new motor vehicle dealers.
(3)
"Established place of business" means a permanent, commercial building located within this state, easily accessible and open to the public at all reasonable times, and at which the business of a new motor vehicle dealer, including the display and repair of vehicles, may be lawfully carried on in accordance with the terms of all applicable building codes, zoning, and other land-use regulatory ordinances.
(4)
"Factory branch" means a branch office maintained by a manufacturer for the purpose of selling, or offering for sale, vehicles to a distributor or new motor vehicle dealer, or for directing or supervising in whole or in part factory or distributor representatives.
(5)
"Franchise" means the agreement or contract between any new motor vehicle manufacturer, written or otherwise, and any new motor vehicle dealer which purports to fix the legal rights and liabilities of the parties to that agreement or contract, and pursuant to which the dealer purchases and resells the franchise product or leases or rents the dealership premises.
(6)
"Fraud" includes, in addition to its normal legal connotation, the following: a misrepresentation in any manner, whether intentionally false or due to gross negligence, of a material fact; a promise or representation not made honestly and in good faith; and an intentional failure to disclose a material fact.
(7)
"Good faith" means honesty in fact and the observation of reasonable commercial standards of fair dealing in the trade as defined and interpreted in § 6A-2-103(1)(b).
(8)
"Manufacturer" means any person, partnership, firm, association, corporation, or trust, resident or nonresident, who manufactures or assembles new motor vehicles, or imports for distribution through distributors of motor vehicles, or any partnership, firm, association, joint venture, corporation, or trust, resident or nonresident, which is controlled by the manufacturer.
(9)
"Motor vehicle" means every vehicle intended primarily for use and operation on the public highways which is self-propelled, not including farm tractors and other machines and tools used in the production, harvesting, and care of farm products.
(10)
"New motor vehicle" means a vehicle which has been sold to a new motor vehicle dealer and which has not been used for other than demonstration purposes and on which the original title has not been issued from the new motor vehicle dealer. The term "motor vehicle" also includes any engine, transmission, or rear axle, regardless of whether it is attached to a vehicle chassis, that is manufactured for installation in any motor-driven vehicle with a gross vehicle weight rating of more than sixteen thousand (16,000) pounds that is required to be registered.
(11)
"New motor vehicle dealer" means any person engaged in the business of selling, offering to sell, soliciting, or advertising the sale of new motor vehicles and who holds, or held at the time a cause of action under this chapter accrued, a valid sales and service agreement, franchise, or contract, granted by the manufacturer or distributor for the retail sale of that manufacturer's or distributor's new motor vehicles.
(12)
"Person" means a natural person, corporation, partnership, trust, or other entity, and, in case of an entity, it includes any other entity in which it has a majority interest or effectively controls, as well as the individual officers, directors, and other persons in active control of the activities of that entity.
(13)
"Relevant market area" means the area within a radius of twenty (20) miles around an existing dealer or the area of responsibility defined in the franchise, whichever is greater.
History of Section.
P.L. 1974, ch. 292, § 1; P.L. 1981, ch. 346, § 1; P.L. 1982, ch. 448, § 1; P.L. 2009, ch. 227, § 1; P.L. 2009, ch. 228, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-10. - Free association.

§ 31-5.1-10. Free association.
Every franchisee shall have the right of free association with other franchisees for any lawful purpose.

History of Section.
P.L. 1974, ch. 292, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-11. - Sales to the state.

§ 31-5.1-11. Sales to the state.
In connection with a sale of a motor vehicle or vehicles to the state or to any political subdivision, no manufacturer, distributor or wholesaler shall offer any discounts, refunds, or any other similar type of inducement to any dealer without making the same offer or offers to all other of its dealers within the relevant market area, and if any inducements are made, the manufacturer, distributor, or wholesaler shall give simultaneous notice to all of its dealers within the relevant market area.
History of Section.
P.L. 1974, ch. 292, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-12. - Enforcement.

§ 31-5.1-12. Enforcement.
(a)
The department shall enforce compliance with the provisions of this chapter. If the department deems that there has been a violation of this chapter, the department shall hold a show cause hearing for revocation or suspension of a license in accordance with the Administrative Procedures Act, chapter 35 of title 42.
(b)
Any person regulated by this chapter shall have his or her license to operate in this state revoked or suspended upon a finding by the department of a failure to comply with the provisions of this chapter.
History of Section.
P.L. 1974, ch. 292, § 1; P.L. 1989, ch. 174, § 2; P.L. 1991, ch. 44, art. 14, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-13. - Civil remedies.

§ 31-5.1-13. Civil remedies.
(a)
Notwithstanding the terms, provisions, or conditions of any agreement or franchise or the terms or provisions of any waiver, any consumer who is injured by a violation of this chapter, or any party to a franchise who is so injured in his or her business or property by a violation of this chapter relating to that franchise, or any person so injured because he or she refuses to accede to a proposal for an arrangement which, if consummated, would be in violation of this chapter, may bring a civil action in the superior court to enjoin further violations, and to recover the actual damages sustained by that person together with the costs of the suit, including a reasonable attorney's fee.
(b)
Any motor vehicle dealer or franchisee shall have the right to civil damages; including a reasonable attorney's fee, for any loss sustained as a result of a violation of this chapter. A final judgment, order, or decree rendered against a person in any civil, criminal, or administrative proceeding under the United States anti-trust laws, under the Federal Trade Commission Act, 15 U.S.C. § 41 et seq., or under this chapter shall be regarded as prima facie evidence against that person subject to the conditions set forth in the United States anti-trust laws (15 U.S.C. § 16).
History of Section.
P.L. 1974, ch. 292, § 1; P.L. 1981, ch. 346, § 1; P.L. 1982, ch. 448, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-14. - Contracts void.

§ 31-5.1-14. Contracts void.
Any contract, part of a contract, or practice under a contract in violation of any provision of this chapter shall be deemed against public policy and shall be void and unenforceable.
History of Section.
P.L. 1974, ch. 292, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-15. - Limitation of action.

§ 31-5.1-15. Limitation of action.
Actions arising out of any provision of this chapter shall be commenced within four (4) years next after the cause of action accrues. If a person liable under this chapter conceals the cause of action from the knowledge of the person entitled to bring it, the period

prior to the discovery of his or her cause of action by the person so entitled shall be excluded in determining the time limited for the commencement of the action. If a cause of action accrues during the pendency of any civil, criminal, or administrative proceeding against a person brought by the United States, or any of its agencies, under the anti-trust laws, the Federal Trade Commission Act, 15 U.S.C. § 41 et seq., or any other federal act or the laws of the state related to anti-trust laws or to franchising, that action may be commenced within one year after the final disposition of that civil, criminal, or administrative proceeding.
History of Section.
P.L. 1974, ch. 292, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-16. - Bill to set aside department order.

§ 31-5.1-16. Bill to set aside department order.
Any licensee or other person in interest, who is dissatisfied with the final order of the department, may appeal to the sixth division of the district court pursuant to the procedure established in § 42-35-15.
History of Section.
P.L. 1974, ch. 292, § 1; P.L. 1982, ch. 448, § 1; P.L. 1989, ch. 174, § 2; P.L. 1991, ch. 44, art. 14, § 3; P.L. 1992, ch. 453, § 10; P.L. 1999, ch. 218, art. 5, § 13.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-17. - Severability.

§ 31-5.1-17. Severability.
If any provision of this chapter or its application to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.
History of Section.
P.L. 1974, ch. 292, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-18. - Transportation damages.

§ 31-5.1-18. Transportation damages.
(a)
Notwithstanding the terms, provisions, or conditions of any agreement or franchise, the new motor vehicle dealer is solely liable for damages to new motor vehicles after acceptance from the carrier and before delivery to the ultimate purchaser.
(b)
Notwithstanding the terms, provisions, or conditions of any agreement or franchise, the manufacturer is liable for all damages to motor vehicles before delivery to a carrier or transporter.
(c)
The new motor vehicle dealer is liable for damages to new motor vehicles after delivery to the carrier only if the dealer selects the method of transportation, mode of transportation, and the carrier. In all other instances, the manufacturer is liable for carrier-related new motor vehicle damage.
(d)
On any new motor vehicle, any uncorrected damage or any corrected damage exceeding six percent (6%) of the manufacturer's suggested retail price, as defined in 26 U.S.C. § 4216 and measured by retail repair costs, must be disclosed in writing prior to delivery. Damage to glass, tires, and bumpers is excluded from the six percent (6%) rule when replaced by identical manufacturer's original equipment.
(e)
Repaired damage to a customer ordered new motor vehicle, not exceeding the six percent (6%) rule, shall not constitute grounds for revocation of the customer order. The customer's right of revocation ceases upon his or her acceptance of delivery of the vehicle.
(f)
If damage to a vehicle exceeds the six percent (6%) rule at either the time the new motor vehicle is accepted by the new motor vehicle dealer, or whenever the risk of loss is shifted to the dealer (as defined in subsection (c)), whichever occurs first, then the dealer may reject the vehicle within a reasonable time. Should the dealer elect to repair any damage exceeding the six percent (6%) rule, full disclosure shall be made by the dealer in writing to the customer and an acknowledgment by the customer is required. If there is less than six percent (6%) damage as described in subsection (d) of this section, no disclosure is required. Pre-delivery mechanical work shall not require a disclosure.
History of Section.
P.L. 1981, ch. 347, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-19. - Risk of loss.

§ 31-5.1-19. Risk of loss.
(a)
If a new motor vehicle dealer determines the method of transportation, as defined in § 31-5.1-18(c), then the risk of loss passes to the dealer upon delivery of the vehicle to the carrier.
(b)
In every other instance, the risk of loss remains with the manufacturer until such time as the new motor vehicle dealer accepts the vehicle from the carrier.
History of Section.
P.L. 1981, ch. 347, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-2. - Application of chapter.

§ 31-5.1-2. Application of chapter.
Any person who engages directly or indirectly in purposeful contacts within this state in connection with the offering or advertising for sale of, or has business dealings with respect to, a motor vehicle within the state shall be subject to the provisions of this chapter and shall be subject to the jurisdiction of the courts of this state, upon service of process in accordance with the provisions of the general laws.
History of Section.
P.L. 1974, ch. 292, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-20. - Extent of damage liability to dealers.

§ 31-5.1-20. Extent of damage liability to dealers.
(a)
The extent of liability to a dealer regarding repair work shall be limited to the gross charge for the repair work.
(b)
Dealers shall not be liable for transportation or rental costs during the time in which repairs are made.
(c)
In any action regarding dealers involving §§ 31-5.1-18 — 31-5.1-20 the dealer shall have the right to recover reasonable attorney's fees and court costs upon a finding of capricious action by a litigant.
(d)
Where a dealer has refunded the purchase price in full on a new motor vehicle within thirty (30) days of delivery, and that vehicle is returned to the dealer free of collision, the dealer may sell the motor vehicle as new but the vehicle's mileage must be disclosed to the buyer.
History of Section.
P.L. 1981, ch. 347, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-21. - Promotional activities.

§ 31-5.1-21. Promotional activities.
(a)
Upon filing of a claim, a manufacturer or distributor shall compensate a dealer for any incentive or reimbursement program sponsored by the manufacturer or distributor, under the terms of which the dealer is eligible for compensation.
(b)(1)
A claim filed under this section shall be:
(i)
In the manner and form prescribed by the manufacturer or distributor; and
(ii)
Approved or disapproved within thirty (30) days of receipt.
(2)
A claim not approved or disapproved within thirty (30) days of receipt shall be deemed approved.
(3)
Payment of a claim filed under this section shall be made within thirty (30) days of approval.
(c)(1)
If a claim filed under this section is shown by the manufacturer or distributor to be false or unsubstantiated, the manufacturer or distributor may charge back the claim within one year from the date the claim was paid or credit issued or one year from the end of a manufacturer program that does not exceed one year in length, whichever is later.
(i)
A manufacturer or distributor shall not charge back a claim based solely on a motor vehicle dealer's incidental failure to comply

with a specific claim processing requirement, such as a clerical error or other administrative technicality that does not put into question the legitimacy of the claim after the motor vehicle dealer properly resubmits the claim in accordance with the manufacturer's or distributor's submission guidelines.
(ii)
A dealer shall have no less than sixty (60) days from the date of notification by a manufacturer or distributor of a charge back to the dealer to resubmit a claim for payment or compensation if the claim was denied for a dealer's incidental failure as set forth in subsection (c)(1)(ii) whether the chargeback was a direct or an indirect transaction.
(2)
This paragraph does not limit the right of a manufacturer or distributor to charge back for any claim that is proven fraudulent.
History of Section.
P.L. 1995, ch. 339, § 2; P.L. 2009, ch. 227, § 1; P.L. 2009, ch. 228, § 1; P.L. 2010, ch. 239, § 4; P.L. 2014, ch. 353, § 1; P.L. 2014, ch. 397, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-3. - Unlawful acts and practices.

§ 31-5.1-3. Unlawful acts and practices.
(a)
Unfair methods of competition, and unfair or deceptive acts or practices, as defined in this chapter, are declared to be unlawful.
(b)
In construing subsection (a) of this section, the courts may be guided by the interpretations of § 45 of the Federal Trade Commission Act (15 U.S.C. § 45), as from time to time amended.
(c)
The department of revenue (hereinafter in this chapter, the "department") may make rules and regulations interpreting the provisions of subsection (a) of this section. The rules and regulations shall not be inconsistent with the rules, regulations, and decisions of the Federal Trade Commission and the federal courts interpreting the provisions of the Federal Trade Commission Act (15 U.S.C. § 45), as from time to time amended.
History of Section.
P.L. 1974, ch. 292, § 1; P.L. 1989, ch. 174, § 2; P.L. 1991, ch. 44, art. 14, § 3; P.L. 2008, ch. 98, § 6; P.L. 2008, ch. 145, § 6; P.L. 2009, ch. 227, § 1; P.L. 2009, ch. 228, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-4.1. - Dealership — Survivorship.

§ 31-5.1-4.1. Dealership — Survivorship.
(a)(1) Right of designated family member to succeed in dealership ownership.
Any owner of a new motor vehicle dealership may appoint by will or any other written instrument a designated family member to succeed in the ownership interest of that owner in the new motor vehicle dealership.
(2)
Unless there exists good cause for refusal to honor that succession on the part of the manufacturer or distributor, any designated family member of a deceased or incapacitated owner of a new motor vehicle dealer may succeed to the ownership of the new motor vehicle dealer under the existing franchise provided that:
(i)
The designated family member gives the manufacturer or distributor written notice of his or her intention to succeed to the ownership of the new motor vehicle dealer within one hundred twenty (120) days of the owner's death or incapacity;
(ii)
The designated family member agrees to be bound by all the terms and conditions of the franchise; and
(iii)
The designated family member shall not operate the dealership unless he or she meets the then-current criteria generally applied by the manufacturer or distributor in qualifying dealer-operators.
(3)
The manufacturer or distributor may request, and the designated family member shall provide, promptly upon the request, personal and financial data that is reasonably necessary to determine whether the succession should be honored.
(b) Refusal to honor succession to ownership
— Notice required.
(1)
If a manufacturer or distributor believes that good cause exists for refusing to honor the succession to the ownership of a new motor vehicle dealer by a family member of a deceased or incapacitated owner of a new motor vehicle dealer under the existing franchise agreement, the manufacturer or distributor may, not more than sixty (60) days following receipt of:
(i)
Notice of the designated family member's intent to succeed to the ownership of the new motor vehicle dealer; or

(ii)
Any personal or financial data which it has requested, serve upon the designated family member and the department of revenue notice of its refusal to honor the succession and of its intent to discontinue the existing franchise with the dealer no sooner than ninety (90) days from the date the notice is served.
(2)
The notice must state the specific grounds for the refusal to honor the succession and of the manufacturer's or distributor's intent to discontinue the existing franchise with the new motor vehicle dealer no sooner than ninety (90) days from the date the notice is served.
(3)
If notice of refusal and discontinuance is not timely served upon the family member, the franchise shall continue in effect subject to termination only as otherwise permitted by this chapter.
(c) Written designation of succession unaffected.
This chapter does not preclude the owner of a new motor vehicle dealership from designating any person as the owner's successor by written instrument filed with the manufacturer or distributor and, in the event there is a conflict between that written instrument and the provisions of this section, the written instrument shall govern.
History of Section.
P.L. 1981, ch. 346, § 3; P.L. 1982, ch. 448, § 1; P.L. 1991, ch. 44, art. 14, § 3; P.L. 2008, ch. 98, § 6; P.L. 2008, ch. 145, § 6.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-4.2. - Establishing new dealerships and relocating existing dealerships.

§ 31-5.1-4.2. Establishing new dealerships and relocating existing dealerships.
(a)
In the event that a manufacturer seeks to enter into a franchise establishing an additional new motor vehicle dealership, adding an additional location for an existing new motor vehicle dealership, or relocating an existing new motor vehicle dealership within or into a relevant market area where the same line or make is then represented, except when the corporation operating the new motor vehicle dealership contains one or more officers who were also officers of a dealership operating at the same location as the new motor vehicle dealership immediately prior to the establishment of the new motor vehicle dealership, the manufacturer shall in writing by certified mail first notify the department and each new motor vehicle dealer in the same line or make in the relevant market area of the intention to establish an additional dealership to add an additional location for an existing new motor vehicle dealership, or to relocate an existing dealership within or into that market area. Within thirty (30) days of receiving notice or within thirty (30) days after the end of any appeal procedure provided by the manufacturer, any affected new motor vehicle dealership may file with the department a protest to the establishing or relocating of the new motor vehicle dealership or adding an additional location for an existing new motor vehicle dealership. When a protest is filed, the department shall inform the manufacturer that a timely protest has been filed, and that the manufacturer shall not establish or relocate the proposed new motor vehicle dealership or add the proposed additional location for an existing new motor vehicle dealership until the department has held a hearing, nor until the department has determined that there is good cause for not permitting the new motor vehicle dealership. For the purposes of this section, the reopening in a relevant market area of a new motor vehicle dealership shall be deemed the establishment of an additional new motor vehicle dealership.
(b)
In determining whether good cause has been established for entering into or relocating an additional franchise for the same line or make, or adding an additional location for an existing new motor vehicle dealership, the department shall take into consideration the existing circumstances, including, but not limited to:
(1)
Permanence of the investment of the existing new motor vehicle dealer(s) in the community;
(2)
Whether the new motor vehicle dealers of the same line or make in that relevant market area are providing adequate consumer care for the motor vehicles of the line or make in the market area which shall include the adequacy of motor vehicle sales and service facilities, equipment, supply of motor vehicle parts, and qualified service personnel;
(3)
Whether there is reasonable evidence that after the granting of the new motor vehicle dealership, that the market would support all of the dealerships of that line or make in the relevant market area;
(4)
Whether it is injurious to the public welfare for an additional new motor vehicle dealership to be established;
(5)
The growth or decline in population and new motor vehicle registrations during the past five (5) years in the relevant market area;
(6)
Whether the manufacturer is motivated principally by good faith to establish an additional or new motor vehicle dealer and not by non-economic considerations;

(7)
Whether the manufacturer has denied its existing new motor vehicle dealers of the same line or make the opportunity for reasonable growth, market expansion, or relocation;
(8)
The reasonably expected or anticipated vehicle market for the relevant market area, including demographic factors such as age of population, income, size class preference, product popularity, retail lease transactions, or other factors affecting sales to consumers in the relevant market area;
(9)
Growth or decline in population, density of population, and new car registrations in the relevant market area;
(10)
Distance, travel time, traffic patterns, and accessibility between the existing new dealership of the same new line make and the location of the proposed new or relocated dealership;
(11)
The amount of business transacted by existing new motor vehicle dealers of the line or make when compared with the amount of business available to them;
(12)
Whether the existing new motor vehicle dealers of the line or make are receiving vehicles and parts in quantities promised by the manufacturer, factory branch or distributor and on which promised quantities existing new motor vehicle dealers based their investment and scope of operations.
(c)
Any parties to a hearing by the department concerning the establishing or relocating of a new motor vehicle dealership or adding an additional location for an existing new motor vehicle dealership shall have a right to a review of the decision in a court of competent jurisdiction.
(d)
At any hearing conducted by the department under this section, the manufacturer or dealer seeking to establish an additional new motor vehicle dealership, relocate an existing new motor vehicle dealership, or add an additional location for an existing new motor vehicle dealership shall bear the burden of proof in establishing that good cause exists for it.
(e)
Every person, firm or corporation who prior to the retail sale of a motor vehicle, converts or otherwise assembles, installs or affixes a body, cab or special equipment to a chassis or who adds to, subtracts from or modifies a previously assembled or manufactured motor vehicle shall be required to comply with the requirements of this section.
History of Section.
P.L. 1981, ch. 346, § 3; P.L. 1982, ch. 448, § 1; P.L. 1990, ch. 400, § 1; P.L. 1990, ch. 401, § 1; P.L. 1991, ch. 44, art. 14, § 3; P.L. 1991, ch. 50, § 2; P.L. 2000, ch. 428, § 1; P.L. 2000, ch. 431, § 1; P.L. 2001, ch. 27, § 1; P.L. 2001, ch. 267, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-4. - Violations.

§ 31-5.1-4. Violations.
(a)
It shall be deemed a violation of this chapter for any manufacturer or motor vehicle dealer to engage in any action that is arbitrary, in bad faith, or unconscionable and that causes damage to any of the parties involved or to the public.
(b)
It shall be deemed a violation of this chapter for a manufacturer, or officer, agent, or other representative of a manufacturer, to coerce, or attempt to coerce, any motor vehicle dealer:
(1)
To order or accept delivery of any motor vehicle or vehicles, equipment, parts, or accessories for them, or any other commodity or commodities that the motor vehicle dealer has not voluntarily ordered.
(2)
To order or accept delivery of any motor vehicle with special features, accessories, or equipment not included in the list price of that motor vehicle as publicly advertised by the manufacturer of the vehicle.
(3)
To participate monetarily in an advertising campaign or contest, or to purchase any promotional materials, or training materials, showroom, or other display decorations, or materials at the expense of the new motor vehicle dealership.
(4)
To enter into any agreement with the manufacturer or to do any other act prejudicial to the new motor vehicle dealer by threatening to terminate or cancel a franchise or any contractual agreement existing between the dealer and the manufacturer; except that this subdivision is not intended to preclude the manufacturer or distributor from insisting on compliance with the reasonable terms or provisions of the franchise or other contractual agreement. Notice in good faith to any new motor vehicle dealer of the new motor vehicle dealer’s violation of those terms or provisions shall not constitute a violation of the chapter.

(5)
To refrain from participation in the management of, investment in, or acquisition of any other line of new motor vehicle or related products. This subdivision does not apply unless the new motor vehicle dealer maintains a reasonable line of credit for each make or line of new motor vehicles, the new motor vehicle dealer remains in compliance with any reasonable facilities requirements of the manufacturer; and no change is made in the principal management of the new motor vehicle dealer.
(6)
To assent to a release, assignment, novation, waiver, or estoppel in connection with the transfer or voluntary termination of a franchise, or that would relieve any person from the liability to be imposed by this law; or to require any controversy between a new motor vehicle dealer and a manufacturer, distributor, or representative to be referred to any person other than the duly constituted courts of this state or of the United States of America, or to the department of revenue of this state, if that referral would be binding upon the new motor vehicle dealer.
(7)
To order for any person any parts, accessories, equipment, machinery, tools, or any commodities.
(c)
It shall be deemed a violation of this chapter for a manufacturer, or officer, agent, or other representative:
(1)
To refuse to deliver in reasonable quantities and within a reasonable time after receipt of the dealer's order, to any motor vehicle dealer having a franchise or contractual arrangement for the retail sale of new motor vehicles sold or distributed by the manufacturer, any motor vehicles covered by the franchise or contract, specifically publicly advertised by the manufacturer to be available for immediate delivery. However, the failure to deliver any motor vehicle shall not be considered a violation of this chapter if that failure is due to an act of God, work stoppage, or delay due to a strike or labor difficulty, shortage of materials, a freight embargo, or other cause over which the manufacturer, distributor, or wholesaler, its agent, shall have no control.
(2)
To refuse to deliver, or otherwise deny, to any motor vehicle dealer having a franchise or contractual arrangement for the retail sale of new motor vehicles sold or distributed by the manufacturer any particular new motor vehicle model made or distributed by the manufacturer under the name of the division of the manufacturer of which the dealer is an authorized franchise.
(3)
It shall be deemed a prima facie violation of this chapter for any automotive vehicle division manufacturer to require any separate franchise or contractual arrangement with any new motor vehicle dealer already a party to a franchise or contractual arrangement with that automotive vehicle division for the retail sale of any particular new motor vehicle model made or distributed by that division.
(4)
To coerce, or attempt to coerce, any motor vehicle dealer to enter into any agreement with the manufacturer, or their officers, agents, or other representatives, or to do any other act prejudicial to the dealer, by threatening to cancel any franchise or any contractual agreement existing between the manufacturer and the dealer. Notice in good faith to any motor vehicle dealer of the dealer's violation of any terms or provisions of the franchise or contractual agreement shall not constitute a violation of this chapter.
(5)
To resort to or use any false or misleading advertisement in connection with his or her business as a manufacturer, an officer, agent, or other representative.
(6)
To sell or lease any new motor vehicle to, or through, any new motor vehicle dealer at a lower actual price therefore than the actual price offered to any other new motor vehicle dealer for the same model vehicle similarly equipped or to utilize any device, including, but not limited to, sales promotion plans or programs, that result in a lesser actual price. The provisions of this paragraph shall not apply to sales to a new motor vehicle dealer for resale to any unit of the United States government or to the state or any of its political subdivisions. A manufacturer may not reduce the price of a motor vehicle charged to a dealer or provide different financing terms to a dealer in exchange for the dealer's agreement to:
(i)
Maintain an exclusive sales or service facility;
(ii)
Build or alter a sales or service facility; or
(iii)
Participate in a floor plan or other financing.
(7)
To sell or lease any new motor vehicle to any person, except a manufacturer's employee, at a lower actual price than the actual price offered and charged to a new motor vehicle dealer for the same model vehicle similarly equipped or to utilize any device which results in a lesser actual price. The provisions of this paragraph shall not apply to sales to a new motor vehicle dealer for resale to any unit of the United States government, or to the state or any of its political subdivisions.
(8)
To offer in connection with the sale of any new motor vehicle or vehicles, directly or indirectly, to a fleet purchaser, within or

without this state, terms, discounts, refunds, or other similar types of inducements to that purchaser without making the same offer or offers available to all of its new motor vehicles dealers in this state. No manufacturer may impose or enforce any restrictions against new motor vehicle dealers in this state or their leasing, rental, or fleet divisions or subsidiaries that are not imposed or enforced against any other direct or indirect purchaser from the manufacturer. The provisions of this paragraph shall not apply to sales to a new motor vehicle dealer for resale to any unit of the United States government, or to the state or any of its political subdivisions.

(9)

To use or consider the performance of a motor vehicle dealer relating to the sale of the manufacturer's vehicles or the motor vehicle dealer's ability to satisfy any minimum sales or market share quota or responsibility relating to the sale of the manufacturer's new vehicles in determining:

(i)

The motor vehicle dealer's eligibility to purchase program, certified, or other used motor vehicles from the manufacturer;

(ii)

The volume, type, or model of program, certified, or other used motor vehicles that a motor vehicle dealer is eligible to purchase from the manufacturer;

(iii)

The price of any program, certified, or other used motor vehicle that the dealer is eligible to purchase from the manufacturer; or

(iv)

The availability or amount of any discount, credit, rebate, or sales incentive that the dealer is eligible to receive from the manufacturer for the purchase of any program, certified, or other used motor vehicle offered for sale by the manufacturer.

(10)

To offer to sell or to sell parts or accessories to any new motor vehicle dealer for use in the dealer's own business for the purpose of repairing or replacing the same parts or accessories or a comparable part or accessory, at a lower actual price than the actual price charged to any other new motor vehicle dealer for similar parts or accessories to use in the dealer's own business. In those cases where new motor vehicle dealers operate or serve as wholesalers of parts and accessories to retail outlets, these provisions shall be construed to prevent a manufacturer, or its agents, from selling to a new motor vehicle dealer who operates and services as a wholesaler of parts and accessories, any parts and accessories that may be ordered by that new motor vehicle dealer for resale to retail outlets at a lower actual price than the actual price charged a new motor vehicle dealer who does not operate or serve as a wholesaler of parts and accessories.

(11)

To prevent, or attempt to prevent, by contract or otherwise, any new motor vehicle dealer from changing the capital structure of his or her dealership or the means by which, or through which the dealer finances the operation of his or her dealership. However, the new motor vehicle dealer shall at all times meet any reasonable capital standards agreed to between the dealership and the manufacturer, provided that any change in the capital structure by the new motor vehicle dealer does not result in a change in the executive management control of the dealership.

(12)

To prevent, or attempt to prevent, by contract or otherwise, any new motor vehicle dealer, or any officer, partner, or stockholder of any new motor vehicle dealer, from selling or transferring any part of the interest of any of them to any other person or persons or party or parties. Provided, however, that no dealer, officer, partner, or stockholder shall have the right to sell, transfer, or assign the franchise or power of management or control without the consent of the manufacturer, except that the consent shall not be unreasonably withheld.

(13)

To obtain money, goods, services, anything of value, or any other benefit from any other person with whom the new motor vehicle dealer does business, on account of, or in relation to, the transactions between the dealer and that other person, unless that benefit is promptly accounted for and transmitted to the new motor vehicle dealer.

(14)

To compete with a new motor vehicle dealer operating under an agreement or franchise from the manufacturer in the state of Rhode Island, through the ownership, operation, or control of any new motor vehicle dealers in this state, or by participation in the ownership, operation, or control of any new motor vehicle dealer in this state. A manufacturer shall not be deemed to be competing when operating, controlling, or owning a dealership, either temporarily for a reasonable period, but in any case not to exceed one year, which one-year (1) period may be extended for a one-time, additional period of up to six (6) months upon application to, and approval by, the motor vehicle dealers license and hearing board, which approval shall be subject to the manufacturer demonstrating the need for this extension, and with other new motor vehicle dealers of the same line or make being given notice and an opportunity to be heard in connection with said application, or in a bona fide relationship in which an independent person had made a significant investment subject to loss in the dealership and can reasonably expect to acquire full ownership of the dealership on reasonable terms and conditions within a reasonable period of time.

(15)

To refuse to disclose to any new motor vehicle dealer, handling the same line or make, the manner and mode of distribution of that line or make within the relevant market area.

(16)
To increase prices of new motor vehicles that the new motor vehicle dealer had ordered for private retail consumers prior to the new motor vehicle dealer's receipt of the written, official price increase notification. A sales contract signed by a private retail consumer shall constitute evidence of an order, provided that the vehicle is in fact delivered to that customer. In the event of manufacturer price reductions or cash rebates paid to the new motor vehicle dealer, the amount of any reduction or rebate received by a new motor vehicle dealer shall be passed on to the private retail consumer by the new motor vehicle dealer. Price reductions shall apply to all vehicles in the dealer's inventory that were subject to the price reduction. Price differences applicable to new model or series motor vehicles at the time of the introduction of new models or series shall not be considered a price increase or price decrease. Price changes caused by either: (i) The addition to a motor vehicle of required or optional equipment; (ii) Revaluation of the United States dollar, in the case of foreign-make vehicles or components; or (iii) An increase in transportation charges due to increased rates imposed by common carriers, shall not be subject to the provisions of this subdivision.
(17)
To release to any outside party, except under subpoena or as otherwise required by law, or in an administrative, judicial, or arbitration proceeding involving the manufacturer or new motor vehicle dealer, any business, financial, or personal information that may be, from time to time, provided by the new motor vehicle dealer to the manufacturer, without the express written consent of the new motor vehicle dealer.
(18)
To unfairly discriminate among its new motor vehicle dealers with respect to warranty reimbursement, or any program that provides assistance to its dealers, including internet listings; sales leads; warranty policy adjustments; marketing programs; and dealer recognition programs.
(19)
To unreasonably withhold consent to the sale, transfer, or exchange of the franchise to a qualified buyer capable of being licensed as a new motor vehicle dealer in this state.
(20)
To fail to respond, in writing, to a request for consent as specified in subdivision (19) of this subsection within sixty (60) days of the receipt of a written request on the forms, if any, generally utilized by the manufacturer or distributor for those purposes and containing the information required therein. The failure to respond shall be deemed to be a consent to the request. A manufacturer may not impose a condition on the approval of a sale, transfer, or exchange of the franchise if the condition would violate the provisions of this chapter if imposed on an existing dealer.
(21)
To unfairly prevent a new motor vehicle dealer from receiving fair and reasonable compensation for the value of the new motor vehicle dealership.
(22)
To require that a new motor vehicle dealer execute a written franchise agreement that does not contain substantially the same provisions as the franchise agreement being offered to other new motor vehicle dealers handling the same line or make. In no instance shall the term of any franchise agreement be of a duration of less than three (3) years.
(23)
To require that a new motor vehicle dealer provide exclusive facilities, personnel, or display space taking into consideration changing market conditions, or that a dealer execute a site control agreement giving a manufacturer control over the dealer's facilities.
(24)
To require that a dealer expand facilities without a guarantee of a sufficient supply of new motor vehicles to justify that expansion or to require that a dealer expand facilities to a greater degree than is necessary to sell and service the number of vehicles that the dealer sold and serviced in the most recent calendar year.
(25)
To prevent a dealer from adjusting his or her facilities to permit a relocation of office space, showroom space, and service facilities so long as the relocation is within five hundred (500) yards of the present location.
(26)
To engage in any predatory practice against a new motor vehicle dealer.
(27)
To prevent, prohibit, or coerce any new motor vehicle dealer from charging any consumer any fee allowed to be charged by the dealer under Rhode Island law or regulation except as related to eligible participants under a military discount program in which the dealer voluntarily participates and receives financial compensation from the manufacturer or distributor, to the extent that such a program is not offered to the general public.
(d)
It shall be a violation of this chapter for a manufacturer to terminate, cancel, or fail to renew the franchise of a new motor vehicle dealer except as provided in this subsection:
(1)
Notwithstanding the terms, provisions, or conditions of any franchise, whether entered into before or after the enactment of this

chapter or any of its provisions, or notwithstanding the terms or provisions of any waiver, whether entered into before or after the enactment of this chapter or any of its provisions, no manufacturer shall cancel, terminate, or fail to renew any franchise with a licensed new motor vehicle dealer unless the manufacturer has:

(i)

Satisfied the notice requirement of this subsection;

(ii)

Has good cause for the cancellation, termination, or nonrenewal;

(iii)

Has not committed any violations set forth in subsection (b) of this section; and

(iv)

Has acted in good faith as defined in this chapter and has complied with all provisions of this chapter.

(2)

Notwithstanding the terms, provisions, or conditions of any franchise or the terms or provisions of any waiver, good cause shall exist for the purposes of a termination, cancellation, or nonrenewal when:

(i)

There is a failure by the new motor vehicle dealer to comply with a provision of the franchise, which provision is both reasonable and of material significance to the franchise relationship, provided that the dealer has been notified, in writing, of the failure within one hundred eighty (180) days after the manufacturer first acquired knowledge of that failure;

(ii)

If the failure by the new motor vehicle dealer, as provided in paragraph (i) of this subdivision, relates to the performance of the new motor vehicle dealer in sales or service, then good cause shall be defined as the failure of the new motor vehicle dealer to comply with reasonable performance criteria established by the manufacturer if the new motor vehicle dealer was apprised by the manufacturer, in writing, of that failure; and:

(A)

The notification stated that notice was provided of failure of performance pursuant to paragraph (i) of this subdivision;

(B)

The new motor vehicle dealer was afforded a reasonable opportunity, for a period of not less than six (6) months, to comply with those criteria; and

(C)

The new motor vehicle dealer did not demonstrate substantial progress towards compliance with the manufacturer’s performance criteria during that period.

(3)

The manufacturer shall have the burden of proof for showing that the notice requirements have been complied with; that there was good cause for the franchise termination; cancellation or nonrenewal; and that the manufacturer has acted in good faith.

(i)

Notwithstanding the terms, provisions, or conditions of any franchise, prior to the termination, cancellation, or nonrenewal of any franchise, the manufacturer shall furnish notification of the termination, cancellation, or nonrenewal to the new motor vehicle dealer as follows:

(A)

In the manner described in paragraph (ii) of this subdivision; and

(B)

Not fewer than ninety (90) days prior to the effective date of the termination, cancellation, or nonrenewal; or

(C)

Not fewer than fifteen (15) days prior to the effective date of the termination, cancellation, or nonrenewal for any of the following reasons:

(I)

Insolvency of the new motor vehicle dealer, or the filing of any petition by, or against, the new motor vehicle dealer under any bankruptcy or receivership law;

(II)

Failure of the new motor vehicle dealer to conduct his customary sales and service operations during his or her customary business hours for seven (7) consecutive business days;

(III)

Final conviction of the new motor vehicle dealer, or any owner or operator of the dealership, of a crime which is associated with or related to, the operation of the dealership;

(IV)

Revocation of any license that the new motor vehicle dealer is required to have to operate a dealership; or

(D)

Not fewer than one hundred eighty (180) days prior to the effective date of the termination or cancellation where the manufacturer or distributor is discontinuing the sale of the product line.

(ii)
Notification under this subsection shall be in writing, shall be by certified mail or personally delivered to the new motor vehicle dealer, and shall contain:
(A)
A statement of intention to terminate, cancel, or not to renew the franchise;
(B)
A statement of the reasons for the termination, cancellation, or nonrenewal; and
(C)
The date on which the termination, cancellation, or nonrenewal shall take effect.
(iii)
Upon the involuntary or voluntary termination, nonrenewal, or cancellation of any franchise, by either the manufacturer or the new motor vehicle dealer, notwithstanding the terms of any franchise whether entered into before or after the enactment of this chapter or any of its provisions, the new motor vehicle dealer shall be allowed fair and reasonable compensation by the manufacturer for the following:
(A)
The new motor vehicle dealer's cost, less allowances paid by the manufacturer, of each new, undamaged, unsold, and unaltered, except for dealer-installed, manufacturer-authorized accessories, motor vehicle, regardless of model year purchased from the manufacturer or another dealer of the same line or make in the ordinary course of business within twenty-four (24) months of termination, having five hundred (500) or fewer miles recorded on the odometer that is in the new motor vehicle dealer's inventory at the time of termination, nonrenewal, or cancellation.
(B)
The new motor vehicle dealer's cost of each new, unused, undamaged, and unsold part or accessory that is in the current parts catalogue, or is identical to a part or accessory in the current parts catalogue except for the number assigned to the part or accessory due to a change in the number after the purchase of the part or accessory, and that is still in the original, resalable merchandising package and in an unbroken lot, except that, in the case of sheet metal, a comparable substitute for the original package may be used.
(C)
The fair market value of each undamaged sign, normal wear and tear excepted, owned by the dealer that bears a trademark or trade name used or claimed by the manufacturer that was purchased as a requirement of the manufacturer.
(D)
The fair market value of all special tools, and automotive services equipment owned by the dealer that: (I) Were recommended in writing and designated as special tools and equipment; (II) Were purchased as a requirement of the manufacturer; and (III) Are in usable and good condition except for reasonable wear and tear.
(E)
The cost of transporting, handling, packing, storing, and loading any property that is subject to repurchase under this section.
(F)
The payments above are due within sixty (60) days from the date the dealer submits an accounting to the manufacturer of the vehicle inventory subject to repurchase, and for other items within sixty (60) days from the date the dealer submits an accounting of the other items subject to repurchase, provided, the new motor vehicle dealer has clear title (or will have clear title upon using the repurchase funds to obtain clear title) to the inventory and other items and is in a position to convey that title to the manufacturer. If the inventory or other items are subject to a security interest, the manufacturer, wholesaler, or franchisor may make payment jointly to the dealer and the holder of the security interest. In no event shall the payments be made later than ninety (90) days of the effective date of the termination, cancellation, or nonrenewal.
(iv)
In the event the termination, cancellation, or nonrenewal is involuntary and not pursuant to subsection (3)(i)(C) of this section and:
(A)
The new motor vehicle dealer is leasing the dealership facilities from a lessor other than the manufacturer, the manufacturer shall pay the new motor vehicle dealer a sum equivalent to the rent for the unexpired term of the lease or (2) two year's rent, whichever is less; or
(B)
If the new motor vehicle dealer owns the facilities, the manufacturer shall pay the new motor vehicle dealer a sum equivalent to the reasonable rental value of the facilities for two (2) years; if:
(I)
The new motor vehicle dealer is unable to reasonably utilize the facilities for another purpose;
(II)
The new motor vehicle dealer, or the manufacturer acting as its agent, is unable to make arrangements for the cancellation or assumption of its lease obligations by another party in the case of leased facilities, or is unable to sell dealer-owned facilities; and
(III)
Only to the extent those facilities were required as a condition of the franchise and used to conduct sales and service operations related to the franchise product.

(v)
In addition to any injunctive relief and any other damages allowable by this chapter, if the manufacturer is discontinuing the product line or fails to prove that there was good cause for the termination, cancellation, or nonrenewal, or if the manufacturer fails to prove that the manufacturer acted in good faith, then the manufacturer shall pay the new motor vehicle dealer fair and reasonable compensation for the value of the dealership as an ongoing business.
In addition to the other compensation described in paragraphs (iii) and (iv) above and in this section, the manufacturer shall also reimburse the dealer for any costs incurred for facility upgrades or alterations required by the manufacturer within two (2) years of the effective date of the termination.
(vi)
If a manufacturer is discontinuing the product line and thus, as a result a franchise for the sale of motor vehicles is subject to termination, cancellation, or nonrenewal, the manufacturer shall:
(A)
Authorize the dealer, at the dealer's option, that remains a franchised dealer of the manufacturer regardless of the discontinuation of a product line, to continue servicing and supplying parts (without prejudice to the right of the manufacturer to also authorize other franchised dealers to provide service and parts for a discontinued product line), including services and parts pursuant to a warranty issued by the manufacturer for any goods or services marketed by the dealer pursuant to the motor vehicle franchise for a period of not less than five (5) years from the effective date of the termination, cancellation, or nonrenewal;
(B)
Continue to reimburse the dealer that remains a franchised dealer of the manufacturer regardless of the discontinuation of a product line or another franchised dealer of the manufacturer in the area for warranty parts and service in an amount, and on terms not less favorable than, those in effect prior to the termination, cancellation, or nonrenewal;
(C)
The manufacturer shall continue to supply the dealer that remains a franchised dealer of the manufacturer regardless of the discontinuation of a product line or another franchised dealer of the manufacturer in the area with replacement parts for any goods or services marketed by the dealer pursuant to the franchise agreement for a period of not less than five (5) years from the effective date of the termination, cancellation, or nonrenewal, at a price, and on terms not less favorable than, those in effect prior to the termination, cancellation, or nonrenewal;
(vii)
The requirements of this section do not apply to a termination, cancellation, or nonrenewal due to the sale of the assets or stock of the motor vehicle dealer.
(D)
To be entitled to facilities assistance from the manufacturer as described above, the dealer shall have the obligation to mitigate damages by listing the dealership facilities for lease or sublease with a licensed real estate agent within thirty (30) days after the effective date of the termination of the franchise and thereafter be reasonably cooperating with such real estate agent in the performance of the agent's duties and responsibilities. If the dealer is able to lease or sublease the dealership facilities on terms that are consistent with local zoning requirements to preserve the right to sell motor vehicles from the dealership facilities and the terms of the dealer's lease, the dealer shall be obligated to pay the manufacturer the net revenue received from such mitigation, but only following receipt of facilities assistance payments pursuant to this chapter, and only up to the total amount of facilities assistance payments that the dealer has received.
(e)
It shall be deemed a violation of this chapter for a motor vehicle dealer:
(1)
To require a purchaser of a new motor vehicle, as a condition of the sale and delivery thereof, to also purchase special features, equipment, parts, or accessories not desired or requested by the purchaser. This prohibition shall not apply as to special features, equipment, parts, or accessories that are already installed on the car before sale by the dealer.
(2)
To represent and sell as a new motor vehicle any motor vehicle that is a used motor vehicle.
(3)
To resort to or use any false or misleading advertisement in connection with his or her business as a motor vehicle dealer.
(4)
To engage in any deception or fraudulent practice in the repair of motor vehicles.
History of Section.
P.L. 1974, ch. 292, § 1; P.L. 1981, ch. 346, § 1; P.L. 1982, ch. 448, § 1; P.L. 1983, ch. 276, § 1; P.L. 1991, ch. 44, art. 14, § 3; P.L. 1994, ch. 371, § 2; P.L. 2000, ch. 521, § 1; P.L. 2008, ch. 98, § 6; P.L. 2008, ch. 145, § 6; P.L. 2009, ch. 227, § 1; P.L. 2009, ch. 228, § 1; P.L. 2010, ch. 239, § 4; P.L. 2014, ch. 353, § 1; P.L. 2014, ch. 397, § 1; P.L. 2016, ch. 512, art. 1, § 18.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-5. - Delivery obligations.

§ 31-5.1-5. Delivery obligations.

Every manufacturer shall specify to the dealer the delivery and preparation obligations of its motor vehicle dealers prior to delivery of new motor vehicles to retail buyers. A copy of the delivery and preparation obligations of its motor vehicle dealers, and a schedule of the compensation to be paid to its motor vehicle dealers for the work and services they shall be required to perform in connection with the delivery and preparation obligations, shall be filed with the department by every motor vehicle manufacturer, and shall constitute the dealer's only responsibility for product liability as between the dealer and the manufacturer. The compensation as set forth on the schedule shall be in accordance with §§ 6A-2-329 and 31-5.1-6.
History of Section.
P. L. 1974, ch. 292, § 1; P.L. 1982, ch. 448, § 1; P.L. 1989, ch. 174, § 2; P.L. 1991, ch. 44, art. 14, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-6.1. - Obligations during recalls.

§ 31-5.1-6.1. Obligations during recalls.
(a)
A manufacturer shall compensate its new motor vehicle dealers for all labor and parts required by the manufacturer to perform recall repairs. Compensation for recall repairs shall be at the dealer retail rate in effect at the time the recall repair work is performed. The dealer retail rate for parts and labor shall be at the same rates as those provided for under § 31-5.1-6. If parts or a remedy are not reasonably available to perform a recall service or repair on a used vehicle held for sale by the dealer authorized to sell new vehicles of the same line-make within thirty (30) days of the manufacturer issuing the initial notice of recall and the manufacturer has issued a "Stop-Sale," or "Do-Not-Drive," order on the vehicle, the manufacturer shall compensate the dealer at a rate of at least one and one-half percent (1.5%) of the value of the vehicle per month, or portion of a month, while the recall or remedy parts are unavailable and the "Stop-Sale," or "Do-Not-Drive," order remains in effect. A "Stop-Sale" shall be defined as a notification issued by a vehicle manufacturer to its franchised dealerships stating that certain used vehicles in inventory shall not be sold or leased, at retail and/or wholesale, due to a federal safety recall for a defect or a noncompliance, or a federal or California emissions recall.
(b)
The value of a used vehicle shall be the average trade-in value for used vehicles as indicated in an independent, third-party guide for the year, make, model, and mileage of the recalled vehicle on the later of:
(1)
The date the "Stop-Sale" or "Do-Not-Drive" order was issued; or
(2)
The date the vehicle is taken in the used motor vehicle inventory.
(c)
This section shall apply only to used vehicles subject to safety or emissions recalls pursuant to and recalled in accordance with federal law and regulations adopted thereunder and where a "Stop-Sale," or "Do-Not-Drive," order has been issued; provided, further, that this section shall apply only to new motor vehicle dealers holding used vehicles for sale that are a line-make that the dealer is franchised to sell or on which the dealer is authorized to perform recall repairs. This section further shall apply only to new motor vehicle dealers holding an affected used motor vehicle for sale that was:
(1)
In inventory at the time the "Stop-Sale" or "Do-Not-Drive" order was issued;
(2)
Taken in the used motor vehicle inventory of the new motor vehicle dealer as a consumer trade-in incident to the purchase of a new motor vehicle before or after the "Stop-Sale" or "Do-Not-Drive" order was issued; or
(3)
Properly taken in the used motor vehicle inventory of the new motor vehicle dealer as a lease return vehicle returned to the new motor vehicle dealer before or after the "Stop-Sale" or "Do-Not-Drive" order was issued in accordance with the terms of the applicable contract.
(d)
It shall be a violation of this section for a manufacturer to reduce the amount of compensation otherwise owed to a new motor vehicle dealer, whether through a chargeback; removal from an incentive program; reduction in amount owed under an incentive program; or any other means, because the new motor vehicle dealer has submitted a claim for reimbursement under this section, or was otherwise compensated for a vehicle subject to a recall where a "Stop-Sale," or "Do-Not-Drive," order has been issued.
(e)
All reimbursement claims made by new motor vehicle dealers pursuant to this section for recall remedies or repairs, or for compensation where no part or repair is reasonably available and the vehicle is subject to a "Stop-Sale" or "Do-Not-Drive" order, shall be subject to the same limitations and requirements as a warranty reimbursement claim made under § 31-5.1-6. Claims shall be either approved or disapproved within thirty (30) days after they are submitted to the manufacturer in the manner and on the forms the manufacturer reasonably prescribes. All claims shall be paid within thirty (30) days of approval of the claim by the manufacturer. Any claim not specifically disapproved in writing within thirty (30) days after the manufacturer receives a properly submitted claim shall be deemed to be approved. In the alternative, a manufacturer may compensate its franchised dealers under a national recall compensation program provided the compensation under the program is equal to or greater than that provided under

subsection (a) of this section or the manufacturer and dealer otherwise agree.
(f)
Nothing in this section shall require a manufacturer to provide total compensation to a new motor vehicle dealer that would exceed the total average trade-in value of the affected used motor vehicle as determined under subsection (b) of this section.
(g)
Any remedy provided to a dealer under this section is exclusive and may not be combined with any other state recall compensation remedy.
History of Section.
P.L. 2017, ch. 471, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-6. - Warranty agreement.

§ 31-5.1-6. Warranty agreement.
(a)
Every manufacturer shall properly fulfill any warranty agreement and adequately and fairly compensate each of its motor vehicle dealers for labor and parts. In no event shall that compensation fail to include reasonable compensation for diagnostic work, as well as repair service and labor. All claims made by motor vehicle dealers for labor and parts shall be paid in accord with the provisions of this section. Any delay in payment after approval or disapproval that is caused by conditions beyond the reasonable control of the manufacturer shall not constitute a violation of this section. Reimbursement for warranty repairs or diagnostic work shall be at the dealer retail rate in effect at the time the warranty repair or diagnostic work is performed. Compensation for parts used in warranty service shall be fair and reasonable, as determined by methods described in subsection (b). Compensation for labor used in warranty service shall be fair and reasonable, as determined by methods described in subsection (c).
(b)
The retail rate customarily charged by the dealer for parts shall be established by the dealer submitting to the manufacturer or distributor one hundred (100) sequential non-warranty customer-paid service repair orders that contain warranty-like parts, or sixty (60) consecutive days of non-warranty customer-paid service repair orders that contain warranty-like parts, whichever is less, covering repairs made no more than one hundred eighty (180) days before the submission and declaring the average percentage markup. The average of the markup rates shall be presumed to be fair and reasonable, however, a manufacturer or distributor may, not later than thirty (30) days after submission, rebut that presumption by reasonably substantiating that the rate is unfair and unreasonable in light of the practices of all other franchised motor vehicle dealers in the vicinity offering the same line-make vehicles. The retail rate shall go into effect thirty (30) days following the declaration, subject to audit of the submitted repair orders by the franchisor and a rebuttal of the declared rate as described above. If the declared rate is rebutted, the manufacturer or distributor shall propose an adjustment of the average percentage markup based on that rebuttal not later than thirty (30) days after submission. If the dealer does not agree with the proposed average percentage markup, the dealer may file a protest with the department not later than thirty (30) days after receipt of that proposal by the manufacturer or distributor. If the protest is filed, the department shall inform the manufacturer or distributor that a timely protest has been filed and that a hearing will be held on the protest. In any hearing held pursuant to this subsection, the manufacturer or distributor shall have the burden of proving that the rate declared by the dealer was unfair and unreasonable as described in this subsection and that the proposed adjustment of the average percentage markup is fair and reasonable pursuant to the provisions of this subsection.
(c)
The retail rate customarily charged by the dealer for labor may be established by submitting to the manufacturer or distributor all non-warranty customer-paid service repair orders covering repairs made during the month prior to the submission and dividing the amount of the dealer’s total labor sales by the number of total labor hours that generated those sales. The average labor rate shall be presumed to be fair and reasonable, provided a manufacturer or distributor may, not later than thirty (30) days after submission, rebut the presumption by reasonably substantiating that the rate is unfair and unreasonable in light of the practices of all other franchised motor vehicle dealers in the vicinity offering the same line-make vehicles. The average labor rate shall go into effect thirty (30) days following the declaration, subject to audit of the submitted repair orders by the franchisor and a rebuttal of the declared rate. If the declared rate is rebutted, the manufacturer or distributor shall propose an adjustment of the average labor rate based on the rebuttal not later than thirty (30) days after submission. If the dealer does not agree with the proposed average labor rate, the dealer may file a protest with the department not later than thirty (30) days after receipt of that proposal by the manufacturer or distributor. If a protest is filed, the department shall inform the manufacturer or distributor that a timely protest has been filed and that a hearing will be held on the protest. In any hearing held pursuant to this subsection, the manufacturer or distributor shall have the burden of proving that the rate declared by the dealer was unfair and unreasonable as described in this subsection and that the proposed adjustment of the average labor rate is fair and reasonable pursuant to the provisions of this subsection.
(d)
In calculating the retail rate customarily charged by the dealer for parts and labor, the following work shall not be included in the calculation:
(1)

Repairs for manufacturer or distributor special events, specials, or promotional discounts for retail customer repairs;
(2)
Parts sold at wholesale;
(3)
Engine assemblies and transmission assemblies;
(4)
Routine maintenance not covered under any retail customer warranty, such as fluids, filters, and belts not provided in the course of repairs;
(5)
Nuts, bolts, fasteners, and similar items that do not have an individual part number;
(6)
Tires; and
(7)
Vehicle reconditioning.
(e)
If a manufacturer or distributor furnishes a part or component to a dealer at no cost, to use in performing repairs under a recall, campaign service action, or warranty repair, the manufacturer or distributor shall compensate the dealer for the part or component in the same manner as warranty parts compensation under this section by compensating the dealer the average markup on the cost for the part or component as listed in the manufacturer's or distributor's price schedule less the cost for the part or component.
(f)
A manufacturer or distributor may not require a dealer to establish the retail rate customarily charged by the dealer for parts and labor by an unduly burdensome or time-consuming method or by requiring information that is unduly burdensome or time consuming to provide, including, but not limited to, part-by-part or transaction-by-transaction calculations. A dealer may not declare an average percentage markup or average labor rate more than twice in one calendar year.
(g)
A manufacturer or distributor may not otherwise recover its costs from dealers within this state, including an increase in the wholesale price of a vehicle or surcharge imposed on a dealer solely intended to recover the cost of reimbursing a dealer for parts and labor pursuant to this section, provided a manufacturer or distributor shall not be prohibited from increasing prices for vehicles or parts in the normal course of business.
(h)
Each manufacturer or distributor shall perform all warranty obligations, include in written notices of factory recalls to owners and dealers the expected date by which necessary parts and equipment will be available to dealers for the correction of the defects, and compensate dealers for repairs necessitated by such recall.
(i)
A claim filed under this section by a dealer with a manufacturer or distributor shall be:
(1)
In the manner and form prescribed by the manufacturer or distributor; and
(2)(i)
Approved or disapproved within (30) days of receipt.
(ii)
A claim not approved or disapproved within thirty (30) days of receipt shall be deemed approved.
(iii)
Payment of, or credit issued on, a claim filed under this section shall be made within thirty (30) days of approval.
(3)(i)
If a claim filed under this section is shown by the manufacturer or distributor to be false or unsubstantiated, the manufacturer or distributor may charge back the claim within twelve (12) months from the date the claim was paid or credit issued.
(ii)
A manufacturer or distributor shall not charge back a claim based solely on a motor vehicle dealer's incidental failure to comply with a specific claim processing requirement, such as a clerical error or other administrative technicality that does not put into question the legitimacy of the claim after the motor vehicle dealer properly resubmits the claim in accordance with the manufacturer's or distributor's submission guidelines.
(iii)
A dealer shall have no less than sixty (60) days from the date of notification by a manufacturer or distributor of a charge back to the dealer to resubmit a claim for payment or compensation if the claim was denied for a dealer's incidental failure as set forth in subsection (i)(3)(ii), whether the chargeback was a direct or an indirect transaction.
(iv)
This subdivision does not limit the right of a manufacturer or distributor to charge back for any claim that is proven to be fraudulent.
History of Section.
P.L. 1974, ch. 292, § 1; P.L. 1981, ch. 346, § 1; P.L. 1982, ch. 448, § 1; P.L. 1995, ch. 339, § 1; P.L. 2014, ch. 353, § 1; P.L. 2014,

ch. 397, § 1; P.L. 2018, ch. 127, § 1; P.L. 2018, ch. 266, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-7. - Unlawful restrictions on dealerships.

§ 31-5.1-7. Unlawful restrictions on dealerships.
It shall be unlawful directly or indirectly to impose unreasonable restrictions on the motor vehicle dealer or franchisee relative to transfer, sale, right to renew, termination, discipline, non-competition covenants, site-control (whether by sublease, collateral pledge of lease, or otherwise), right of first refusal to purchase, option to purchase, compliance with subjective standards, and assertion of legal or equitable rights.
History of Section.
P.L. 1974, ch. 292, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-8. - Agreements.

§ 31-5.1-8. Agreements.
The provisions of this chapter shall apply to all written or oral agreements between a manufacturer and a motor vehicle dealer including, but not limited to, the franchise offering; the franchise agreement; sales of goods, services, or advertising; leases of mortgages of real or personal property; promises to pay; security interests; pledges; insurance contracts; advertising contracts; construction or installation contracts; servicing contracts; and all other agreements in which the manufacturer, wholesaler, or distributor has any direct or indirect interest.
History of Section.
P.L. 1974, ch. 292, § 1; P.L. 1981, ch. 346, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.1 - Regulation of Business Practices Among Motor Vehicle Manufacturers, Distributors, and DealersSection 31-5.1-9. - Product liability indemnification.

§ 31-5.1-9. Product liability indemnification.
Notwithstanding the terms of any franchise agreement, it shall be a violation of this law for any new motor vehicle manufacturer to fail to indemnify and hold harmless its franchised new motor vehicle dealers against any judgment or settlement for damages including, but not limited to, court costs and reasonable attorney’s fees of the new motor vehicle dealer, arising out of complaints, claims, or lawsuits including, but not limited to, strict liability, negligence, misrepresentation, warranty (express or implied), or revocation of the sale as defined in § 6A-2-608, to the extent that the judgment or settlement related to the alleged defective or negligent manufacture, assembly, or design of new motor vehicles, parts, or accessories or any other function of the manufacturer, beyond the control of the dealer.
History of Section.
P.L. 1981, ch. 346, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.2 - Consumer Enforcement of Motor Vehicle WarrantiesSection 31-5.2-1. - Definitions.

§ 31-5.2-1. Definitions.
The following words and phrases, for the purposes of this chapter, have the following meanings:
(1)
“Consumer” means a buyer, other than for purposes of resale, of a motor vehicle, any person to whom that motor vehicle is transferred for the same purposes during the duration of any express or implied warranty applicable to that motor vehicle, and any other person entitled by the terms of that warranty to enforce its obligations.
(2)
“Dealer” means any person engaged in the business of selling, offering to sell, soliciting, or advertising the sale of new motor vehicles.
(3)
“Lease price” means the aggregate of:
(i)
Lessor’s actual purchase costs.
(ii)
Collateral charges, if applicable.
(iii)
Any fee paid to another to obtain the lease.
(iv)
Any insurance or other costs expended by the lessor for the benefit of the lessee.
(v)

An amount equal to state and local sales taxes not otherwise included as collateral charges, paid by the lessor when the vehicle was initially purchased.
(vi)
An amount equal to five percent (5%) of the lessor's actual purchase costs.
(4)
"Lessee" means any consumer who leases a motor vehicle for one year or more pursuant to a written lease agreement which provides that the lessee is responsible for repairs to such motor vehicle or any consumer who leases a motor vehicle pursuant to a lease-purchase agreement.
(5)
"Lessee cost" means the aggregate deposit and rental payments previously paid to the lessor for the leased vehicle.
(6)
"Lessor" means a person who holds title to a motor vehicle leased to a lessee under a written lease agreement or who holds the lessor's rights under such agreement.
(7)
"Manufacturer" means any person, partnership, firm, association, corporation, or trust, resident or nonresident, which is engaged in the business of manufacturing or assembling new motor vehicles, or which is engaged in the business of importing new motor vehicles which are manufactured or assembled outside of the United States.
(8)
"Motor vehicle" or "vehicle" means: (i) an automobile, truck, motorcycle, or van having a registered gross vehicle weight of less than ten thousand pounds (10,000 lbs.), sold, leased, or replaced by a dealer or manufacturer, except that it shall not include a motorized camper as defined in § 31-1-3; or (ii) a municipality, municipal agency or fire district owned or leased fire department motorized apparatus which has not been significantly altered in such a manner to cause a breach of the manufacturer's warranty.
(9)
"Nonconformity" means any specific or generic defect or malfunction, or any concurrent combination of such defects or malfunctions, that substantially impairs the use, market value, or safety of a motor vehicle.
(10)
"Term of protection" means one year or fifteen thousand (15,000) miles of use from the date of original delivery of a new motor vehicle to the consumer, whichever comes first; or, in the case of a replacement vehicle provided by a manufacturer to a consumer under this chapter, one year or fifteen thousand (15,000) miles from the date of delivery to the consumer of that replacement vehicle, whichever comes first.
(11)
"Motor vehicle arbitration board" means the board to be established by the department of attorney general as set forth in § 31-5.2-7.1, which board shall replace the consumers' council automobile dispute settlement panel.
History of Section.
P.L. 1984, ch. 353, § 1; P.L. 1984, ch. 361, § 1; P.L. 1990, ch. 237, § 1; P.L. 1991, ch. 128, § 1; P.L. 2000, ch. 109, § 61; P.L. 2004, ch. 6, § 14; P.L. 2005, ch. 106, § 1; P.L. 2005, ch. 123, § 1; P.L. 2007, ch. 165, § 1; P.L. 2007, ch. 248, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.2 - Consumer Enforcement of Motor Vehicle WarrantiesSection 31-5.2-10. - Cause of action.

§ 31-5.2-10. Cause of action.
An aggrieved consumer or lessee may bring an action under the Rules of Civil Procedure in the superior court to enforce the provisions of this chapter.
History of Section.
P.L. 1984, ch. 353, § 1; P.L. 1984, ch. 361, § 1; P.L. 1995, ch. 236, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.2 - Consumer Enforcement of Motor Vehicle WarrantiesSection 31-5.2-11. - Attorney's fees.

§ 31-5.2-11. Attorney's fees.
The court hearing a complaint brought by a consumer or lessee aggrieved by a violation of this chapter shall award reasonable attorney's fees to a prevailing plaintiff.
History of Section.
P.L. 1984, ch. 353, § 1; P.L. 1984, ch. 361, § 1; P.L. 1995, ch. 236, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.2 - Consumer Enforcement of Motor Vehicle WarrantiesSection 31-5.2-12. - Commencement of action.

§ 31-5.2-12. Commencement of action.
Any action brought pursuant to this chapter shall be commenced within three (3) years of the date of original delivery of the motor vehicle to the consumer or lessee or within two (2) years of the date on which the mileage on the motor vehicle reached fifteen thousand (15,000) miles, whichever is earlier.

History of Section.
P.L. 1984, ch. 353, § 1; P.L. 1984, ch. 361, § 1; P.L. 1995, ch. 236, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.2 - Consumer Enforcement of Motor Vehicle WarrantiesSection 31-5.2-13. - Deceptive trade practice.

§ 31-5.2-13. Deceptive trade practice.
A manufacturer's failure to comply with any of the provisions of this chapter shall constitute a deceptive trade practice under the terms of chapter 13.1 of title 6. All of the public and private remedies provided for in chapter 13.1 of title 6 shall be available to enforce the provisions of this chapter.
History of Section.
P.L. 1984, ch. 353, § 1; P.L. 1984, ch. 361, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.2 - Consumer Enforcement of Motor Vehicle WarrantiesSection 31-5.2-14. - Consumers' council automobile dispute settlement panel — Motor vehicle arbitration board.

§ 31-5.2-14. Consumers' council automobile dispute settlement panel — Motor vehicle arbitration board.
Whenever the term "consumer's council automobile dispute settlement panel," for the purpose of providing an independent arbitration procedure for the settlement of disputes between consumers or lessees and manufactures concerning motor vehicles which do not conform to all applicable express or implied warranties is used, the term shall mean the motor vehicle arbitration board established by the department of attorney general pursuant to § 31-5.2-7.1.
History of Section.
P.L. 2005, ch. 106, § 2; P.L. 2005, ch. 123, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.2 - Consumer Enforcement of Motor Vehicle WarrantiesSection 31-5.2-2. - Manufacturers' obligation to fulfill warranties.

§ 31-5.2-2. Manufacturers' obligation to fulfill warranties.
If a motor vehicle does not conform to any applicable express or implied warranties, including, but not limited to, the implied warranty of merchantability as defined in § 6A-2-314 and the implied warranty of fitness for a particular purpose as defined in § 6A-2-315, and the consumer or lessee reports the nonconformity to the manufacturer of the vehicle, its agent, or its authorized dealer or lessor during the term of protection, the manufacturer, its agent, or its authorized dealer shall effect such repairs as are necessary to conform the vehicle to the warranty, notwithstanding the fact that those repairs are made after the expiration of the term.
History of Section.
P.L. 1984, ch. 353, § 1; P.L. 1984, ch. 361, § 1; P.L. 1995, ch. 236, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.2 - Consumer Enforcement of Motor Vehicle WarrantiesSection 31-5.2-3. - Replacement of nonconforming vehicle.

§ 31-5.2-3. Replacement of nonconforming vehicle.
(a)(1)
If the manufacturer, its agent, or its authorized dealer or lessor does not conform the motor vehicle to any applicable express or implied warranty by curing any nonconformity after a reasonable number of attempts, the manufacturer shall accept return of the vehicle from the consumer or lessee and, at the consumer's or lessee's option, refund the full contract price or lease price of the vehicle including all credits and allowances for any trade-in vehicle, less a reasonable allowance for use, or replace it with a comparable new motor vehicle in good working order.
(2)
A manufacturer replacing a motor vehicle shall have thirty (30) calendar days from the date of return of the motor vehicle under the provisions of this chapter to deliver a comparable motor vehicle. If, within that thirty (30) days, no comparable motor vehicle has been delivered, the manufacturer shall refund the full contract price or lease price less a reasonable allowance for use.
(3)(i)
In instances in which a vehicle is replaced by a manufacturer under the provisions of this chapter, the manufacturer shall reimburse the consumer or lessee for any fees for the transfer of registration or any sales tax incurred by the consumer or lessee as a result of that replacement.
(ii)
In instances in which a vehicle which was financed by the manufacturer or its subsidiary or agent is replaced under the provisions of this chapter, the manufacturer, subsidiary, or agent shall not require the consumer or lessee to enter into any refinancing agreement with an interest rate or other financial terms which are less favorable to the consumer or lessee than those stated in the original financing agreement.
(iii)
In instances in which a refund is tendered under the provisions of this chapter, the manufacturer shall also reimburse the consumer

or lessee for incidental costs including sales tax, registration fee, finance charges, and any cost of nonremovable options added by an authorized dealer or lessor.
(iv)
Whenever a vehicle is replaced or refunded under the provisions of this chapter, in instances in which towing services and rental vehicles of comparable year and size were not made available at no cost to the consumer or lessee, the manufacturer shall also reimburse the consumer or lessee for towing and reasonable rental costs that were a direct result of vehicle nonconformity.
(4)
Refunds shall be made to the consumer or lessee and to the lienholder, if any, as their interests may appear.
(5)
A reasonable allowance for use shall be obtained by multiplying the total contract price or lessee cost of the vehicle by a fraction having as its denominator one hundred thousand (100,000) and having as its numerator the number of miles that the vehicle traveled prior to the consumer's first report of the nonconformity to the manufacturer, its agent, or its dealer or lessor plus the number of miles that it traveled during any subsequent period when the vehicle was not out of service by reason of repair.
(6)
A consumer or lessee shall have the option of retaining the use of any vehicle returned under the provisions of this chapter until such time as the consumer or lessee has been tendered a full refund or replacement vehicle acceptable to the consumer or lessee. The use of any vehicle retained by a consumer or lessee after its return to a manufacturer under the provisions of this chapter shall, in instances in which a refund is tendered, be reflected in the above-mentioned reasonable allowance for use.
(b)
If applicable, refunds shall be made to the lessor and lessee as their interests may appear on the records of ownership as follows: the lessee shall receive the lessee cost and the lessor shall receive the lease price less the aggregate deposit and rental payments previously paid to the lessor for the leased vehicle. If it is determined that the lessee is entitled to a refund pursuant to this chapter, the consumer's lease agreement with the lessor shall be terminated upon payment of the refund and no penalty for early termination shall be assessed.
History of Section.
P.L. 1984, ch. 353, § 1; P.L. 1984, ch. 361, § 1; P.L. 1990, ch. 237, § 1; P.L. 1995, ch. 236, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.2 - Consumer Enforcement of Motor Vehicle WarrantiesSection 31-5.2-4. - Affirmative defenses.

§ 31-5.2-4. Affirmative defenses.
It shall be an affirmative defense to any claim under this section:
(1)
That an alleged nonconformity does not substantially impair the use, market value, or safety of the vehicle; or
(2)
That a nonconformity is the result of abuse, neglect, or unauthorized substantial modification or alteration of the vehicle by the consumer or lessee.
History of Section.
P.L. 1984, ch. 353, § 1; P.L. 1984, ch. 361, § 1; P.L. 1995, ch. 236, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.2 - Consumer Enforcement of Motor Vehicle WarrantiesSection 31-5.2-5. - Time allowed for correction of nonconformity.

§ 31-5.2-5. Time allowed for correction of nonconformity.
(a)
A reasonable number of attempts shall be presumed to have been undertaken to conform a motor vehicle to any applicable express or implied warranties if:
(1)
The same nonconformity has been subject to repair four (4) or more times by the manufacturer or its agents or authorized dealers or lessors within the term of protection, but the nonconformity continues to exist or the nonconformity has recurred within the term of protection, or
(2)
The vehicle is out of service by reason of the repair of any nonconformity for a cumulative total of thirty (30) or more calendar days during the term of protection; provided, however, that the manufacturer shall be afforded one additional opportunity, not to exceed seven (7) calendar days, to cure any nonconformity arising during the term of protection, notwithstanding the fact that the additional opportunity to cure commences after the term of protection.
(b)
The additional opportunity to cure shall commence on the day the manufacturer first knows or should have known that the limits specified in subsection (a)(1) or (a)(2) have been met or exceeded. The term of protection, the thirty (30) calendar day period specified in subsection (a)(2), and the additional opportunity to cure shall be extended by any period of time during which repair services are not available to the consumer or lessee as a direct result of a war, invasion, fire, flood or other natural disaster. The term

of protection, the thirty (30) calendar day period and the additional opportunity to cure shall also be extended by that period of time during which repair services are not available as a direct result of a strike. During a strike, however, the manufacturer, its agent, or its authorized dealer or lessor shall make provision for the free use of a vehicle of comparable year and size by any consumer or lessee whose vehicle is out of service by reason of repair during a strike. The burden shall be on the manufacturer to show that any event claimed as a reason for an extension under the provisions of this section was the direct cause for the failure of the manufacturer, its agent or lessor, or its authorized dealer to cure any nonconformity during the time of that event. Extensions for concurrent events shall not be cumulative.

History of Section.

P.L. 1984, ch. 353, § 1; P.L. 1984, ch. 361, § 1; P.L. 1995, ch. 236, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.2 - Consumer Enforcement of Motor Vehicle WarrantiesSection 31-5.2-6. - Rights and remedies cumulative.

§ 31-5.2-6. Rights and remedies cumulative.

Nothing in this chapter shall be construed to limit the rights or remedies which are otherwise available to a consumer or lessee under law.

History of Section.

P.L. 1984, ch. 353, § 1; P.L. 1984, ch. 361, § 1; P.L. 1995, ch. 236, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.2 - Consumer Enforcement of Motor Vehicle WarrantiesSection 31-5.2-7.1. - Procedure.

§ 31-5.2-7.1. Procedure.

(a)

In addition to any settlement procedure provided for in § 31-5.2-7, the department of the attorney general shall provide an independent arbitration procedure for the settlement of disputes between consumers or lessees and manufacturers concerning motor vehicles which do not conform to all applicable express or implied warranties. There shall be established the motor vehicle arbitration board which shall consist of five (5) members. The board shall consist of the attorney general or his or her designee, who shall serve as director, a member of the general public appointed by the attorney general, the director of the department of revenue or his or her designee, the president of the Rhode Island Automobile Dealers' Association or his or her designee, and the administrator of the division of motor vehicles or his or her designee, only one of whom shall be directly involved in the manufacture, distribution, sale, lease, or service of any automobile product. Members shall be persons interested in consumer disputes, and shall serve without compensation.

(b)

An owner or lessee of any motor vehicle purchased or leased which fails to conform to the applicable express or implied warranties may either initiate a request with the department of attorney general for arbitration by the motor vehicle arbitration board or take part in the settlement procedure set forth in § 31-5.2-7 if in existence. The consumer or lessee shall set forth, on a complaint form prescribed by the department of attorney general, any information he or she deems relevant to the resolution of the dispute and shall file the complaint with a nonrefundable filing fee of twenty dollars ($20.00). The attorney general shall decide if the complaint is eligible under chapter 5.2 of this title. Upon acceptance of the complaint, the attorney general shall notify the manufacturer of the filing of a request for arbitration and shall obtain from the manufacturer, in writing on a form prescribed by the attorney general, any information the manufacturer deems relevant to the resolution of the dispute. The manufacturer shall return the form, along with a non-refundable fifty dollar ($50.00) filing fee, within twenty (20) days of receipt. The department of attorney general shall then refer the matter to the motor vehicle arbitration board created pursuant to subsection (a) of this section.

(c)

The motor vehicle arbitration board shall investigate, gather, and organize all information necessary for a fair and timely decision in each dispute. The board may issue subpoenas to compel the attendance of witnesses and the production of documents, papers, and records relevant to the dispute.

(d)

At all arbitration proceedings before the board the parties may present oral or written testimony, present witnesses and evidence relevant to the dispute, cross examine witnesses, and be represented by counsel.

(e)

The motor vehicle arbitration board may forward a copy of all written testimony, including all documentary evidence, to an independent technical expert, who shall review the material and be able to advise and consult with the board. An expert shall sit as a non-voting member of the board whenever oral testimony is presented. The expert shall provide advice and counsel to the board as a part of its deliberation process and shall aid the board in preparing its findings and facts.

(f)

The motor vehicle arbitration board shall grant the relief specified in § 31-5.2-3 of this chapter and any other relief available under the applicable warranties or the Magnuson-Moss Warranty Federal Trade Commission Improvement Act, 88 Stat. 2183 (1975), 15 U.S.C. section 2301 et seq., as in effect on October 1, 1982, to the consumer or lessee if a reasonable number of attempts, as provided in § 31-5.2-5(1) and (2) have been undertaken to correct one or more nonconformities that substantially impair the motor

vehicle. The motor vehicle arbitration board shall dismiss the dispute if it finds, after considering all the evidence presented, that the consumer or lessee is not entitled to relief under this chapter.
(g)(1)
The board shall, as expeditiously as possible, but not later than ninety (90) days from the date the director deems the dispute eligible for arbitration, render a fair decision based on the information gathered and disclose its findings and the reasons for it to the parties involved. The consumer or lessee shall accept or reject the decision within five (5) days of its filing.
(2)
If the decision is favorable to the consumer or lessee, the manufacturer shall within thirty (30) days after the rendering of the decision, either comply with the terms of the decision if the consumer or lessee elects to accept the decision or appeal the finding to superior court. No appeal by a manufacturer shall be heard unless the petition for such appeal is filed with the clerk of the superior court within thirty (30) days of issuance of the finding of the motor vehicle arbitration board and is accompanied by a bond in a principal sum equal to the money award made by the state-certified arbitrator plus two thousand five-hundred dollars ($2,500) for anticipated attorneys' fees, secured by cash or its equivalent, payable to the consumer. The liability of the surety of any bond filed pursuant to this section shall be limited to the indemnification of the consumer in the action. Such bond shall not limit or impair any right of recovery otherwise available pursuant to law, nor shall the amount of the bond be relevant in determining the amount of recovery to which the consumer shall be entitled. In the event that any motor vehicle arbitration board decision, resulting in an award of a refund or replacement, is upheld by the court, recovery by the consumer shall include continuing damages in the amount of twenty-five dollars ($25.00) per day for each day, subsequent to the day the motor vehicle was returned to the manufacturer pursuant to § 31-5.2-3, that said vehicle was out of use as a direct result of any nonconformity not issuing from owner negligence, accident, vandalism or any attempt to repair or substantially modify the vehicle by a person other than the manufacturer, its agent or authorized dealer; provided, however, that the manufacturer did not make a comparable vehicle available to the consumer free of charge. In addition to any other recovery, any prevailing consumer shall be awarded reasonable attorneys' fees and costs. If the court finds that the manufacturer did not have any reasonable basis for its appeal or that the appeal was frivolous, the court shall double the amount of the total award made to the consumer. The motor vehicle arbitration board shall contact the consumer or lessee, within ten (10) working days after the date for performance, to determine whether performance has occurred.
(h)
The motor vehicle arbitration board shall maintain the records of each dispute as deemed necessary, including an index of disputes by brand name and model. The motor vehicle arbitration board shall, at intervals of no more than six (6) months, compile and maintain statistics indicating the record of manufacturer compliance with arbitration decisions and the number of refunds or replacement awarded. The summary shall be a public record.
(i)
The motor vehicle arbitration board automobile dispute settlement procedure shall be prominently posted in the place of business of each new car dealer or lessor licensed by the department of revenue to engage in the sale or lease of that manufacturer's new motor vehicles. The display of this public notice shall be a condition of licensure under the general laws. The board shall determine the size, type face, form and wording of the sign required by this section, which shall include the telephone number and the address to which requests for the motor vehicle arbitration board arbitration services may be sent.
(j)
The motor vehicle arbitration board shall adopt regulations, in accordance with the provisions of the general laws to carry out the purposes of this section. Written copies of the regulations and appropriate arbitration hearing procedures shall be provided to any person upon request.
History of Section.
P.L. 1990, ch. 250, § 1; P.L. 1992, ch. 324, § 12; P.L. 1995, ch. 236, § 1; P.L. 2000, ch. 109, § 61; P.L. 2005, ch. 106, § 1; P.L. 2005, ch. 123, § 1; P.L. 2008, ch. 98, § 7; P.L. 2008, ch. 145, § 7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.2 - Consumer Enforcement of Motor Vehicle WarrantiesSection 31-5.2-7. - Informal dispute settlement procedures.

§ 31-5.2-7. Informal dispute settlement procedures.
If a manufacturer has established an informal dispute settlement procedure which complies in all respects with the provisions of 16 CFR Part 703, or which has been approved by the federal trade commission or by the attorney general of this state, the provisions of § 31-5.2-3 concerning refunds or replacement shall not apply to any consumer or lessee who has not first resorted to that manufacturer's procedure or to the procedure set forth in § 31-5.2-7.1. This section shall not apply unless the manufacturer, its agents, or its authorized dealer or lessor shall have provided the consumer or lessee with clear and conspicuous written notice of the procedure at the time of delivery of the motor vehicle. A decision resulting from an informal dispute settlement procedure shall be binding upon the manufacturer if the consumer or lessee elects to accept the decision. The manufacturer shall perform its obligations as set forth in the decision within a reasonable period of time not to exceed thirty (30) calendar days from the rendering of the decision. In no event shall a consumer or lessee who has resorted to an informal dispute settlement procedure be precluded from seeking the rights and/or remedies provided by this chapter. Any applicable statute of limitation including, but not limited to, that set forth in § 31-5.2-12 shall be tolled during the period from the initiation of a dispute settlement procedure until thirty (30) days following the rendering of a final decision in the process.

History of Section.
P.L. 1984, ch. 353, § 1; P.L. 1984, ch. 361, § 1; P.L. 1990, ch. 250, § 2; P.L. 1995, ch. 236, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.2 - Consumer Enforcement of Motor Vehicle WarrantiesSection 31-5.2-8. - Waiver of rights prohibited.

§ 31-5.2-8. Waiver of rights prohibited.
Any agreement entered into by a consumer or lessee for the purchase or lease of a new motor vehicle which waives, limits, or disclaims the rights set forth in this chapter shall be void as contrary to public policy. These rights shall inure to a subsequent transferee of the motor vehicle.
History of Section.
P.L. 1984, ch. 353, § 1; P.L. 1984, ch. 361, § 1; P.L. 1995, ch. 236, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.2 - Consumer Enforcement of Motor Vehicle WarrantiesSection 31-5.2-9. - Disclosure of nonconformity prior to resale.

§ 31-5.2-9. Disclosure of nonconformity prior to resale.
No motor vehicle that is returned to the manufacturer under the provisions of this chapter shall be resold or re-leased in the state without clear and conspicuous written disclosure to the prospective purchaser or lessee prior to resale of the fact that it was so returned due to a nonconformity. The attorney general shall prescribe the exact form and content of the disclosure statement.
History of Section.
P.L. 1984, ch. 353, § 1; P.L. 1984, ch. 361, § 1; P.L. 1995, ch. 236, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.3 - Protection of Used Motor Vehicle PurchasersSection 31-5.3-2. - Deceptive trade practice.

§ 31-5.3-2. Deceptive trade practice.
A dealer’s failure to comply with § 31-38-1 as to the inspection of used motor vehicles, shall constitute a deceptive trade practice under the terms of chapter 13.1 of title 6. All of the public and private remedies provided for in chapter 13.1 of title 6 shall be available to enforce the provisions of this chapter.
History of Section.
P.L. 1985, ch. 478, § 1; P.L. 1992, ch. 324, § 13.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.4 - Consumer Enforcement of Used Motor Vehicle WarrantiesSection 31-5.4-1. - Sale of used motor vehicles — Definitions.

§ 31-5.4-1. Sale of used motor vehicles — Definitions.
As used in this chapter, the following words have the following meanings:
(1)
“Consumer” means the purchaser, other than for purposes of resale, of a used motor vehicle normally used for personal, family, or household purposes and subject to a warranty, and the spouse or child of the purchaser if the motor vehicle is transferred to the spouse or child during the duration of any warranty applicable to the motor vehicle, and any other person entitled by the terms of such warranty to enforce the obligations of the warranty;
(2)
“Dealer” means any person or business which sells or offers for sale a used vehicle after selling or offering for sale three (3) or more used vehicles in the previous twelve (12) month period, but does not include a bank or financial institution, a business selling a used vehicle to an employee of that business, a lessor selling a leased vehicle to that vehicle’s lessee, a family member of the lessee, or an employee of the lessee, or the state, its agencies, bureaus, boards, commissions, and authorities, and all of the political subdivisions of the state, including the agencies and authorities of any subdivision;
(3)
“Repair insurance” means a contract in writing for any period of time or any specific mileage to refund, repair, replace, maintain, or take other action with respect to a used motor vehicle and which is regulated by the department of business regulation;
(4)
“Service contract” means a contract in writing for any period of time or any specific mileage to refund, repair, replace, maintain, or take other action with respect to a used motor vehicle and provided at an extra charge beyond the price of the used motor vehicle;
(5)
“Used motor vehicle” means a passenger motor vehicle, excluding motorcycles, motor homes, and off-road vehicles, which has been driven more than the limited use necessary in moving or road-testing a new vehicle prior to delivery;
(6)
“Warranty” means any undertaking in connection with the sale by a dealer of a used motor vehicle to refund, repair, replace, maintain, or take other action with respect to the used motor vehicle and provided at no extra charge beyond the price of the used motor vehicle.

History of Section.
P.L. 1985, ch. 342, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.4 - Consumer Enforcement of Used Motor Vehicle WarrantiesSection 31-5.4-2. - Written warranty required — Terms.

§ 31-5.4-2. Written warranty required — Terms.
(a)
No dealer shall sell a used motor vehicle to a consumer without giving the consumer a written warranty which shall at minimum apply for the following terms:
(1)
If the used motor vehicle has thirty-six thousand (36,000) miles or less, the warranty shall be at a minimum of sixty (60) days or three thousand (3,000) miles, whichever comes first.
(2)
If the used motor vehicle has more than thirty-six thousand (36,000) miles, but not more than one hundred thousand (100,000) miles, the warranty shall be at a minimum of thirty (30) days or one thousand (1,000) miles, whichever comes first.
(b)
The written warranty shall require the dealer or his or her agent to repair or, at the election of the dealer, reimburse the consumer for the reasonable cost of repairing the failure of a covered part. Covered parts shall at least include the following items:
(1) Engine.
All lubricated parts, water pump, fuel pump, manifolds, engine block, cylinder head, rotary engine housings, and flywheel.
(2) Transmission.
The transmission case, internal parts, and the torque converter.
(3) Drive axle.
Front and rear drive axle housings and internal parts, axle shafts, propeller shafts, and universal joints.
(4) Brakes.
Master cylinder, vacuum assist booster, wheel cylinders, hydraulic lines and fittings, and disc brake calipers.
(5) Radiator.
(6) Steering.
The steering gear housing and all internal parts, and the power steering pump, valve body, piston, and rack.
(7)
The alternator, generator, starter, and ignition system, excluding the battery.
(c)
Any required repair or reimbursement shall be made by the dealer notwithstanding the fact that the warranty period has expired, provided the consumer notifies the dealer of the failure of a covered part within the specified warranty period.
(d)
If a new car warranty is in effect at the time of the sale of the used motor vehicle, then the warranty specified in this section shall be required only for the period of time, if any, between the expiration of the new car warranty and the period specified in subsection (a) of this section.
(e)
The written warranty may contain additional language excluding coverage:
(1)
For a failure of a covered part caused by a lack of customary maintenance;
(2)
For a failure of a covered part caused by collision, abuse, negligence, theft, vandalism, fire, or other casualty and damage from the environment (windstorm, lightning, road hazards, etc.);
(3)
If the odometer has been stopped or altered so that the vehicle’s actual mileage cannot be readily determined or if any covered part has been altered so that a covered part was thereby caused to fail;
(4)
For maintenance services and the parts used in connection with those services such as seals, gaskets, oil, or grease unless required in connection with the repair of a covered part;
(5)
For a motor tune-up;
(6)
For a failure resulting from racing or other competition;
(7)
For a failure caused by towing a trailer or another vehicle unless the used motor vehicle is equipped for this as recommended by the manufacturer;
(8)

If the used motor vehicle is used to carry passengers for hire;
(9)
If the used motor vehicle is rented to someone else;
(10)
For repair of valves and/or rings to correct low compression and/or oil consumption which are considered normal wear;
(11)
To the extent otherwise permitted by law, for property damage arising or allegedly arising out of the failure of a covered part; and
(12)
To the extent otherwise permitted by law, for loss of the use of the used motor vehicle, loss of time, inconvenience, commercial loss, or consequential damages.
History of Section.
P.L. 1985, ch. 342, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.4 - Consumer Enforcement of Used Motor Vehicle WarrantiesSection 31-5.4-3. - Failure to honor warranty.

§ 31-5.4-3. Failure to honor warranty.
(a)
If the dealer or his or her agent fails to correct a malfunction or defect as required by the warranty specified in this section which substantially impairs the value of the used motor vehicle to the consumer after a reasonable period of time, the dealer shall accept the return of the used motor vehicle from the consumer and refund to the consumer the full purchase price including sales or compensating use tax, less a reasonable allowance for any damage not attributable to normal wear or usage, and an adjustment for any modifications which either increase or decrease the market value of the vehicle. In determining the purchase price to be refunded, the purchase price shall be deemed equal to the sum of the actual cash difference paid for the used motor vehicle plus, if the dealer elects to not return any vehicles traded-in by the consumer, the wholesale value of those traded-in vehicles as listed in the National Auto Dealers' Association Used Car Guide, or any other guide that may be specified in regulations promulgated by the administrator of the division of motor vehicles, as adjusted for mileage, improvements, and any major physical or mechanical defects in the traded-in vehicle at the time of trade-in. The contract of sale for the used motor vehicle shall include conspicuous language indicating that if the consumer should be entitled to a refund pursuant to this section, the value of any vehicle traded-in by the consumer, if the dealer elects to not return it to the consumer, for purposes of determining the amount of the refund will be determined by reference to the National Auto Dealers' Association Used Car Guide wholesale value, or any other guide that may be approved by the administrator of the division of motor vehicles, as adjusted for mileage, improvements, and any major physical or mechanical defects, rather than the value listed in the sales contract. Refunds shall be made to the consumer and lienholder, if any, as their interests may appear on the records of ownership kept by the division of motor vehicles. If the amount to be refunded to the lienholder will be insufficient to discharge the lien, the dealer shall notify the consumer in writing by registered or certified mail that the consumer has thirty (30) days to pay the lienholder the amount which, together with the amount to be refunded by the dealer, will be sufficient to discharge the lien. The notice to the consumer shall contain conspicuous language warning the consumer that failure to pay those funds to the lienholder within thirty (30) days will terminate the dealer's obligation to provide a refund. If the consumer fails to make the payment within thirty (30) days, the dealer shall have no further responsibility to provide a refund under this section. Alternatively, the dealer may elect to offer to replace the used motor vehicle with a comparably priced vehicle, with any adjustment in price that the parties may agree to. The consumer shall not be obligated to accept a replacement vehicle, but may instead elect to receive the refund provided under this section. It shall be an affirmative defense to any claim under this section that:
(1)
The malfunction or defect does not substantially impair the used motor vehicle's value; or
(2)
The malfunction or defect is the result of abuse, neglect, or unreasonable modifications or alterations of the used motor vehicle.
(b)
It shall be presumed that a dealer has had a reasonable opportunity to correct a malfunction or defect in a used motor vehicle, if:
(1)
The same malfunction or defect has been subject to repair three (3) or more times by the selling dealer or his or her agent within the warranty period, but the same malfunction or defect continues to exist; or
(2)
The vehicle is out of service by reason of repair or malfunction or defect for a cumulative total of fifteen (15) or more days during the warranty period. That period shall not include days when the dealer is unable to complete the repair because of the unavailability of necessary repair parts. The dealer shall be required to exercise due diligence in attempting to obtain necessary repair parts. If, however, a vehicle has been out of service for a cumulative total of forty-five (45) days, even if a portion of that time is attributable to the unavailability of replacement parts, the consumer shall be entitled to the replacement or refund remedies provided in this section.
(c)
The term of any warranty, service contract, or repair insurance shall be extended by any time period during which the used motor

vehicle is in the possession of the dealer or his or her duly authorized agent for the purpose of repairing the used motor vehicle under the terms and obligations of the warranty, service contract, or repair insurance.
(d)
The term of any warranty, service contract, or repair insurance, and the fifteen (15) days out-of-service period, shall be extended by any time during which repair services are not available to the consumer because of a war, invasion or strike, fire, flood, or other natural disaster.
History of Section.
P.L. 1985, ch. 342, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.4 - Consumer Enforcement of Used Motor Vehicle WarrantiesSection 31-5.4-4. - Waiver notice.

§ 31-5.4-4. Waiver notice.
(a)
Whenever any agreement is entered into by a consumer with a dealer for the purchase of a used motor vehicle which waives or disclaims the rights set forth in this chapter, the dealer shall post a notice unobstructed and conspicuously on the windshield of the vehicle to be sold. The notice shall be at least eight and one-half inches (8½") by eleven inches (11") in size, in bold print one inch in height, and shall state, “NO WARRANTY AS TO CONDITION — SOLD AS IS”.
(b)
Whenever any dealer enters into an agreement with a consumer for a purchase of a motor vehicle, any waiver or disclaimer of the rights set forth in this chapter shall be printed on the bill of sale in a type size larger and of a different color than any other type on the bill of sale. The waiver shall be separately initialed by the purchaser and the dealer.
(c)
Nothing in this section shall in any way limit the rights or remedies which are otherwise available to a consumer under any other law.
(d)
Notwithstanding subsection (a) of this section, this chapter shall not apply to used motor vehicles sold for less than one thousand five hundred dollars ($1,500). Further, this chapter shall not apply to the sale of classic cars registered pursuant to this title.
History of Section.
P.L. 1985, ch. 342, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.4 - Consumer Enforcement of Used Motor Vehicle WarrantiesSection 31-5.4-5. - Arbitration and enforcement.

§ 31-5.4-5. Arbitration and enforcement.
(a)
If a dealer has established or participates in an informal dispute settlement procedure which complies in all respects with the provisions of 16 CFR Part 703 the provisions of this chapter concerning refunds or replacement shall not apply to any consumer who has not first resorted to that procedure.
(b)
In no event shall a consumer who has resorted to an informal dispute settlement procedure be precluded from seeking the rights or remedies available by law.
(c)
In an action brought to enforce the provisions of this chapter, the court may award reasonable attorneys’ fees to a prevailing plaintiff.
(d)
Any action brought pursuant to this chapter shall be commenced within four (4) years of the date of original delivery of the used motor vehicle to the consumer.
History of Section.
P.L. 1985, ch. 342, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.4 - Consumer Enforcement of Used Motor Vehicle WarrantiesSection 31-5.4-6. - Disclosure of rights.

§ 31-5.4-6. Disclosure of rights.
(a)
The director of the department of revenue shall promulgate rules, regulations and forms to implement the notice provision in subsection (b) of this section. The forms promulgated by the director shall be used by every dealer in the sale of every automobile protected by this chapter.
(b)
Clear and conspicuous notice of the warranties created by this chapter of the rights pertaining to them and of the implied warranty of merchantability shall be given to the consumer in writing at the time the consumer purchases a used motor vehicle from the dealer.

Each notice required by this section shall describe the procedures available to redress violations of this section and shall contain the telephone number of the department of revenue.
(c)
A seller's failure to provide the buyer with the documents and forms promulgated by the director of the department of revenue pursuant to this section shall constitute prima facie evidence of bad faith and unfair and deceptive trade practice under § 6-13.1-1. Violations of this section shall be actionable by the buyer under §§ 31-5.4-5 and 6-13.1-5.2.
History of Section.
P.L. 1993, ch. 421, § 1; P.L. 2008, ch. 98, § 8; P.L. 2008, ch. 145, § 8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.5 - Global Warming Index ActSection 31-5.5-1. - Title.

§ 31-5.5-1. Title.
This act shall be known as the "Global Warming Index Act."
History of Section.
P.L. 2008, ch. 218, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.5 - Global Warming Index ActSection 31-5.5-2. - Definitions.

§ 31-5.5-2. Definitions.
For the purposes of this chapter, the following definitions shall apply:
(1)
"Motor Vehicle" shall mean a new passenger vehicle, new light-duty truck with a gross vehicle weight of eighty-five hundred pounds (8500 lbs) or less, or any other new vehicle determined by the commissioner to be a vehicle whose primary use is noncommercial personal transportation and which is manufactured for the model year 2010 or subsequent model year; and
(2)
"Motor Vehicle global warming gases" or "global warming gases" shall mean carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.
History of Section.
P.L. 2008, ch. 218, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5.5 - Global Warming Index ActSection 31-5.5-3. - Global warming index stickers.

§ 31-5.5-3. Global warming index stickers.
(a)
No model year 2010 or subsequent model year motor vehicle shall be sold or leased in this state unless there is securely and conspicuously affixed in a clearly visible location, a label on which the manufacturer shall endorse clearly, distinctly, and legibly true and correct entries disclosing information concerning the emissions of global warming gases.
(b)
The label required by subsection (a) of this section shall include:
(1)
A global warming index that contains quantitative information presented in a continuous, easy-to-read scale that compares the emissions of global warming gases from the vehicle with the average projected emissions of global warming gases from all vehicles of the same model year. For reference purposes, the index shall also identify the emissions of global warming gases from the vehicle model of that same model year that has the lowest emissions of global warming gases; and
(2)
The use of at least one color ink in addition to black.
(c)
A label that complies with the requirements of the California vehicle labeling program shall be deemed to meet the requirements of this title.
(d)
Nothing in this section shall be construed as prohibiting a purchaser from removing the label required by this section, after such purchaser has taken possession of the vehicle.
History of Section.
P.L. 2008, ch. 218, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-1. - Definitions.

§ 31-5-1. Definitions.

(a)
Whenever the words “licensor” and/or “department” are used in chapters 5 and 5.1 of this title, they shall mean the “department of revenue”.
(b)
For the purposes of this section, an electric motorized bicycle as defined in § 31-1-3(g) is not considered a motor vehicle.
History of Section.
P.L. 1950, ch. 2595, art. 7, § 13; P.L. 1953, ch. 3232, § 2; G.L. 1956, § 31-5-1; P.L. 1991, ch. 44, art. 14, § 1; P.L. 1994, ch. 70, art. 21, § 4; P.L. 2002, ch. 56, § 5; P.L. 2008, ch. 98, § 5; P.L. 2008, ch. 145, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers’, Manufacturers’, and Rental LicensesSection 31-5-10. - License required for dealers’ plates.

§ 31-5-10. License required for dealers’ plates.
(a)
No motor vehicle dealer, unless licensed in accordance with §§ 31-5-1 — 31-5-20, shall be permitted to register or receive or use dealers’ license plates as limited by the number approved by the department for the dealer.
(b)
Whenever the department revokes or suspends a dealer’s license pursuant to § 31-5-11, or whenever a dealer’s license expires and is not renewed, the department may take possession of the licensee’s dealer’s license, dealer’s license plates, and temporary plates until said licensee is reinstated by the department.
History of Section.
P.L. 1950, ch. 2595, art. 7, § 3; G.L. 1956, § 31-5-10; P.L. 1964, ch. 165, § 2; P.L. 1981, ch. 219, § 1; P.L. 1991, ch. 44, art. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers’, Manufacturers’, and Rental LicensesSection 31-5-11. - Grounds for denial, suspension, or revocation of license.

§ 31-5-11. Grounds for denial, suspension, or revocation of license.
The department may deny an application for a license, or suspend or revoke a license after it has been granted, for the following reasons:
(1)
On proof of unfitness of applicant to do business as a motor vehicle dealer.
(2)
For any material misstatement by an applicant in an application for a license.
(3)
For any willful failure to comply with the provisions of this section or with any rule or regulation promulgated by the department under §§ 31-5-1 — 31-5-20.
(4)
For willfully defrauding any buyer of a motor vehicle.
(5)
For any willful failure to perform any written agreement with any buyer of a motor vehicle.
(6)
For having made a fraudulent sale, transaction, or repossession.
(7)
For any fraudulent misrepresentation, circumvention, or concealment, through whatsoever subterfuge or device, of any of the material particulars of any sale to any buyer of a motor vehicle.
(8)
For knowingly permitting any salesperson to sell or exchange, or offer or attempt to sell or exchange, any motor vehicle except for the licensed motor vehicle dealer by whom he or she is employed, or to offer, transfer, or assign any sale or exchange, that he or she may have negotiated, to any other dealer.
(9)
For the employment of any fraudulent device, method, or process in connection with the compliance with any requirement under statutes of this state with respect to the retaking of goods under a retail installment contract and the redemption and resale of those goods.
(10)
For having indulged in any unconscionable practice relating to business as a motor vehicle dealer.
(11)
For having violated any law relating to the sale, distribution, or financing of motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 7, § 4; P.L. 1953, ch. 3232, § 1; G.L. 1956, § 31-5-11; P.L. 1991, ch. 44, art. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers’, Manufacturers’, and Rental

LicensesSection 31-5-12. - Responsibility of licensee for acts of agents.

§ 31-5-12. Responsibility of licensee for acts of agents.
It shall be sufficient cause for the denial, suspension, or revocation of any license issued under this chapter, that any officer, director, partner, trustee, or agent, including independent salespersons of the licensee, has been found by the department of revenue to have engaged in any conduct, act, or omission which would be cause for refusing, suspending, or revoking a license to that party as an individual.
History of Section.
P.L. 1950, ch. 2595, art. 7, § 8; G.L. 1956, § 31-5-12; P.L. 1986, ch. 486, § 1; P.L. 1991, ch. 44, art. 14, § 1; P.L. 2008, ch. 98, § 5; P.L. 2008, ch. 145, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-13. - Procedure for suspension or revocation of license.

§ 31-5-13. Procedure for suspension or revocation of license.
No license shall be suspended or revoked, except after a hearing in accordance with the administrative procedures act, §§ 42-35-1 — 42-35-18.
History of Section.
P.L. 1950, ch. 2595, art. 7, § 6; G.L. 1956, § 31-5-13; P.L. 1981, ch. 219, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-14. - Penalties for violations by dealers.

§ 31-5-14. Penalties for violations by dealers.
(a)
Upon the complaint of the department, any person violating any of the provisions of §§ 31-5-1 — 31-5-20, shall, upon conviction for the first offense, be punished by a fine of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100), or by imprisonment for not less than ten (10) days nor more than thirty (30) days, or by both a fine and imprisonment. For a second or subsequent conviction, that person shall be fined not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000), or by imprisonment for not less than thirty (30) days nor more than six (6) months, or by both a fine and imprisonment.
(b)
If the department shall have reason to believe that any person, firm, corporation, or association is violating the provisions of this chapter, the department may issue its order to the person, firm, corporation, or association commanding them to appear before the department, at a hearing to be held not sooner than ten (10) days nor later than twenty (20) days after issuance of the order, to show cause why the department should not issue an order to the person to cease and desist from violating the provisions of this chapter. The order to show cause may be served on any person, firm, corporation, or association named in it by any person in the same manner that a summons in a civil action may be served, or by mailing a copy of the order to the person at any address at which he or she has done business or at which he or she lives. If at the hearing the department shall be satisfied that the person is in fact violating any provision of this chapter, then the department shall order the person in writing to cease and desist from the violation. All these hearings shall be conducted in accordance with chapter 35 of title 42. If the person shall subsequently fail to comply with the order of the department, the superior court for Providence County shall have jurisdiction upon the complaint of the department to restrain and enjoin the person from violating this chapter.
(c)
In addition to the fines described in subsection (a) of this section, the department may impose fines on holders of any license issued by the department pursuant to this chapter of not less than fifty dollars ($50.00) nor more than one thousand dollars ($1,000), for violations of any of the provisions of §§ 31-5-1 — 31-5-20 and §§ 31-5-33 — 31-5-39, or for violation of any rules or regulations promulgated pursuant to § 31-5-2.
History of Section.
P.L. 1950, ch. 2595, art. 7, § 5; P.L. 1953, ch. 3232, § 1; G.L. 1956, § 31-5-14; P.L. 1981, ch. 219, § 1; P.L. 1986, ch. 486, § 1; P.L. 1989, ch. 334, § 1; P.L. 1991, ch. 44, art. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-15. - Examination of records — Altered or reset odometers.

§ 31-5-15. Examination of records — Altered or reset odometers.
(a)
The department or its duly authorized representative may inspect the pertinent books, records, letters, and contracts of the licensee relating to any written complaint made against the licensee. If the licensee is found guilty of violating any of the provisions of §§ 31-5-1 — 31-5-20, or any lawful order of the department, the actual cost of each of the examinations shall be paid by the licensee within thirty (30) days after demand for them by the department, and the department may maintain an action for the recovery of the cost in any court of competent jurisdiction.
(b)

The department finds that purchasers, when buying motor vehicles, rely heavily on the odometer reading as an index of the condition and value of the vehicle; that purchasers are entitled to rely on the odometer reading as an accurate reflection of the mileage actually traveled by the vehicle; and that an accurate indication of the mileage traveled by a motor vehicle assists the purchaser in determining its safety and reliability. For the protection of purchasers with respect to the sale of motor vehicles having altered or reset odometers, licensed motor vehicle dealers are directly responsible to their retail/wholesale customers to repurchase the motor vehicles bearing altered or reset odometers for the original selling price paid by the customer, or an amount as determined by the department.
History of Section.
P.L. 1950, ch. 2595, art. 7, § 7; P.L. 1953, ch. 3232, § 1; G.L. 1956, § 31-5-15; P.L. 1986, ch. 486, § 1; P.L. 1991, ch. 44, art. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-16. - Complaint to set aside department order.

§ 31-5-16. Complaint to set aside department order.
Any licensee or other person in interest being dissatisfied with the final order of the department, within twenty (20) days after the entry of that order by the department, may file a complaint in the superior court of the state of Rhode Island against the department as respondent to vacate and set aside the order on the ground that the order is unlawful and unreasonable.
History of Section.
P.L. 1950, ch. 2595, art. 7, § 7; P.L. 1953, ch. 3232, § 1; G.L. 1956, § 31-5-16; P.L. 1991, ch. 44, art. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-17. - Witnesses before department — Report of findings.

§ 31-5-17. Witnesses before department — Report of findings.
The department shall have the power in hearings and trials arising under §§ 31-5-1 — 31-5-20 to determine the place where the hearing shall be held, to subpoena witnesses, to take depositions of witnesses residing without the state in the manner provided for in civil actions in courts of record, to pay witnesses the fees and the mileage for their attendance as is provided for witnesses in civil actions in courts of record, and to administer oaths. Whenever a hearing or trial shall be held before any authorized representative of the licensor, the representative shall report his or her findings in writing to the licensor which shall then make its ruling and orders.
History of Section.
P.L. 1950, ch. 2595, art. 7, § 10; P.L. 1953 ch. 3232, § 1; G.L. 1956, § 31-5-17; P.L. 1991, ch. 44, art. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-18.1. - Inspection of records and premises.

§ 31-5-18.1. Inspection of records and premises.
All records kept in accordance with the provisions of this chapter shall be open to inspection by the department and its duly authorized representatives, by the division of motor vehicles, and by any state or municipal official or police officer during reasonable business hours.
History of Section.
P.L. 1983, ch. 221, § 10; P.L. 1991, ch. 44, art. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-18.2. - Sale of used motor vehicles — Annual reports.

§ 31-5-18.2. Sale of used motor vehicles — Annual reports.
Every licensed dealer shall file with the department an annual report which lists:
(1)
The total number of used motor vehicles sold in the previous year by the dealer; and
(2)
The total number of used motor vehicles sold without a warranty pursuant to chapter 5.4 of this title.
(3)
The licensed dealer shall specify the make, year, and sale price of each used motor vehicle sold without a warranty pursuant to chapter 5.4 of this title.
History of Section.
P.L. 1985, ch. 342, § 2; P.L. 1991, ch. 44, art. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-18.3. - Sale of all-terrain vehicles (ATV's).

§ 31-5-18.3. Sale of all-terrain vehicles (ATV's).
(a)

No motor vehicle dealer licensed under the provisions of this chapter shall sell, lease, or rent any class of all-terrain vehicle to any person under the age of sixteen (16) years.
(b)
Violations of this section shall be grounds for denial, suspension or revocation of the dealers license under § 31-5-11 and also be subject to the penalties provided by § 31-5-14.
History of Section.
P.L. 1993, ch. 155, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-18. - Records of transactions maintained by dealers.

§ 31-5-18. Records of transactions maintained by dealers.
Every licensee shall maintain a record in form as prescribed by the department of:
(1)
Every vehicle of a type subject to registration which is bought, sold, or exchanged by the licensee or received or accepted by the licensee for sale or exchange.
(2)
Every new or used exterior part or accessory which is bought or otherwise acquired and every motor vehicle, chassis, or motor vehicle engine which is sold or otherwise disposed of.
History of Section.
P.L. 1950, ch. 2595, art. 7, § 11; P.L. 1953, ch. 3232, § 1; G.L. 1956, § 31-5-18; P.L. 1991, ch. 44, art. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-19.1. - Auction of antique and classic motor vehicles.

§ 31-5-19.1. Auction of antique and classic motor vehicles.
The provisions of § 31-5-19 shall not apply to an auction of classic motor vehicles or antique motor vehicles as defined in § 31-1-3. A "classic motor" vehicle means a motor vehicle that is not sold in the normal course of business by a dealer and is determined to be a motor vehicle having some unique or special value as a collectible, as defined by the department. The department shall have the power to license the auctions and provide for any rules and regulations that it shall deem appropriate.
History of Section.
P.L. 1990, ch. 256, § 1; P.L. 1991, ch. 44, art. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-19. - Sunday business permitted.

§ 31-5-19. Sunday business permitted.
(a)
Motor vehicle dealers shall be permitted to have open for the conduct of business any display room or outdoor display lot where motor vehicles are exhibited on the first day of the week, commonly called Sunday, between the hours of 12:00 p.m. and 6:00 p.m.
(b)
"Business" as used in this section means the sale of or the attempt to sell motor vehicles. The storage alone of motor vehicles in open lots shall not be held to be displaying for sale purposes, or the use of dealer plates for transporting motor vehicles from one point to another shall not be considered to be for display or sale purposes.
(c)
Any person or persons, partnership, firm, or corporation violating any of the provisions of this section shall be guilty of a misdemeanor.
History of Section.
P.L. 1950, ch. 2595, art. 7, § 12; P.L. 1952, ch. 2937, § 4; G.L. 1956, § 31-5-19; P.L. 2007, ch. 73, art. 29, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-2.1. - Motor vehicle dealers license and hearing board.

§ 31-5-2.1. Motor vehicle dealers license and hearing board.
(a)
A board composed of a total of five (5) members, two (2) of which shall be licensed automobile dealers, one new car Rhode Island licensed automobile dealer, and one used car Rhode Island licensed automobile dealer, each to serve a three (3) year term; one active Rhode Island state police officer appointed by the superintendent of Rhode Island state police and shall serve a five (5) year term; one active employee of the Rhode Island department of revenue appointed by the director of revenue shall serve a five (5) year term, and one licensed Rhode Island attorney in good standing shall serve a seven (7) year term. The two (2) automobile dealers and attorney shall be appointed by the governor. The board shall be known as the motor vehicle dealers license and hearing board.
(b)

The board shall issue the license provided for in §§ 31-5-5 — 31-5-9 and § 31-5-34. The board shall have supervision over the license with respect to all of the provisions of §§ 31-5-1 — 31-5-39 and shall have the power to promulgate rules and regulations to fulfill the purposes of this chapter and to protect the public interest. The board shall have the power to set, from time to time, the maximum number of plates to be issued to each dealer after due investigation and after considering the number of plates reasonably required for the operation of the dealers business, and shall have the power to declare and define what constitutes a licensee. The provisions of §§ 31-5-1 — 31-5-20, and §§ 31-5-33 — 31-5-39 shall be administered by the board or by any of its duly authorized representatives.

(c)

The board shall have all of the same powers, duties, and responsibilities of the previous Rhode Island dealers hearing board established by the director of the department of revenue.

(d)

The board shall constitute an agency and shall follow the Administrative Procedure Act, chapter 35 of title 42, and its decisions are appealable to the superior court.

(e)

A member of the board may be removed for cause by the director of revenue after a hearing conducted by the director determining that cause exists and a written decision explaining the reason for the removal. The director's decision of removal shall be appealable to the superior court.

(f)

The members of the Rhode Island dealers hearing board serving as of August 31, 1993 shall serve out their respective terms of office and will remain on the motor vehicle dealers license and hearing board until their respective terms expire and a subsequent appointment is made by the governor, or respective appointing authority. If a vacancy occurs on the board for any reason, an individual shall be appointed according to the procedures set forth in subsection (a) of this section and this individual will serve out the remainder of the unexpired term of the vacancy.

(g)

The director of revenue shall provide suitable office space for the board and its personnel to suit the public convenience in all proper way to facilitate the work of the board in carrying out the provisions of §§ 31-5-1 — 31-5-20 and §§ 31-5-33 — 31-5-39.

(h)

Members of the board shall serve without salary, nor shall they be compensated for attendance at board meetings, however, members of the board shall be reimbursed for their actual expenses necessarily incurred in the performance of their duties. The department of revenue shall provide funds to pay said expenses. Also, the department shall provide legal counsel to the board to defend and enforce the board's decision and provide legal advice on any matters that may come before the board.

(i)

If any section, phrase, clause, sentence or part of this section is declared unconstitutional or otherwise invalid, that invalidity will not affect remaining portions of this section.

History of Section.

P.L. 1993, ch. 139, § 1; P.L. 2000, ch. 109, § 60; P.L. 2005, ch. 117, art. 21, § 26; P.L. 2008, ch. 98, § 5; P.L. 2008, ch. 145, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-2. - Duties of department of revenue.

§ 31-5-2. Duties of department of revenue.

The department of revenue shall issue the licenses provided for in §§ 31-5-5 — 31-5-9 and § 31-5-34. The department of revenue shall have supervision over the licenses in respect to all the provisions of §§ 31-5-1 — 31-5-20 and §§ 31-5-33 — 31-5-39, and shall have power to make and to issue rules and regulations to fulfill the purposes of those chapters and to protect public interest. The department shall have power to set from time to time the maximum number of plates to be issued to each dealer after due investigation and after giving due consideration to the number of plates reasonably required for the operation of the business by the dealer. The department shall also have the power to define unfair practices by licensees. All the provisions of §§ 31-5-1 — 31-5-20, and §§ 31-5-33 — 31-5-39 shall be administered by the department.

History of Section.

P.L. 1950, ch. 2595, art. 7, § 1; P.L. 1953, ch. 3232, § 1; P.L. 1954, ch. 3367, § 1; G.L. 1956, § 31-5-2; P.L. 1964, ch. 165, § 2; P.L. 1981, ch. 135, § 1; P.L. 1989, ch. 334, § 1; P.L. 1991, ch. 44, art. 14, § 1; P.L. 1994, ch. 70, art. 21, § 4; P.L. 2008, ch. 98, § 5; P.L. 2008, ch. 145, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-20. - Appropriations for dealer licensing law.

§ 31-5-20. Appropriations for dealer licensing law.

The general assembly shall annually appropriate any sum that it may deem necessary to carry out the purposes of §§ 31-5-1 — 31-5-19, and the state controller is authorized and directed to draw his or her orders upon the general treasurer for the payment of the sum, or so much of it as may be required from time to time, upon the receipt by him or her of proper authenticated vouchers.

History of Section.

P.L. 1950, ch. 2595, art. 7, § 15; P.L. 1953, ch. 3232, § 2; G.L. 1956, § 31-5-20.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-21. - Manufacturer's license required.

§ 31-5-21. Manufacturer's license required.
(a)
No manufacturer, factory representative, or distributor shall engage in business as a manufacturer, factory representative, or distributor in this state without a license to do so as provided in § 31-5-22.
(b)
For the purpose of this chapter, each division of a motor vehicle manufacturer or distributor shall be considered a separate manufacturer or distributor for purposes of licensing under this chapter. The department of revenue is empowered to obtain from the Rhode Island superior court for Providence County a restraining order temporarily, preliminarily, and permanently restraining any manufacturer, distributor, or factory representative from engaging in business within this state unless licensed.
History of Section.
P.L. 1950, ch. 2595, art. 8, § 1; G.L. 1956, § 31-5-21; P.L. 1960, ch. 155, § 2; P.L. 1987, ch. 114, § 1; P.L. 1991, ch. 44, art. 14, § 1; P.L. 2008, ch. 98, § 5; P.L. 2008, ch. 145, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-22. - Application for license — Fee — Expiration.

§ 31-5-22. Application for license — Fee — Expiration.
(a)
Any person desiring to be licensed as a manufacturer, factory representative, or distributor shall apply to the department of revenue upon a form containing any information that the department shall require. The department may require with the application or, otherwise, information relating to the applicant's solvency, his or her financial standing, or other pertinent matter commensurate with the safeguarding of the public interest, all of which may be considered by the department in determining the fitness of the applicant to engage in the business for which the applicant desires the license.
(b)(1)
Each application of a factory representative shall be accompanied by a fee of one hundred dollars ($100). Commencing January 1, 2015, the factory representative license fee for the three-year (3) license duration shall be three hundred dollars ($300) and shall be payable in installments of one hundred dollars ($100) per year.
(2)
Each application of a manufacturer or distributor shall be accompanied by a fee of three hundred dollars ($300). Commencing January 1, 2015, the manufacturers or distributors license fee for the three-year (3) license duration shall be nine hundred dollars ($900) and shall be payable in installments of three hundred dollars ($300) per year.
(c)(1)
All licenses shall be granted or refused within thirty (30) days after the application is filed and shall expire, unless revoked or suspended before that time, on December 31 of the calendar year for which they are granted.
(2)
Commencing January 1, 2015, licenses shall be valid, unless sooner revoked or suspended, until December 31, 2017, and shall be renewable thereafter every three (3) years.
History of Section.
P.L. 1950, ch. 2595, art. 8, § 1; G.L. 1956, § 31-5-22; P.L. 1960, ch. 155, § 2; P.L. 1964, ch. 167, § 1; P.L. 1983, ch. 299, § 1; P.L. 1987, ch. 114, § 1; P.L. 1991, ch. 44, art. 14, § 1; P.L. 2008, ch. 98, § 5; P.L. 2008, ch. 145, § 5; P.L. 2010, ch. 23, art. 9, § 4; P.L. 2014, ch. 356, § 1; P.L. 2014, ch. 409, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-23. - Grounds for denial, suspension, or revocation of license.

§ 31-5-23. Grounds for denial, suspension, or revocation of license.
A license may be denied, suspended, or revoked on the following grounds:
(1)
Proof of unfitness of the applicant.
(2)
Material misstatement by the applicant in his or her application for a license.
(3)
Willful failure of the applicant or licensee to comply with any provision of §§ 31-5-21 — 31-5-27, §§ 31-5.1-1 — 31-5.1-16, and/or any rule or regulation promulgated by the department in accordance with § 31-5.1-3.
(4)
Because the applicant or licensee has indulged in any illegal act as determined by the department relating to his or her business.
(5)

Because the applicant or licensee has coerced or attempted to coerce any motor vehicle dealer to accept delivery of any motor vehicle or vehicles, parts, or accessories for them, or any other commodities which shall not have been ordered by the dealer.
(6)
Because the applicant or licensee has attempted to coerce, or has coerced, any motor vehicle dealer to enter into any agreement with the manufacturer, factory branch, distributor, or representative, as the case may be.
(7)
Because the applicant or licensee has unfairly or without due regard to the equities of a motor vehicle dealer, or without just provocation, threatened to cancel the franchise of the motor vehicle dealer.
(8)
Because the applicant or licensee has unfairly, or without due regard to the equities of a motor vehicle dealer, or without just provocation, cancelled the franchise of the motor vehicle dealer.
History of Section.
P.L. 1950, ch. 2595, art. 8, § 2; G.L. 1956, § 31-5-23; P.L. 1989, ch. 174, § 1; P.L. 1991, ch. 44, art. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-24. - Denial of license — Hearing.

§ 31-5-24. Denial of license — Hearing.
The department may, without prior notice, deny the application for a license within thirty (30) days of its receipt by written notice to the applicant, stating the grounds for the denial. Upon request by the applicant, whose license shall have been so denied, the department shall set the time and place of a hearing upon a denial, and the department shall conduct the hearing with reasonable promptness.
History of Section.
P.L. 1950, ch. 2595, art. 8, § 2; G.L. 1956, § 31-5-24; P.L. 1989, ch. 174, § 1; P.L. 1991, ch. 44, art. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-25. - Hearing on suspension or revocation of license.

§ 31-5-25. Hearing on suspension or revocation of license.
No license shall be suspended or revoked except after a hearing. The department of revenue shall give the licensee at least five (5) days' written notice of the time and place of the hearing, together with the reasons for the department's proposed action.
History of Section.
P.L. 1950, ch. 2595, art. 8, § 2; G.L. 1956, § 31-5-25; P.L. 1989, ch. 174, § 1; P.L. 1991, ch. 44, art. 14, § 1; P.L. 2008, ch. 98, § 5; P.L. 2008, ch. 145, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-26. - Appeal from the department of revenue.

§ 31-5-26. Appeal from the department of revenue.
Any licensee or other person in interest being dissatisfied with an order of the department of revenue may appeal the order to the sixth division of the district court pursuant to the procedure established pursuant to § 42-35-15.
History of Section.
P.L. 1950, ch. 2595, art. 8, § 2; G.L. 1956, § 31-5-26; P.L. 1989, ch. 174, § 1; P.L. 1991, ch. 44, art. 14, § 1; P.L. 1992, ch. 453, § 9; P.L. 1999, ch. 218, art. 5, § 11; P.L. 2008, ch. 98, § 5; P.L. 2008, ch. 145, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-27. - Criminal liability for violations.

§ 31-5-27. Criminal liability for violations.
Any person, being a manufacturer, distributor, or factory representative, who violates any provision of §§ 31-5-21 — 31-5-27, or who does any act enumerated in § 31-5-23 as a ground for the denial, suspension, or revocation of a license, shall be guilty of a misdemeanor.
History of Section.
P.L. 1950, ch. 2595, art. 8, § 2; G.L. 1956, § 31-5-27; P.L. 1989, ch. 174, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-33. - Rental of motor vehicles — Licenses required.

§ 31-5-33. Rental of motor vehicles — Licenses required.
(a)
No person, firm, or corporation, whether resident or nonresident, shall, without securing a license, grant a franchise or license, or continue to grant a franchise or license, to any other person, firm, or corporation to use his, her, or its name, trademark, or trade name, whether registered or unregistered, in the business of renting in this state motor vehicles for transportation of persons or

property.
(b)
No person, firm, or corporation, whether resident or nonresident, shall engage in this state in the business of renting or leasing motor vehicles to any other person, firm, or corporation without securing a license. Any person, firm, or corporation who rents or leases more than five (5) motor vehicles in any one year shall be considered to be engaged in the business of renting or leasing motor vehicles.
(c)
Notwithstanding the provisions of any general or public law to the contrary, the authority to issue licenses for the rental or leasing of motorized bicycles and/or motorized tricycles in the town of New Shoreham shall be vested exclusively in the town council of the town of New Shoreham, pursuant to the provisions of chapter 19.3 of this title.
History of Section.
P.L. 1962, ch. 233, § 1; P.L. 1965, ch. 100, § 1; P.L. 1984 (S.S.), ch. 457, § 2; P.L. 1985, ch. 442, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-34. - Application for license — Fee — Expiration.

§ 31-5-34. Application for license — Fee — Expiration.
(a)(1)
Any person, firm, or corporation requiring a license pursuant to this chapter shall apply to the department upon a form specifying any information that the department shall require. The department may require with an application, or otherwise, information relating to the applicant's solvency, his or her or its financial standing, or any other matter that the department may deem pertinent to safeguard the public interest, all of which may be considered by the department in determining the fitness of the applicant to be licensed pursuant to this chapter. Each application shall be accompanied by a fee of one hundred dollars ($100). All licenses shall be granted or refused within thirty (30) days after the application, and shall expire, unless sooner revoked or suspended, on December 31 of the calendar year for which they are granted.
(2)
Commencing January 1, 2015, licenses shall be valid, unless sooner revoked or suspended, until December 31, 2017, and shall be renewable thereafter every three (3) years. Commencing January 1, 2015, the license fee for the three-year (3) license duration shall be three hundred dollars ($300) and shall be payable in installments of one hundred dollars ($100) per year.
(b)
Notwithstanding the provisions of any general or public law to the contrary, the authority to issue licenses for the rental or leasing of motorized bicycles and/or motorized tricycles in the town of New Shoreham shall be vested exclusively in the town council of the town of New Shoreham pursuant to the provisions of chapter 19.3 of title 31.
History of Section.
P.L. 1962, ch. 233, § 1; P.L. 1984, ch. 207, § 1; P.L. 1984 (S.S.), ch. 457, § 2; P.L. 1989, ch. 334, § 1; P.L. 1991, ch. 44, art. 14, § 1; P.L. 2014, ch. 356, § 1; P.L. 2014, ch. 409, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-35. - Grounds for denial, suspension, or revocation of license.

§ 31-5-35. Grounds for denial, suspension, or revocation of license.
A license provided for pursuant to this chapter may be denied, suspended, or revoked on any of the following grounds:
(1)
Proof of unfitness of applicant.
(2)
Material misstatement of applicant in the application for a license.
(3)
Because the applicant or licensee, or any subsidiary or any corporation owned or controlled by the applicant or licensee, has unfairly or without just provocation or cause cancelled or threatened to cancel the franchise or license of an existing or prior holder to use his, her, or its name, trademark, or trade name.
History of Section.
P.L. 1962, ch. 233, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-36. - Denial of license — Hearing.

§ 31-5-36. Denial of license — Hearing.
The department may, without prior notice, deny an application for a license within thirty (30) days of the receipt of an application, by written notice to the applicant stating the grounds for the denial. Upon a request by an applicant who is so denied a license, the department shall set the time and place of a hearing upon the denial and the department shall conduct the hearing with reasonable promptness.
History of Section.

P.L. 1962, ch. 233, § 1; P.L. 1989, ch. 334, § 1; P.L. 1991, ch. 44, art. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-37. - Hearing on suspension or revocation of license.

§ 31-5-37. Hearing on suspension or revocation of license.
No license shall be suspended or revoked except after a hearing. The department shall give the licensee at least five (5) days written notice of the time and place of the hearing, together with a statement of the grounds for the proposed action.
History of Section.
P.L. 1962, ch. 233, § 1; P.L. 1989, ch. 334, § 1; P.L. 1991, ch. 44, art. 14, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-38. - Certiorari from the department.

§ 31-5-38. Certiorari from the department.
Any licensee or other person in interest being dissatisfied with an order of the department of revenue may file a petition for certiorari in the supreme court.
History of Section.
P.L. 1962, ch. 233, § 1; P.L. 1989, ch. 334, § 1; P.L. 1991, ch. 44, art. 14, § 1; P.L. 2008, ch. 98, § 5; P.L. 2008, ch. 145, § 5.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-39. - Criminal liability for violations.

§ 31-5-39. Criminal liability for violations.
Any person, firm, or corporation who violates the provisions of § 31-5-33 shall be guilty of a misdemeanor.
History of Section.
P.L. 1962, ch. 233, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-5. - Dealers' license required — "Dealer" defined.

§ 31-5-5. Dealers' license required — "Dealer" defined.
No motor vehicle dealer shall engage in business as a dealer in this state without a license for it as provided in §§ 31-5-6 — 31-5-10. Any person, firm, or corporation who sells or acts as a broker with respect to the sale of more than four (4) vehicles in any one calendar year shall be considered a motor vehicle dealer. Any person, firm or corporation who, prior to the retail sale of a motor vehicle, converts, or otherwise assembles, installs, or affixes a body, cab or special equipment to a chassis or who adds to, subtracts from, or modifies a previously assembled or manufactured motor vehicle, shall be considered a motor vehicle dealer.
History of Section.
P.L. 1950, ch. 2595, art. 7, § 3; G.L. 1956, § 31-5-5; P.L. 1975, ch. 292, § 1; P.L. 1981, ch. 219, § 1; P.L. 1988, ch. 177, § 1; P.L. 1991, ch. 50, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-6. - Application for license.

§ 31-5-6. Application for license.
(a)
Application for a license shall be made in duplicate to the licensor at the time and in the form and shall contain any information as the licensor shall require, and shall be accompanied by the required fee.
(b)
The licensor may require in the application, or otherwise, information relating to:
(1)
The applicant's financial standing;
(2)
The applicant's business integrity;
(3)
Whether the applicant has an established place of business and is engaged primarily in the business of buying and selling and servicing motor vehicles;
(4)
Whether the applicant is able to properly conduct the business of a "motor vehicle dealer"; and
(5)
Any other pertinent information consistent with the safeguarding of public interest in the location in which the applicant proposes to engage in business, all of which may be considered by the licensor in determining whether the grant of the application is in the public interest.

History of Section.
P.L. 1950, ch. 2595, art. 7, § 3; G.L. 1956, § 31-5-6.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-7. - Duration of license.

§ 31-5-7. Duration of license.
(a)
Application for license shall be made to the department. Licenses shall be valid, unless sooner revoked or suspended, until December 31st of each year for one year and shall be renewable on or before expiration, upon application and payment of the fee required by this chapter.
(b)
Commencing January 1, 2015, licenses shall be valid, unless sooner revoked or suspended, until December 31, 2017, and shall be renewable thereafter every three (3) years.
History of Section.
P.L. 1950, ch. 2595, art. 7, § 3; G.L. 1956, § 31-5-7; P.L. 1975, ch. 68, § 1; P.L. 1986, ch. 369, § 1; P.L. 1991, ch. 44, art. 14, § 1; P.L. 2014, ch. 356, § 1; P.L. 2014, ch. 409, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-8. - License — Fee.

§ 31-5-8. License — Fee.
(a)
The license fee for each year shall be as follows: the fee for the license to each motor vehicle dealer shall be three hundred dollars ($300) plus a fee in like amount for each office or branch.
(b)
Commencing January 1, 2015, the license fee for the three-year (3) license duration shall be nine hundred dollars ($900) payable in installments of three hundred dollars ($300) per year.
History of Section.
P.L. 1950, ch. 2959, art. 7, § 3; G.L. 1956, § 31-5-8; P.L. 1960, ch. 75, § 5; P.L. 1986, ch. 219, § 1; P.L. 1986, ch. 369, § 1; P.L. 2010, ch. 23, art. 9, § 3; P.L. 2014, ch. 356, § 1; P.L. 2014, ch. 409, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-5 - Dealers', Manufacturers', and Rental LicensesSection 31-5-9. - Location specified — Display of license.

§ 31-5-9. Location specified — Display of license.
The licenses of dealers shall specify the location of the office or branch and must be conspicuously displayed there, and in case the location is changed, an application shall be filed with the licensor requesting the change in location and the permission of the licensor shall be necessary for the change in location.
History of Section.
P.L. 1950, ch. 2595, art. 7, § 3; G.L. 1956, § 31-5-9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-50 - Office of Automobile Theft and Insurance FraudSection 31-50-1. - Office of automobile theft and insurance fraud — Powers and duties of investigators.

§ 31-50-1. Office of automobile theft and insurance fraud — Powers and duties of investigators.
(a)
There is established an office of automobile theft and insurance fraud.
(b)
The scope and purpose of the office of automobile theft and insurance fraud shall be to investigate and prosecute crimes involving the theft or other unauthorized use of motor vehicles and to investigate and prosecute all forms of automobile insurance-related fraud.
(c)
The office of automobile theft and insurance fraud shall consist of a director, and not less than five (5) nor more than eight (8) investigators, who shall be selected and who shall be specially-trained to investigate instances of automobile theft and automobile claim insurance fraud. The director shall be a member of the Rhode Island state police with at least the rank of sergeant, and shall remain on the personnel rolls of the Rhode Island state police, with the same salary and benefits schedule, and shall retain all powers of a member of the Rhode Island state police of that rank.
(d)
The office of automobile theft and insurance fraud shall be under the jurisdiction of the superintendent of the state police. He or she shall appoint the director of that office from amongst the members of state police who have attained the rank of sergeant or above. The director, with the approval of the superintendent, shall have the authority to appoint and to remove, if necessary, the

investigators and staff of the office.
(e)
The director and the investigators shall have the following powers:
(1)
To arrest independently or in conjunction with local, state or federal law enforcement agencies.
(2)
To apply for and execute search warrants;
(3)
To serve civil and criminal process.
(f)
No person shall be appointed as an investigator in the office unless he or she has successfully completed the basic course of instruction for police officers at the Providence Police Training Academy, the Rhode Island Municipal Police Training Academy, or the Rhode Island State Police Training Academy, and has at least three (3) years of active law enforcement experience, or has served as a member of the United States Marshal's Service or as a special agent of the Federal Bureau of Investigation, a criminal law enforcement agency of the United States Department of Justice, the United States Department of State, the United States Department of the Treasury or the United States Postal Inspection Service and has at least three (3) years of active law enforcement experience, or has been certified as a police officer by the duly-constituted state commission on police officer standards and training of another state, and has at least three (3) years of active law enforcement experience. Prior to the appointment of any individuals, a background examination shall be conducted utilizing federal, state and local law enforcement agencies, bureau of criminal identification, national crime information center, and any and all relevant records existing within the federal and state court systems.
(g)
The attorney general shall designate one assistant or special assistant attorney general to the office whose duties shall be exclusively devoted to the office of automobile theft and insurance fraud. That assistant shall be funded from the account established in § 31-50-4.
(h)
The state shall hold the director and each investigator harmless and indemnify them to the extent provided under § 9-31-12 for acts committed within the scope of their employment.
History of Section.
P.L. 1993, ch. 380, § 1; P.L. 1996, ch. 193, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-50 - Office of Automobile Theft and Insurance FraudSection 31-50-2. - Board created.

§ 31-50-2. Board created.
There is created the automobile theft and insurance fraud investigations board, referred to in this chapter as "the board". The board shall consist of five (5) members one of whom shall be appointed to represent the interests of consumers by the governor; one of whom shall be appointed by the attorney general; one of whom shall be appointed by the governor to represent the insurance industry; one of whom shall be appointed by the president of the Rhode Island Chiefs of Police Association; and one of whom shall be the superintendent of the state police, ex-officio, or his or her designee. The initial appointments to the positions created in this section for appointed members shall be for a term of four (4) years, three (3) years, two (2) years, and one year respectively, to be determined by the governor, and subsequently to a term of four (4) years, or until a successor is appointed.
History of Section.
P.L. 1993, ch. 380, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-50 - Office of Automobile Theft and Insurance FraudSection 31-50-3. - Board — Duties and powers.

§ 31-50-3. Board — Duties and powers.
The board's duties shall consist of overseeing said office and reviewing its effectiveness, assuring that the funds derived pursuant to § 31-50-4 are devoted to the statutory purposes established in this chapter, and preparing reports and recommendations.
History of Section.
P.L. 1993, ch. 380, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-50 - Office of Automobile Theft and Insurance FraudSection 31-50-4. - Funding of office.

§ 31-50-4. Funding of office.
The director of business regulation shall fund the office of automobile theft and insurance fraud annually through those insurers authorized to write automobile insurance in the state, in proportion to their market share, in an amount equal to one dollar ($1.00) per year times the total number of registrations of vehicles having a gross weight of ten thousand pounds (10,000 lbs.) or less. Insurers may collect the amount as a policy surcharge, separately identifiable on either the policy declaration page or billing. The director is authorized by rules and regulations to raise these funds and direct the method by which payment of these charges is to be

implemented. All funds collected pursuant to this section shall be deposited as general revenues.
History of Section.
P.L. 1993, ch. 380, § 1; P.L. 1995, ch. 370, art. 40, § 108; P.L. 1998, ch. 283, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-50 - Office of Automobile Theft and Insurance FraudSection 31-50-5. - Annual report.

§ 31-50-5. Annual report.
On or before the thirty-first day of January the designated assistant or special assistant attorney general and the director shall prepare and submit to the governor and to the board a comprehensive report of all of the activities of the office including, but not limited, to vehicle recovery statistics, arrests, prosecutions, convictions, and restitution.
History of Section.
P.L. 1993, ch. 380, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-50 - Office of Automobile Theft and Insurance FraudSection 31-50-6. - Severability.

§ 31-50-6. Severability.
The provisions of this chapter are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of the court shall not affect or impair any of the remaining provisions.
History of Section.
P.L. 1993, ch. 380, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-51 - School Bus Safety EnforcementSection 31-51-1. - Short title.

§ 31-51-1. Short title.
This chapter shall be known and may be cited as the “School Bus Safety Enforcement Act.”
History of Section.
P.L. 2008, ch. 118, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-51 - School Bus Safety EnforcementSection 31-51-2.1. - Installation and signage.

§ 31-51-2.1. Installation and signage.
(a)
All vehicles installed with a live digital video school bus violation detection monitoring system shall post a warning sign indicating the use of such system.
(b)
Warning signage shall remain on each vehicle as long as a live digital video school bus violation detection monitoring system is in operation.
History of Section.
P.L. 2008, ch. 118, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-51 - School Bus Safety EnforcementSection 31-51-2.2. - Stopping for school bus required — Penalty for violation.

§ 31-51-2.2. Stopping for school bus required — Penalty for violation.
(a)
Any vehicle being operated upon a street, highway, private way or private or public parking area upon meeting or overtaking from any direction any school bus on which there is in operation flashing red lights, shall stop before reaching the bus. The vehicle shall not proceed until the bus resumes motion or until the flashing lights are no longer actuated. An owner and/or operator of a motor vehicle operated in violation of this section based on evidence obtained from a live digital video school bus violation detection monitoring system shall, upon conviction of a violation of this section, be punished by a civil fine of not less than two hundred fifty dollars ($250) nor more than five hundred dollars ($500) and/or suspension of his or her driving license for a period not to exceed thirty (30) days.
(b)
A law enforcement officer authorized to issue a traffic violation summons pursuant to this title may issue a summons of a violation of this chapter based on evidence from a live digital video school bus violation detection monitoring system; provided, that the statement of testimony, or evidence provides the law enforcement officer with sufficient probable cause that a violation under this section was committed. The summons shall be in the form referred to in § 31-51-3.
History of Section.
P.L. 2011, ch. 105, § 2; P.L. 2011, ch. 107, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-51 - School Bus Safety EnforcementSection 31-51-2. - Live digital video school bus violation detection monitoring systems.

§ 31-51-2. Live digital video school bus violation detection monitoring systems.

(a)

All school departments of this state are hereby authorized to install and operate live digital video school bus violation detection monitoring systems. Such systems shall at a minimum, be systems which monitor and detect school bus traffic violations. For purposes of this chapter a live digital video school bus violation detection monitoring system means a system with one or more camera sensors and computers which produce live digital and recorded video of motor vehicles being operated in violation of school bus traffic laws. All systems installed for used under this chapter must, at a minimum, produce a live visual image viewable remotely, a recorded image of the license plate, and be able to record the time, date, and location of the vehicle, and a signed affidavit by a person who witnessed the violation via live video.

(b)

The school departments may enter into an agreement with a private corporation or other entity to provide live digital video school bus violation detection monitoring systems and to maintain and operate such systems.

History of Section.

P.L. 2008, ch. 118, § 1; P.L. 2011, ch. 105, § 1; P.L. 2011, ch. 107, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-51 - School Bus Safety EnforcementSection 31-51-3. - Procedure — Notice.

§ 31-51-3. Procedure — Notice.

(a)

Except as expressly provided in this chapter, all prosecutions based on evidence produced by a live digital video school bus violation detection monitoring system shall follow the procedures established in chapter 41.1 of this title, chapter 18 of title 8 and the rules promulgated by the chief magistrate of the traffic tribunal for the hearing of civil traffic violations in the traffic tribunal. Provided, that in an action brought pursuant to the provisions of this chapter, references in chapter 41.1 of this title to an "operator" shall apply to the registered owner of the vehicle. A summons may be issued by an officer solely based on evidence obtained by use of a live digital video school bus violation detection monitoring system. All summonses issued based on evidence obtained from a live digital video school bus violation detection monitoring system shall be issued within ten (10) days of the violation. Notwithstanding any provisions of the general laws to the contrary, exclusive jurisdiction to hear and decide any violation under this chapter shall be with the traffic tribunal.

(b)

It shall be sufficient to commence a prosecution based on evidence obtained from a live digital video school bus violation detection monitoring system. A copy of the summons and supporting documentation shall be mailed to the address of the registered owner kept on file by the registry of motor vehicles. For purposes of this section, the date of issuance shall be the date of mailing.

(c)

The officer issuing the citation shall certify under penalties of perjury that the evidence obtained from the live digital video school bus violation detection monitoring system was sufficient to demonstrate a violation of the motor vehicle code. Such certification shall be sufficient in all prosecutions pursuant to this chapter to justify the entry of a default judgment upon sufficient proof of actual notice in all cases where the citation is not answered within the time period permitted.

(d)

The summons shall contain all the information provided for on the uniform summons as referred to in § 31-41.1-1 and the rules of procedure promulgated by the chief magistrate of the traffic tribunal as well as the date, time, and location of the violation. In addition, the following information shall be attached to or accompany the summons:

(1)

Copies of two (2) or more photographs, or microphotographs, videos, or other recorded images taken as proof of the violation;

(2)

A signed statement certified under the penalties of perjury by a trained law enforcement officer that, based on inspection of recorded images and video, the motor vehicle was being operated in violation of this chapter;

(3)

A signed statement that recorded images are evidence of a violation of this chapter;

(4)

A statement that the person who receives the summons under this chapter may either pay the civil fine in accordance with the provisions of § 31-51-2.2, proceed under § 31-51-5(c)(3) of this section, or elect to stand trial for the alleged violation;

(5)

A signed affidavit by a person who witnessed the motor vehicle being operated in violation of this chapter; and

(6)

A signed statement certified under the penalties of perjury by a trained law enforcement officer that the summons and attachments required under this subsection were mailed to the address of the registered owner kept on file by the registry of motor vehicles.

(e)
Any summons issued pursuant to this chapter shall be issued by a law enforcement officer authorized to issue a traffic violation summons pursuant to this title.
History of Section.
P.L. 2008, ch. 118, § 1; P.L. 2010, ch. 239, § 33; P.L. 2011, ch. 105, § 1; P.L. 2011, ch. 107, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-51 - School Bus Safety EnforcementSection 31-51-4. - Hearings.

§ 31-51-4. Hearings.
Evidence from a live digital video school bus violation detection monitoring system shall be considered substantive evidence in the prosecution of all civil traffic violations. Evidence from a live digital video school bus violation detection monitoring system approved by the school department shall be admitted without further authentication and such evidence may be deemed sufficient to sustain a civil traffic violation. In addition to any other defenses as set forth herein, any and all defenses cognizable at law shall be available to the individual who receives the citation commencing a prosecution under this chapter.
History of Section.
P.L. 2008, ch. 118, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-51 - School Bus Safety EnforcementSection 31-51-5.1. - Revenue.

§ 31-51-5.1. Revenue.
The revenue generated from each fine imposed pursuant to this chapter shall be allocated as follows:
(1)
Seventy-five percent (75%) to the vendor;
(2)
Twelve and one-half percent (12.5%) to the state general fund; and
(3)
Twelve and one-half percent (12.5%) to the municipality where the violation takes place.
History of Section.
P.L. 2011, ch. 105, § 2; P.L. 2011, ch. 107, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-51 - School Bus Safety EnforcementSection 31-51-5. - Driver/registered owner liability.

§ 31-51-5. Driver/registered owner liability.
(a)
The registered owner of a motor vehicle shall not operate or allow the motor vehicle to be operated in violation of this chapter. There shall be a rebuttable presumption that the registered owner of the vehicle that is photographed pursuant to this chapter was operating the vehicle.
(b)
In all prosecutions of civil traffic violations based on evidence obtained from a live digital video school bus violation detection monitoring system as provided under this chapter, the registered owner of the vehicle shall be primarily responsible in all prosecutions of violations pursuant to the provisions of this chapter, except as otherwise provided under this chapter.
(c)
In the event that the registered owner of the vehicle operated in violation of this chapter was not the operator of the vehicle at the time of the violation, the registered owner shall either:
(1)
Accept responsibility for the violation by paying the fine; or
(2)
Upon receipt of the notice of the violation, provide the issuing authority, within twenty (20) days of the date of issuance, the name and address of the individual operating the vehicle at the time which the violation occurred.
(d)
It shall be prima facie evidence, establishing a rebuttable presumption, that the owner of the registered motor vehicle was the operator of the vehicle at the time of the violation if the registered owner of the motor vehicle fails to pay the fine and fails to proceed under subdivision (c)(2) of this section. Evidence offered pursuant to this chapter shall be sufficient to establish a violation of § 31-51-2.2 by clear and convincing evidence.
(e)
The owner of a rented or leased motor vehicle may establish non-liability for violations issued pursuant to this chapter by providing to the issuing authority a copy of the written rental or a lease agreement which shall be prima facie evidence, establishing a rebuttable presumption, that the lessee was the operator of the vehicle. In the event that the lessee was not the operator of the motor vehicle at the time of the violation, the lessee shall either:

(1)
Accept responsibility for the violation by paying the fine; or
(2)
Upon receipt of the notice of the violation, provide the issuing authority within twenty (20) days of the date of issuance, the name and address of the individual operating the vehicle at the time which the violation occurred.
History of Section.
P.L. 2008, ch. 118, § 1; P.L. 2011, ch. 105, § 1; P.L. 2011, ch. 107, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-51 - School Bus Safety EnforcementSection 31-51-6. - Use of evidence in criminal and civil cases.

§ 31-51-6. Use of evidence in criminal and civil cases.
Nothing in this chapter shall prohibit the use of evidence produced by a live digital video school bus violation detection monitoring system in a criminal or private civil proceeding provided that the admissibility of such evidence shall not follow the applicable laws and rules of procedure and rules of evidence which apply in criminal and civil cases.
History of Section.
P.L. 2008, ch. 118, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-51 - School Bus Safety EnforcementSection 31-51-7. - Nature of violations.

§ 31-51-7. Nature of violations.
Notwithstanding any other provision of law:
(a)
No violation for which a civil fine is imposed under this chapter shall be considered a moving violation, nor shall be included on the driving record of the person on whom the liability is imposed, nor shall it be used for insurance rating purposes in providing motor vehicle insurance coverage.
(b)
Impositions of a penalty pursuant to this chapter shall not be deemed a criminal conviction of an owner or operator;
(c)
The “good driving record” provision of § 31-41.1-7 shall not be used to dismiss an action brought pursuant to this chapter.
History of Section.
P.L. 2008, ch. 118, § 1; P.L. 2011, ch. 105, § 1; P.L. 2011, ch. 107, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-51 - School Bus Safety EnforcementSection 31-51-8. - Security of records.

§ 31-51-8. Security of records.
(a)
The recorded images and live video produced by a live digital video school bus violation detection monitoring system shall not be deemed “public records” subject to disclosure pursuant to subdivision 38-2-2(4)(i).
(b)
All recorded images and live video that do not identify a violation shall be destroyed within twenty-four (24) hours of the date the live video was recorded, unless ordered by a court of competent jurisdiction.
(c)
All recorded images and live video that identify a violation shall be destroyed within one year after the citation is resolved by administrative payment, trial or other final disposition of the citation, unless ordered by a court of competent jurisdiction.
(d)
The privacy of records produced pursuant to this chapter shall be maintained; provided, that aggregate data not containing personal identifying information may be released.
History of Section.
P.L. 2008, ch. 118, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-51 - School Bus Safety EnforcementSection 31-51-9. - Reports.

§ 31-51-9. Reports.
The school department authorizing the installation of a live digital video school bus violation detection monitoring system shall prepare an annual report containing data on:
(1)
The number of citations issued;
(2)

The number of those violations paid;
(3)
The number of those violations found after trial or hearing;
(4)
The number of violations dismissed after trial or hearing;
(5)
The amount of revenue obtained from the live digital video school bus violation detection monitoring system.
History of Section.
P.L. 2008, ch. 118, § 1; P.L. 2010, ch. 239, § 33.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-52 - Funeral Procession ActSection 31-52-1. - Definitions.

§ 31-52-1. Definitions.
(a)
“Funeral director” and “funeral establishment” shall have the same meanings set forth in chapter 5-33.2-1 of the general laws.
(b)
“Funeral escort” means a person or entity that provides escort services for funeral processions, including, but not limited to, law enforcement personnel and agencies.
(c)
“Funeral escort vehicle” means any motor vehicle properly equipped pursuant to this chapter and which escorts a funeral procession.
(d)
“Funeral lead vehicle” means any motor vehicle, including a funeral hearse, properly equipped pursuant to this chapter, leading and facilitating the movement of a funeral procession.
(e)
“Funeral procession” means two (2) or more vehicles accompanying the body or the cremated remains of a deceased person, in the daylight hours, including a funeral lead vehicle or a funeral escort vehicle.
History of Section.
P.L. 2008, ch. 396, § 2; P.L. 2010, ch. 239, § 34.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-52 - Funeral Procession ActSection 31-52-2. - Equipment.

§ 31-52-2. Equipment.
(a)
All nonlaw enforcement funeral escort vehicles and funeral lead vehicles shall be equipped with at least one lighted rotating or oscillating lamp exhibiting an amber light or lens visible under normal atmospheric conditions for a distance of at least five hundred (500) feet from the front of the vehicle. A funeral escort vehicle or a funeral lead vehicle may illuminate a rotating or oscillating amber light only when the vehicle is in use in a funeral procession.
(b)
Any law enforcement funeral escort vehicle may be equipped with a red, blue, or amber flashing light which meet the criteria established in subsection (a) of this section.
History of Section.
P.L. 2008, ch. 396, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-52 - Funeral Procession ActSection 31-52-3. - Driving in funeral procession.

§ 31-52-3. Driving in funeral procession.
(a)
Operators of vehicles in a funeral procession must exercise due care when participating in a funeral procession.
(b)
A vehicle in a funeral procession shall follow the preceding vehicle in the funeral procession as closely as is practicable and safe. Any ordinance, law, or regulation requiring that motor vehicles be operated to allow sufficient space between them to enable another vehicle to enter and occupy that space without danger shall not be applicable to vehicles in a funeral procession.
(c)
The operator of a motor vehicle in a funeral procession may not drive the vehicle at a speed greater than:
(1)
Fifty-five (55) miles per hour on a highway where the posted speed limit is fifty-five (55) miles per hour or more; or
(2)
Five (5) miles per hour below the posted speed limit on other streets or roads.
(d)

A vehicle being operated in any funeral procession must have its headlights and tail lights illuminated.
(e)
The turn signals must be flashing simultaneously as warning lights on a vehicle that is the first vehicle in a funeral procession and which the operator has reason to believe is the last vehicle in the funeral procession.
History of Section.
P.L. 2008, ch. 396, § 2; P.L. 2010, ch. 239, § 34.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-52 - Funeral Procession ActSection 31-52-4. - Funeral procession right-of-way.

§ 31-52-4. Funeral procession right-of-way.
(a)
Except as provided in subsection (d) of this section, pedestrians and operators of all vehicles shall yield the right-of-way to any vehicle which is part of a funeral procession being led by a funeral escort vehicle or a funeral lead vehicle.
(b)
Whenever the funeral escort vehicle or funeral lead vehicle in a funeral procession lawfully enters an intersection, either by reason of a traffic control device or at the direction of law enforcement personnel, the remaining vehicles in the funeral procession may continue to follow the funeral lead vehicle through the intersection despite any traffic control devices or right-of-way provisions of state or local ordinances, provided the operator of each vehicle exercises reasonable care toward any other vehicle or pedestrian on the roadway.
(c)
Except as provided in subsection (d) of this section, an operator of a funeral escort vehicle may direct the operators of other vehicles in a funeral procession to proceed through an intersection or to make turns or other movements despite any traffic control device. The operator of a funeral escort vehicle may direct and control the operators of vehicles not in a funeral procession, including those in or approaching an intersection, to stop, proceed, or make turns or other movements without regard to a traffic control device. Funeral escort vehicles may exceed the speed limit by fifteen (15) miles per hour when overtaking the funeral procession to direct traffic at the next intersection.
(d)
Funeral processions shall have the right-of-way at intersections regardless of traffic control devices, subject to the following conditions and exceptions:
(1)
Operators of vehicles in a funeral procession shall yield the right-of-way to an approaching emergency vehicle giving an audible or visible signal;
(2)
Operators of vehicles in a funeral procession shall yield the right-of-way when directed to do so by law enforcement personnel; and
(3)
Operators of vehicles in a funeral procession must exercise due care when participating in a funeral procession.
History of Section.
P.L. 2008, ch. 396, § 2; P.L. 2010, ch. 239, § 34.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-52 - Funeral Procession ActSection 31-52-5. - Vehicles not in funeral procession.

§ 31-52-5. Vehicles not in funeral procession.
The operator of a vehicle that is not part of a funeral procession may not:
(1)
Drive between the vehicles forming a funeral procession while they are in motion except when authorized to do so by law enforcement personnel or when driving an authorized emergency vehicle emitting an audible or visible signal.
(2)
Join a funeral procession to secure the right-of-way as granted by this chapter.
(3)
Pass a funeral procession on a multiple lane highway on the funeral procession’s right side unless the funeral procession is in the farthest left lane.
(4)
Enter an intersection, even if the operator is facing a green traffic control signal, when a funeral procession is proceeding through a red traffic control signal at the intersection as permitted under this chapter, unless the operator can do so without crossing the path of the funeral procession. If the red signal changes to green while the funeral procession is within the intersection, the operator of the vehicle facing a green signal may proceed subject to the right-of-way of a vehicle participating in a funeral procession.
(5)
Any person who willfully violates this section shall be guilty of a civil violation.
History of Section.

P.L. 2008, ch. 396, § 2; P.L. 2010, ch. 239, § 34.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-52 - Funeral Procession ActSection 31-52-6. - Liability.

§ 31-52-6. Liability.
(a)
Liability for any death, personal injury or property damage suffered by any person in a funeral procession shall not be imposed upon the funeral director, funeral establishment, funeral escort or their employees or agents if the funeral procession was operating in compliance with this chapter or would have been operating in such compliance but for the operator or operators of one or more vehicles in the funeral procession not exercising due care as required by this chapter.
(b)
Liability for any death, personal injury or property damage that results from, is caused by, or arises out of any action or inaction of any operator of a vehicle in a funeral procession under the control of a funeral director funeral establishment, funeral escort or their employees or agents shall not be imposed upon such funeral director, funeral establishment, funeral escort or their employees or agents if the funeral procession was operating in compliance with this chapter or would have been operating in such compliance but for the operator or operators of one or more vehicles in the funeral procession not exercising due care as required by this chapter.
(c)
This section shall not apply if the death, personal injury, or property damage allegedly arose from the negligent acts or omissions in the operation of a vehicle by the funeral director, funeral establishment, funeral escort, or their employees or agents. The operator of a vehicle in a funeral procession shall not be deemed to be an agent of the funeral director, funeral establishment, or funeral escort unless such operator is an employee of the funeral director, funeral establishment, or funeral escort and is acting in the course of their employment, or unless the operator was retained as an independent contractor of the funeral director, funeral establishment, or funeral escort and is performing services thereto.
(d)
This section does not create a new cause of action or substantive legal rights against any funeral director, funeral establishment, funeral escort, or their employees or agents. This section does not affect any immunities from civil liability or defenses established by another section of the general laws or any immunities from civil liabilities or defenses available at common law to which a funeral director, funeral establishment, funeral escort, or their employees or agents may be entitled.
History of Section.
P.L. 2008, ch. 396, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-53 - The 2010 Automobile Airbag Fraud Prevention ActSection 31-53-1. - Short title.

§ 31-53-1. Short title.
This chapter shall be known and may be cited as “The Automobile Airbag Fraud Prevention Act of 2010.”
History of Section.
P.L. 2010, ch. 123, § 1; P.L. 2010, ch. 319, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-53 - The 2010 Automobile Airbag Fraud Prevention ActSection 31-53-2. - Purpose.

§ 31-53-2. Purpose.
Airbag system fraud is a public safety concern for consumers and the automobile insurance system. Efforts to combat this problem, one that could place innocent consumers at-risk of serious bodily injuries, have been piecemeal. This chapter is intended to address the issue in a coordinated way. It is through this collective effort that consumers will be protected and the integrity of the restraint system assured.
History of Section.
P.L. 2010, ch. 123, § 1; P.L. 2010, ch. 319, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-53 - The 2010 Automobile Airbag Fraud Prevention ActSection 31-53-3. - Definitions.

§ 31-53-3. Definitions.
As used in this chapter, the following words and phrases shall have the following meanings unless the context clearly indicates otherwise:
(1)
“Airbag” means a motor vehicle inflatable occupant restraint system device that is part of a supplemental restraint system.
(2)
“Counterfeit supplemental restraint system component” means a replacement supplemental restraint system component, including, but not limited to, an airbag that displays a mark identical or substantially similar to the genuine mark of a motor vehicle

manufacturer or a supplier of parts to the manufacturer of a motor vehicle without authorization from that manufacturer or supplier, respectively.
(3)
“Light manipulating system” means anything that would mask or cause the inaccurate indication of the airbag system status, condition, or operability.
(4)
“Nonfunctional airbag” means a replacement airbag that meets any of the following criteria:
(i)
The airbag was previously deployed or damaged;
(ii)
The airbag has an electric fault that is detected by the vehicle’s airbag diagnostic systems when the installation procedure is completed and the vehicle is returned to the customer who requested the work to be performed or when ownership is intended to be transferred;
(iii)
The airbag includes a part or object, including, but not limited to, a supplemental restraint system component installed in a motor vehicle to mislead the owner or operator of the motor vehicle into believing that a functional airbag has been installed; or
(iv)
The airbag is subject to the prohibitions of 49 U.S.C. § 30120(j).
(5)
“Person” means any natural person, corporation, partnership, unincorporated association, or other entity.
(6)
“Salvaged airbag” means an original equipment manufacturer (“OEM”) non-deployed airbag that has been removed from a motor vehicle for use in another vehicle.
(7)
“Supplemental restraint system,” commonly referred to as an “SRS,” means a passive inflatable motor vehicle occupant crash protection system designed for use in conjunction with active restraint systems, as defined in 49 C.F.R. § 571.208. A supplemental restraint system includes one or more airbags and all components required to ensure that an airbag works as designed by the vehicle manufacturer, including both of the following:
(i)
The airbag operates as designed in the event of a crash; and
(ii)
The airbag is designed in accordance with federal motor vehicle safety standards for the specific make, model, and year of the vehicle in which it is or will be installed.
History of Section.
P.L. 2010, ch. 123, § 1; P.L. 2010, ch. 319, § 1; P.L. 2018, ch. 57, § 1; P.L. 2018, ch. 60, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-53 - The 2010 Automobile Airbag Fraud Prevention ActSection 31-53-4. - Installation or reinstallation of any false airbag — Deceptive trade practices — Criminal liability.

§ 31-53-4. Installation or reinstallation of any false airbag — Deceptive trade practices — Criminal liability.
(a)
It is a deceptive trade practice, in violation of chapter 13.1 of title 6, “Deceptive Trade Practices,” whenever:
(1)
A person installs or reinstalls, as part of a vehicle inflatable occupant restraint system, any object in lieu of an airbag, including a nonfunctional airbag, counterfeit supplemental restraint system component, or any light manipulating system;
(2)
A person imports, manufactures, sells, or offers for sale any device with the intent that the device will replace an airbag in any motor vehicle if the person knows, or reasonably should know, that the device supplemental restraint system component or otherwise does not meet federal safety requirements;
(3)
A person sells, or offers for sale, any device that, when installed in any motor vehicle, gives the impression that a viable airbag is installed in that vehicle, including any light manipulating system; or
(4)
Any person intentionally misrepresents the presence of an airbag when one does not exist.
(b)
Failure to comply with the provisions of this chapter shall constitute an unfair method of competition and an unfair or deceptive act or practice under chapter 13.1 of title 6, entitled “Deceptive Trade Practices,” and the penalties and remedies provided in that chapter shall apply against any individual, corporation, or partnership violating any provision of this chapter.
(c)

Any person who violates this section is also guilty of a felony and, upon conviction thereof, shall be punished by a fine of not less than one thousand dollars ($1,000) and not more than two thousand dollars ($2,000) per violation, or imprisonment for a period of not more than two (2) years per violation, or both.
(d)
A person whose violation of subsection (a) of this section results in serious bodily injury or death shall be imprisoned for a period of not more than ten (10) years or fined not more than one hundred thousand dollars ($100,000), or both, per violation.
History of Section.
P.L. 2010, ch. 123, § 1; P.L. 2010, ch. 319, § 1; P.L. 2018, ch. 57, § 1; P.L. 2018, ch. 60, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-53 - The 2010 Automobile Airbag Fraud Prevention ActSection 31-53-5. - Airbag antitheft.

§ 31-53-5. Airbag antitheft.
(a) Purchase, sale, or installation of new or salvaged airbag
— records.
(1)
Any person engaged in the business of purchasing, selling, or installing salvaged airbags shall maintain a manual and/or electronic record of the purchase, sale, or installation, which shall include the identification number of the airbag; the vehicle identification number of the motor vehicle from which the salvaged airbag was removed; the name, address, and driver's license number or other means of identification of the person from whom the salvaged airbag was purchased; and, in the event that the salvaged airbag is installed, the vehicle identification number of the vehicle into which the airbag is installed. No new or salvaged airbag shall be sold or installed which is or has been subject to a specific manufacturer's or appropriate authority's notice of recall.
(2)
In the case of a new replacement airbag, any person engaged in installing any airbag shall maintain the name and tax identification number of the supplier of the airbag and record the vehicle identification number of the vehicle into which the airbag is installed, as well as the identification number of the airbag being installed. Additionally, the airbag identification of the previously deployed airbag being replaced shall be recorded. Upon request of any law enforcement officer of this state or other authorized representative of the agency charged with administration of this section, the installer shall produce such records and permit said agent or police officer to examine them.
(3)
Any person who sells a salvaged airbag or who installs a salvaged airbag must disclose to the purchaser and vehicle owner that the airbag is salvaged.
(4)
The person who installs a new or salvaged airbag shall submit an affidavit to the vehicle owner or their representative stating that the replacement airbag had been properly installed and received from the owner or their representatives written consent for its installation.
(5)
All records must be maintained for not less than five (5) years following the transaction, and may be inspected during normal business hours by any law enforcement officer of this state or other authorized representative of the agency charged with administration of this chapter.
(6)
Upon request, information within a portion of such record pertaining to a specific transaction must be provided to the insurer and the vehicle owner.
(7)
Persons engaged in the business of selling salvaged airbags shall comply with regulations developed by the administrator of the division of motor vehicles.
(8)
State rules regarding the sale of salvaged airbags shall include, but not be limited to, the following standards:
(i)
Identification of the supplier of the unit;
(ii)
Identification of the recipient vehicle, including VIN, year, make, and model;
(iii)
Identification of the airbag module cover color (and color code if available);
(iv)
Identification of the donor vehicle, including VIN, year, make, and model;
(v)
Supplier's internal stock number or locator number;
(vi)
Indication of source of interchange information (i.e. interchange manual/part number, OEM information, etc.);

(vii)
A supplier certificate indicating that all the requirements of the inspection protocol have been successfully achieved and identifying the person who completed the inspection; and
(viii)
A document containing the vehicle description including the year, make, and model for which the airbag system component is required when being sold to the end-user.
(9)
Salvaged airbags conforming to such standards shall be accompanied by a certificate of conformance that shall be retained by the installer.
(b) Prohibition
— penalties.
(1)
It is unlawful for any person to knowingly possess, sell, or install a stolen airbag; an airbag from which the manufacturer's part number labeling and/or VIN has been removed, altered, or defaced; or an airbag taken from a stolen motor vehicle. Any person who violates this subdivision commits a felony.
(2)
Any person who fails to maintain complete and accurate records, to prepare complete and accurate documents, to provide information from such record upon request, or to properly disclose that an airbag is salvaged, as required by this chapter, commits a misdemeanor.
History of Section.
P.L. 2010, ch. 123, § 1; P.L. 2010, ch. 319, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-53 - The 2010 Automobile Airbag Fraud Prevention ActSection 31-53-6. - Accidents — Police authorities report.

§ 31-53-6. Accidents — Police authorities report.
Any automobile vehicle accident report that is filed by the appropriate law enforcement agency shall clearly contain a notation as to whether the automobile's airbag or inflatable restraint system had been deployed in the accident.
History of Section.
P.L. 2010, ch. 123, § 1; P.L. 2010, ch. 319, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-53 - The 2010 Automobile Airbag Fraud Prevention ActSection 31-53-7. - Sale or trade of motor vehicle with an inoperable airbag.

§ 31-53-7. Sale or trade of motor vehicle with an inoperable airbag.
(a)
Any person selling or trading a motor vehicle who has actual knowledge that the motor vehicle has a nonfunctional airbag or counterfeit supplemental restraint system component installed or that an airbag is otherwise inoperable shall notify the buyer or the person acquiring the trade, in writing, of that defect.
(b)
A person who violates subsection (a) of this section commits both a deceptive trade practice and a felony, and shall be subject to the penalties set forth in chapter 13.1 of title 6 for the deceptive trade practice, and also subject to the penalties set forth in § 31-53-4(c) and/or (d), as appropriate.
History of Section.
P.L. 2010, ch. 123, § 1; P.L. 2010, ch. 319, § 1; P.L. 2018, ch. 57, § 1; P.L. 2018, ch. 60, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-53 - The 2010 Automobile Airbag Fraud Prevention ActSection 31-53-8. - Rules and regulations.

§ 31-53-8. Rules and regulations.
The administrator of the division of motor vehicles shall promulgate rules and regulations to implement the provisions of this chapter.
History of Section.
P.L. 2010, ch. 123, § 1; P.L. 2010, ch. 319, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-53 - The 2010 Automobile Airbag Fraud Prevention ActSection 31-53-9. - Severability.

§ 31-53-9. Severability.
If any section, paragraph, sentence, clause, phrase, or any part of this chapter is declared invalid, the remaining sections, paragraphs, sentences, clauses, phrases, or parts thereof shall in no manner be affected and shall remain in full force and effect.
History of Section.

P.L. 2010, ch. 123, § 1; P.L. 2010, ch. 319, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6.1 - Bus Taxation Proration and Reciprocity AgreementSection 31-6.1-1. - Agreement enacted.

§ 31-6.1-1. Agreement enacted.

The Bus Taxation Proration Agreement is enacted into law and entered into with all jurisdictions legally joining in the form substantially as follows:

(a) Purposes of agreement.

It is the purpose of this agreement to set up a system by which any contracting state may permit owners of fleets of buses operating in two or more states to prorate the registration of the buses in such fleets in each state in which the fleets operate on the basis of the proportion of miles operated within such state to total fleet miles, as defined in this agreement.

(b) Principle of proration of registration.

It is declared that in making this agreement the contracting states adhere to the principle that each state should have the freedom to develop the kind of highway user tax structure that it determines to be most appropriate to itself; that the method of taxation of interstate buses should not be a determining factor in developing its user tax structure; and that annual taxes or other taxes of the fixed fee type upon buses, which are not imposed on a basis that reflects the amount of highway use, should be apportioned among the states, within the limits of practicality, on the basis of vehicle miles traveled within each of the states.

(a)

"State". State shall include the states of the United States, the District of Columbia, the territories of the United States, the provinces of Canada, and the states, territories and federal district of Mexico.

(b)

"Contracting state". Contracting state shall mean a state which is a party to this agreement.

(c)

"Administrator". Administrator shall mean the official or agency of a state administering the fee involved, or, in the case of proration of registration, the official or agency of a state administering the proration of registration in that state.

(d)

"Person". Person shall include any individual, firm, co-partnership, joint venture, association, corporation, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit.

(e)

"Base state". Base state shall mean the state from or in which the bus is most frequently dispatched, garaged, serviced, maintained, operated, or otherwise controlled, or also in the case of a fleet bus the state to which it is allocated for registration under statutory requirements. In order that this section may not be used for the purpose of evasion of registration fees, the administrators of the contracting states may make the final decision as to the proper base state, in accordance with article III(h) of this agreement, to prevent or avoid any evasion.

(f)

"Bus". Bus shall mean any motor vehicle of a bus type engaged in the interstate transportation of passengers and subject to the jurisdiction of the interstate commerce commission, or any agency successor to it, or one or more state regulatory agencies concerned with the regulation of passenger transport.

(g)

"Fleet". As to each contracting state, fleet shall include only those buses which actually travel a portion of their total miles in such state. A fleet must include three (3) or more buses.

(h)

"Registration". Registration shall mean the registration of a bus and the payment of annual fees and taxes as set forth in or pursuant to the laws of the respective contracting states.

(i)

"Proration of registration". Proration of registration shall mean registration of fleets of buses in accordance with article IV of this agreement.

(j)

"Reciprocity". Reciprocity shall mean that each contracting state, to the extent provided in this agreement, exempts a bus from registration and registration fees.

(a) Effect on other agreements, arrangements, and understandings.

On and after its effective date, this agreement shall supersede any reciprocal or other agreement, or understanding between any two or more of the contracting states covering, in whole or in part, any of the matters covered by this agreement. But this agreement shall not affect any reciprocal or other agreement, arrangement, or understanding between a contracting state and a state or states not a party to this agreement.

(b) Applicability to exempt vehicles.

This agreement shall not require registration in a contracting state of any vehicles which are in whole or part exempt from registration under the laws or regulations of such state without respect to this agreement.

(c) Inapplicability to caravanned vehicle.

The benefits and privileges of this agreement shall not be extended to a vehicle operated on its own wheels, or in tow of a motor vehicle, transported for the purpose of selling or offering the same for sale to or by any agent, dealer, purchaser, or prospective purchaser.

(d) Other fees and taxes.

This agreement does not waive any fees or taxes charged or levied by any state in connection with the ownership or operation of vehicles other than registration fees as defined in this agreement. All other fees and taxes shall be paid to each state in accordance with laws of that state.

(e) Statutory vehicle regulations.

This agreement shall not authorize the operation of a vehicle in any contracting state contrary to the laws or regulations except those pertaining to registration and payment of fees; and with respect to such laws or regulations, only to the extent provided in this agreement.

(f) Violations.

Each contracting state reserves the right to withdraw, by order of its administrator, all or any part of the benefits or privileges granted pursuant to this agreement from the owner of any vehicle or fleet of vehicles operated in violation of any provision of this agreement. The administrator shall immediately give notice of any violation and withdrawal of any benefits or privileges to the administrator of each other contracting state in which vehicles of an owner are operated.

(g) Cooperation.

The administrator of each of the contracting states shall cooperate with the administrators of the others and each contracting state agrees to furnish such aid and assistance to each other within its statutory authority as will aid in the proper enforcement of this agreement.

(h) Interpretation.

In any dispute between or among contracting states arising under this agreement, the final decision regarding interpretation of questions at issue relating to this agreement shall be reached by joint action of the contracting states, acting through its administrators, and shall upon determination be placed in writing.

(i) Effect of headings.

Article and section headings contained in this agreement shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning, or intent of the provisions of any article or part of it.

(j) Entry into force.

This agreement shall enter into force and become binding between and among the contracting states when enacted or otherwise entered into by any two (2) states. Subsequently, it shall enter into force and become binding with respect to any state when enacted into law by that state. If the statutes of any state so authorize or provide, a state may become party to this agreement upon the execution of it by an executive or administrative official of the state acting on behalf of and for the state.

(a) Applicability.

Any owner of a fleet may register the buses of that fleet in any contracting state by paying to that other state the total registration fees in an amount equal to that obtained by applying the proportion of in-state fleet miles divided by the total fleet miles, to the total fees which would otherwise be required for regular registration of each and all of those vehicles in the other contracting state.

(1)

All fleet pro-rata registration fees shall be based upon the mileage proportions of the fleet during the period of twelve (12) months ending on August 31 next preceding the commencement of the registration year for which registration is sought. The mileage proportions for a fleet not operated during that period in the state where application for registration is made will be determined by the administrator upon the sworn application of the applicant showing the operations during that period in other states, and the estimated operations during the registration year for which registration is sought in the state in which application is being made. If no operations were conducted during such period a full statement of the proposed method of operation shall be used.

(2)

If any buses operate in two (2) or more states which permit the proration of registration on the basis of a fleet of buses consisting of a lesser number of vehicles than provided in article II(g), that fleet may be prorated as to registration in those states, in which event the buses in that fleet shall not be required to register in any other contracting states if each vehicle is registered in some contracting state except to the extent it is exempt from registration as provided in article III(b).

(3)

If the administrator of any state determines, based on his or her method of the operation, that the inclusion of a bus or buses as a part of a fleet would adversely affect the proper fleet fee which should be paid to his or her state, having due regard for fairness and equity, the administrator may refuse to permit any or all of those buses to be included in his or her state as a part of such fleet.

(b) Total fleet miles.

Total fleet miles, with respect to each contracting state, shall mean the total miles operated by the fleet (1) in such state, (2) in all other contracting states, (3) in other states having proportional registration provisions, (4) in states with which that contracting state has reciprocity, and (5) in those other states that the administrator determines should be included under the circumstances in order to protect or promote the interest of his or her state; except that in states having laws requiring proration on the basis of a different determination of total fleet miles, total fleet miles shall be determined on this basis.

(c) Leased vehicles.

If a bus is operated by a person other than the owner as a part of a fleet which is subject to the provisions of this article, then the operator of that fleet shall be deemed to be the owner of that bus for the purposes of this article.
(d) Extent of privileges.
Upon the registration of a fleet in a contracting state pursuant to this article, each bus in the fleet may be operated in both interstate and intrastate operations in that state except as provided in article III(e).
(e) Application for proration.
The application for proration of registration shall be made in each contracting state upon substantially the application forms and supplements authorized by joint action of the administrators of the contracting states.
(f) Issuance of identification.
Upon registration of a fleet, the state which is the base state of a particular bus of the fleet shall issue the required license plates and registration card for the bus and each contracting state in which the fleet (of which the bus is a part) operates shall issue a special identification identifying the bus as a part of a fleet which has fully complied with the registration requirements of that state. The required license plates, registration cards and identification shall be appropriately displayed in the manner required by or pursuant to the laws of each respective state.
(g) Additions to fleet.
If any bus is added to a prorated fleet after the filing of the original application, the owner shall file a supplemental application. The owner shall register the bus in each contracting state in like manner as provided for buses listed in an original application and the registration fee payable shall be determined on the mileage proportion used to determine the registration fees payable for buses registered under the original application.
(h) Withdrawals from fleet.
If any bus is withdrawn from a prorated fleet during the period for which it is registered or identified, the owner shall notify the administrator of each state in which it is registered or identified of that withdrawal and shall return the plates, and registration card or identification as may be required by or pursuant to the laws of the respective states.
(i) Audits.
The administrator of each contracting state shall, within the statutory authority of the administrator, make any information obtained upon an audit of records of any applicant for proration of registration available to the administrators of the other contracting states.
(j) Errors in registration.
If it is determined by the administrator of a contracting state, as a result of these audits or otherwise, that an improper fee has been paid that state, or if errors in registration are found, the administrator may require the fleet owner to make the necessary corrections in the registration of his or her fleet and payment of fees.
(a) Grant of reciprocity.
Each of the contracting states grants reciprocity as provided in this article.
(b) Applicability.
The provisions of this agreement with respect to reciprocity shall apply only to a bus properly registered in the base state of the bus, which state must be a contracting state.
(c) Non-applicability to fleet buses.
The reciprocity granted pursuant to this article shall not apply to a bus which is entitled to be registered or identified as part of a prorated fleet.
(d) Extent of reciprocity.
The reciprocity granted pursuant to this article shall permit the interstate operation of a bus and intrastate operation which is incidental to a trip of such bus involving interstate operation.
(e) Other agreements.
Nothing in this agreement shall be construed to prohibit any of the contracting states from entering into separate agreements with each other for the granting of temporary permits for the intrastate operation of vehicles registered in the other state; nor to prevent any of the contracting states from entering into agreements to grant reciprocity for intrastate operation within any zone or zones agreed, upon by the states.
Any contracting state may withdraw from this agreement upon thirty (30) days' written notice to any other contracting state, which notice shall be given only after the repeal of this agreement by the legislature of such state, if adoption was by legislative act, or after renunciation by the appropriate administrative official of the contracting state if the laws of that state empower the administrator so to renounce.
This compact shall be liberally construed so as to effectuate its purposes. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States, or the applicability of it to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability of it to any government, agency, person, or circumstance shall not be affected by the invalidity. If this compact shall be held contrary to the constitution of any state participating in it, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.
History of Section.
P.L. 1965, ch. 208, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6.1 - Bus Taxation Proration and Reciprocity AgreementSection 31-6.1-2. - “Administrator” defined.

§ 31-6.1-2. “Administrator” defined.
As used in the agreement, with reference to this state, the term “administrator” means administrator of the division of motor vehicles.
History of Section.
P.L. 1965, ch. 208, § 2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6.1 - Bus Taxation Proration and Reciprocity AgreementSection 31-6.1-3. - Exemptions and changes in method of reporting.

§ 31-6.1-3. Exemptions and changes in method of reporting.
The administrator of the division of motor vehicles shall have the power to make such exemptions from the coverage of the agreement as may be appropriate and to make such changes in methods for the reporting of any information required to be furnished to this state pursuant to the agreement as, in his or her judgment, shall be suitable. Any of those exemptions or changes shall not be contrary to the purposes set forth in article I of the agreement and shall be made in order to permit the continuance of uniformity of practice among the contracting states with respect to buses. Any exemption or change shall be made by rule or regulation and shall not be effective unless made by the same procedure required for other rules and regulations of the department.
History of Section.
P.L. 1965, ch. 208, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6.1 - Bus Taxation Proration and Reciprocity AgreementSection 31-6.1-4. - Notice of withdrawal.

§ 31-6.1-4. Notice of withdrawal.
Unless otherwise provided in any statute withdrawing this state from participation in the agreement, the governor shall be the officer to give notice of withdrawal from it.
History of Section.
P.L. 1965, ch. 208, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6 - Registration FeesSection 31-6-1. - Amount of registration and miscellaneous fees.

§ 31-6-1. Amount of registration and miscellaneous fees.
The following registration fees shall be paid to the division of motor vehicles for the registration of motor vehicles, trailers, semi-trailers, and school buses subject to registration for each year of registration:
(1)
For the registration of every automobile, when equipped with pneumatic tires, the gross weight of which is not more than four thousand pounds (4,000 lbs.): thirty dollars ($30.00).
(2)
For the registration of every motor truck or tractor when equipped with pneumatic tires, the gross weight of which is not more than four thousand pounds (4,000 lbs.): thirty-four dollars ($34.00).
(3)
For the registration of every automobile, motor truck or tractor, when equipped with pneumatic tires, the gross weight of which is:
(i)
More than four thousand pounds (4,000 lbs.), but not more than five thousand pounds (5,000 lbs.): forty dollars ($40.00);
(ii)
More than five thousand pounds (5,000 lbs.), but not more than six thousand pounds (6,000 lbs.): forty-eight dollars ($48.00);
(iii)
More than six thousand pounds (6,000 lbs.), but not more than seven thousand pounds (7,000 lbs.): fifty-six dollars ($56.00);
(iv)
More than seven thousand pounds (7,000 lbs.), but not more than eight thousand pounds (8,000 lbs.): sixty-four dollars ($64.00);
(v)
More than eight thousand pounds (8,000 lbs.), but not more than nine thousand pounds (9,000 lbs.): seventy dollars ($70.00);
(vi)
More than nine thousand pounds (9,000 lbs.), but not more than ten thousand pounds (10,000 lbs.): seventy-eight dollars ($78.00);
(vii)
More than ten thousand pounds (10,000 lbs.), but not more than twelve thousand pounds (12,000 lbs.): one hundred six dollars ($106);
(viii)
More than twelve thousand pounds (12,000 lbs.), but not more than fourteen thousand pounds (14,000 lbs.): one hundred

twenty-four dollars ($124);
(ix)
More than fourteen thousand pounds (14,000 lbs.), but not more than sixteen thousand pounds (16,000 lbs.): one hundred forty dollars ($140);
(x)
More than sixteen thousand pounds (16,000 lbs.), but not more than eighteen thousand pounds (18,000 lbs.): one hundred fifty-eight dollars ($158);
(xi)
More than eighteen thousand pounds (18,000 lbs.), but not more than twenty thousand pounds (20,000 lbs.): one hundred seventy-six dollars ($176);
(xii)
More than twenty thousand pounds (20,000 lbs.), but not more than twenty-two thousand pounds (22,000 lbs.): one hundred ninety-four dollars ($194);
(xiii)
More than twenty-two thousand pounds (22,000 lbs.), but not more than twenty-four thousand pounds (24,000 lbs.): two hundred ten dollars ($210);
(xiv)
More than twenty-four thousand pounds (24,000 lbs.), but not more than twenty-six thousand pounds (26,000 lbs.): two hundred thirty dollars ($230);
(xv)
More than twenty-six thousand pounds (26,000 lbs.), but not more than twenty-eight thousand pounds (28,000 lbs.): two hundred ninety-six dollars ($296);
(xvi)
More than twenty-eight thousand pounds (28,000 lbs.), but not more than thirty thousand pounds (30,000 lbs.): three hundred sixteen dollars ($316);
(xvii)
More than thirty thousand pounds (30,000 lbs.), but not more than thirty-two thousand pounds (32,000 lbs.): four hundred and twenty-two dollars ($422);
(xviii)
More than thirty-two thousand pounds (32,000 lbs.), but not more than thirty-four thousand pounds (34,000 lbs.): four hundred and forty-eight dollars ($448);
(xix)
More than thirty-four thousand pounds (34,000 lbs.), but not more than thirty-six thousand pounds (36,000 lbs.): four hundred and seventy-six dollars ($476);
(xx)
More than thirty-six thousand pounds (36,000 lbs.), but not more than thirty-eight thousand pounds (38,000 lbs.): five hundred and two dollars ($502);
(xxi)
More than thirty-eight thousand pounds (38,000 lbs.), but not more than forty thousand pounds (40,000 lbs.): five hundred and twenty-eight dollars ($528);
(xxii)
More than forty thousand pounds (40,000 lbs.), but not more than forty-two thousand pounds (42,000 lbs.): five hundred and fifty-four dollars ($554);
(xxiii)
More than forty-two thousand pounds (42,000 lbs.), but not more than forty-six thousand pounds (46,000 lbs.): six hundred and eight dollars ($608);
(xxiv)
More than forty-six thousand pounds (46,000 lbs.), but not more than fifty thousand pounds (50,000 lbs.): six hundred and sixty dollars ($660);
(xxv)
More than fifty thousand pounds (50,000 lbs.), but not more than fifty-four thousand pounds (54,000 lbs.): seven hundred and twelve dollars ($712);
(xxvi)
More than fifty-four thousand pounds (54,000 lbs.), but not more than fifty-eight thousand pounds (58,000 lbs.): seven hundred and sixty-eight dollars ($768);
(xxvii)
More than fifty-eight thousand pounds (58,000 lbs.), but not more than sixty-two thousand pounds (62,000 lbs.): eight hundred and sixteen dollars ($816);
(xxviii)

More than sixty-two thousand pounds (62,000 lbs.), but not more than sixty-six thousand pounds (66,000 lbs.): eight hundred and seventy-six dollars ($876);
(xxix)
More than sixty-six thousand pounds (66,000 lbs.), but not more than seventy thousand pounds (70,000 lbs.): nine hundred and twenty-four dollars ($924);
(xxx)
More than seventy thousand pounds (70,000 lbs.), but not more than seventy-four thousand pounds (74,000 lbs.): nine hundred and seventy-two dollars ($972);
(xxxi)
Over seventy-four thousand pounds (74,000 lbs.): nine hundred and seventy-two dollars ($972), plus twenty-four dollars ($24.00) per two thousand pounds (2,000 lbs.) gross weight.
(4)
For the registration of every semi-trailer to be used with a truck-tractor, as defined in § 31-1-4(f), shall be as follows: an annual fee of twelve dollars ($12.00) for a one-year registration; for multi-year registrations the fee of fifty dollars ($50.00) for a five-year (5) registration; and eighty dollars ($80.00) for an eight-year (8) registration. However, when in use, the weight of the resulting semi-trailer unit and its maximum carrying capacity shall not exceed the gross weight of the original semi-trailer unit from which the gross weight of the tractor was determined. A registration certificate and registration plate shall be issued for each semi-trailer so registered. There shall be no refund of payment of such fee, except that when a plate is returned prior to ninety (90) days before the effective date of that year's registration, the pro rate amount, based on the unused portion of the multi-year registration plate period at time of surrender, shall be refunded. A multi-year semi-trailer registration may be transferred to another semi-trailer subject to the provisions and fee set forth in § 31-6-11. Thirty percent (30%) of the semi-trailer registration fee shall be retained by the division of motor vehicles to defray the costs of implementation of the international registration plan (IRP) and fleet registration section.
(5)
For the registration of every automobile, motor truck, or tractor, when equipped with other than pneumatic tires, there shall be added to the above gross weight fees a charge of ten cents (10¢) for each one hundred pounds (100 lbs.) of gross weight.
(6)
For the registration of every public bus, the rates provided for motor vehicles for hire plus two dollars ($2.00) for each passenger that bus is rated to carry, the rating to be determined by the administrator of the division of motor vehicles.
(7)
For the registration of every motorcycle, or motor-driven cycle, thirteen dollars ($13.00). Three dollars ($3.00) from that sum shall be turned over to the department of education to assist in the payment of the cost of the motorcycle driver's education program as enumerated in § 31-10.1-1.1.
(8)
For the registration of every trailer, not including semi-trailers used with a truck-tractor as defined in § 31-1-4(d), with a gross weight of three thousand pounds (3,000 lbs.) or less, five dollars ($5.00). Trailers with a gross weight of more than three thousand pounds (3,000 lbs.) shall be assessed a registration fee of one dollar and fifty cents ($1.50) per thousand pounds (1,000 lbs.).
(9)
The annual registration fee for a motor vehicle, commonly described as a boxcar and/or locomotive, and used only by La Societe Des 40 Hommes et 8 Chevaux for civic demonstration, parades, convention purposes, or social welfare work, shall be two dollars ($2.00).
(10)
For the registration of every motor vehicle, trailer, or semi-trailer owned by any department or agency of any city or town or district, provided the name of the city or town or district or state department or agency owning the same shall be plainly printed on two (2) sides of the vehicle, two dollars ($2.00).
(11)
For the registration of motor vehicles used for racing, fifteen dollars ($15.00).
(12)
For every duplicate registration certificate, seventeen dollars ($17.00).
(13)
For every certified copy of a registration certificate or application, ten dollars ($10.00).
(14)
For every certificate assigning a special identification number or mark as provided in § 31-3-37, one dollar ($1.00).
(15)
For every replacement of number plates or additional pair of number plates, without changing the number, thirty dollars ($30.00).
(16)
For the registration of every farm vehicle, used in farming as provided in § 31-3-31: ten dollars ($10.00).
(17)
For the registration of antique motor vehicles, five dollars ($5.00).
(18)

For the registration of a suburban vehicle, when used as a pleasure vehicle and the gross weight of which is not more than four thousand pounds (4,000 lbs.), the same rates as charged in subsection (1) of this section shall be applicable and when used as a commercial vehicle and the gross weight of which is not more than four thousand pounds (4,000 lbs.), the same rates as provided in subsection (2) of this section shall be applicable. The rates in subsection (3) of this section shall be applicable when the suburban vehicle has a gross weight of more than four thousand pounds (4,000 lbs.), regardless of the use of the vehicle.
(19)
For the registration of every motor bus that is used exclusively under contract with a political subdivision or school district of the state for the transportation of school children, twenty-five dollars ($25); provided that the motor bus may also be used for the transportation of persons to and from church and Sunday school services, and for the transportation of children to and from educational or recreational projects sponsored by a city or town or by any association or organization supported wholly or in part by public or private donations for charitable purposes, without the payment of additional registration fee.
(20)
For the registration of every motorized bicycle, ten dollars ($10.00).
(21)
For the registration of every motorized tricycle, ten dollars ($10.00).
(22)
For the replacement of number plates with a number change, twenty dollars ($20.00).
(23)
For the initial issuance and each reissuance of fully reflective plates, as required by §§ 31-3-10, 31-3-32, and 31-3-33, an additional eight dollars ($8.00); provided, however, for the initial issuance of new license plates as required by § 31-3-33(c) that feature the 2022 approved design, the fee shall be waived when the plate is issued for a vehicle with an existing registration.
(24)
For the issuance of a trip permit under the International Registration Plan, twenty-five dollars ($25.00) per vehicle. The division of motor vehicles is authorized to issue seventy-two-hour (72) trip permits for vehicles required to be registered in the International Registration Plan that have not been apportioned with the state of Rhode Island.
(25)
For the issuance of a hunter’s permit under the International Registration Plan, twenty-five dollars ($25.00) per vehicle. The division of motor vehicles is authorized to issue hunter’s permits for motor vehicles based in the state of Rhode Island and otherwise required to be registered in the International Registration Plan. These permits are valid for thirty (30) days.
(26)
For the registration of a specially adapted motor vehicle necessary to transport a family member with a disability for personal, noncommercial use, a fee of thirty dollars ($30.00) assessed.
History of Section.
P.L. 1950, ch. 2595, art. 14, § 1; P.L. 1951, ch. 2826, § 11; P.L. 1952, ch. 2937, § 7; P.L. 1953 (1st s. s.), ch. 3236, § 2; P.L. 1954, ch. 3378, § 2; G.L. 1956, § 31-6-1; P.L. 1958, ch. 75, § 1; P.L. 1960, ch. 62, § 1; P.L. 1960, ch. 75, § 6; P.L. 1963, ch. 96, § 1; P.L. 1964, ch. 214, § 3; P.L. 1969, ch. 174, § 1; P.L. 1975, ch. 134, § 1; P.L. 1975, ch. 213, § 1; P.L. 1976, ch. 64, § 4; P.L. 1978, ch. 377, § 3; P.L. 1981, ch. 327, § 1; P.L. 1982, ch. 86, § 1; P.L. 1984, ch. 367, § 2; P.L. 1986, ch. 167, § 1; P.L. 1988, ch. 408, § 1; P.L. 1990, ch. 13, § 2; P.L. 1993, ch. 138, art. 29, § 1; P.L. 1995, ch. 135, § 2; P.L. 1995, ch. 373, § 1; P.L. 1996, ch. 100, art. 19, § 1; P.L. 1997, ch. 30, art. 16, § 1; P.L. 1998, ch. 31, art. 22, § 1; P.L. 1998, ch. 77, § 1; P.L. 1998, ch. 137, § 1; P.L. 1998, ch. 394, § 1; P.L. 2005, ch. 117, art. 24, § 1; P.L. 2007, ch. 73, art. 7, § 10; P.L. 2010, ch. 23, art. 9, § 5; P.L. 2016, ch. 142, art. 9, § 4; P.L. 2017, ch. 302, art. 4, § 3; P.L. 2019, ch. 88, art. 7, § 3; P.L. 2022, ch. 231, art. 6, § 2, effective June 27, 2022.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6 - Registration FeesSection 31-6-10. - Police vehicles — Fire apparatus — Trackless trolleys.

§ 31-6-10. Police vehicles — Fire apparatus — Trackless trolleys.
The following vehicles shall be exempt from registration:
(1)
Motor-propelled fire engines and other fire apparatus. However, the division of motor vehicles shall issue a permanent registration plate and certificate for each motor-propelled fire engine or fire apparatus for its life at no fee;
(2)
Every motor vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.
(3)
Motor-propelled vehicles employed for law enforcement purposes by the several city and town police departments whether or not equipped with distinctive registration plates. A permanent registration plate and certificate shall, however, be issued for each motor-propelled police vehicle, for its life, at no fee. However, any existing police vehicle plate currently on a propelled police vehicle will pay a five dollar ($5.00) transfer fee if that plate is transferred to another police vehicle within the same police department.
History of Section.
P.L. 1950, ch. 2595, art. 14, § 4; P.L. 1952, ch. 2937, § 7; G.L. 1956, § 31-6-10; P.L. 1996, ch. 360, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6 - Registration FeesSection 31-6-11. - Transfer of registration.

§ 31-6-11. Transfer of registration.

The fee for transfer of registration shall be fifteen dollars ($15.00) if the vehicle to be registered is of the same fee-class as the original vehicle or less, but if the proper registration fee for the vehicle to be registered is greater than the amount of the fee paid for the original registration, the fee shall be fifteen dollars ($15.00) plus the difference in registration fees of the original vehicle and the vehicle to be registered.

History of Section.

P.L. 1950, ch. 2595, art. 14, § 6; G.L. 1956, § 31-6-11; P.L. 1960, ch. 75, § 6; P.L. 1981, ch. 327, § 1; P.L. 1993, ch. 138, art. 29, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6 - Registration FeesSection 31-6-12. - Business and special license fees.

§ 31-6-12. Business and special license fees.

The following fees shall be collected by the division of motor vehicles:

(1)

For each license to deal in motor vehicles and for each branch office of a dealer, sixty dollars ($60.00).

(2)

For dealer registration number plates and a dealer certificate, thirty dollars ($30.00) if the dealer operates not more than three (3) motor vehicles, trailers, or semi-trailers at any one time, and ten dollars ($10.00) plus the cost of number plates for every motor vehicle, trailer, or semi-trailer in excess of three (3) motor vehicles, trailers, or semi-trailers.

(3)

For bailee registration number plates and a bailee certificate, thirty dollars ($30.00) if the bailee operates not more than three (3) motor vehicles, trailers, or semi-trailers at any one time, and ten dollars ($10.00) plus the cost of number plates for every motor vehicle, trailer, or semi-trailer in excess of three (3) motor vehicles, trailers, or semi-trailers.

(4)

For each manufacturer, factory branch, or factory representative license, five dollars ($5.00).

(5)

For each wrecker’s license, sixty dollars ($60.00).

(6)

For in-transit number plates and certificates, thirty dollars ($30.00) if the owner operates or moves not more than three (3) pieces of mobile equipment at any one time, and ten dollars ($10.00) plus the cost of number plates for every piece of mobile equipment in excess of three (3) pieces of mobile equipment.

(7)

For special use identification tags and special use certificates, ten dollars ($10.00).

(8)

For transporter registration number plates and a transporter certificate, thirty dollars ($30.00) if the transporter operates not more than three (3) motor vehicles, trailers, or semi-trailers at any one time, and ten dollars ($10.00) plus the cost of number plates for every motor vehicle, trailer, or semi-trailer in excess of three (3) motor vehicles, trailers or semi-trailers.

History of Section.

P.L. 1950, ch. 2595, art. 14, § 5; G.L. 1956, § 31-6-12; P.L. 1959, ch. 123, § 3; P.L. 1960, ch. 33, § 2; P.L. 1960, ch. 75, § 6; P.L. 1966, ch. 187, § 6.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6 - Registration FeesSection 31-6-13. - Disposition of fees.

§ 31-6-13. Disposition of fees.

All fees collected under chapters 1 — 27 of this title shall be paid into the hands of the general treasurer to be credited to the general funds of the state.

History of Section.

P.L. 1950, ch. 2595, art. 14, § 8; G.L. 1956, § 31-6-13.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6 - Registration FeesSection 31-6-14. - Return of rejected or erroneously collected fees.

§ 31-6-14. Return of rejected or erroneously collected fees.

(a)

Whenever any application to the division of motor vehicles is accompanied by any fee as required by law, and the application is refused or rejected, the fee shall be returned to the applicant.

(b)

Whenever the division of motor vehicles, through error collects any fee not required to be paid the fee shall be refunded to the person paying it upon application made within one year after the date of the payment. The one year period for refund may be extended at the discretion of the administrator of the division of motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 14, § 7; G.L. 1956, § 31-6-14; P.L. 1989, ch. 49, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6 - Registration FeesSection 31-6-15. - Payment of fees by credit card. [Contingent effective date; see note.]

§ 31-6-15. Payment of fees by credit card. [Contingent effective date; see note.]
(a)
The division of motor vehicles may accept payment by credit card of all fees paid to the division of motor vehicles as provided by this chapter.
(b)
The division of motor vehicles shall determine which fees may be paid by credit card and the manner in which the payments may be made.
History of Section.
P.L. 1993, ch. 364, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6 - Registration FeesSection 31-6-2. - Computation of gross weight.

§ 31-6-2. Computation of gross weight.
For the purpose of computing fees based on gross weight, the gross weight shall, in the case of motor trucks, tractors, trailers, or semi-trailers, be the weight of the vehicle in pounds plus the weight of the maximum load to be carried. In the case of passenger motor vehicles, the gross weight shall be the weight of the vehicle plus the sum of the adult seating capacity multiplied by one hundred fifty pounds (150 lbs.).
History of Section.
P.L. 1950, ch. 2595, art. 14, § 1; G.L. 1956, § 31-6-2; P.L. 1984, ch. 418, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6 - Registration FeesSection 31-6-3. - Gross weight of tractors to be used with semi-trailers.

§ 31-6-3. Gross weight of tractors to be used with semi-trailers.
In computing the fees for the registration of every tractor to be used in combination with a semi-trailer, the gross weight shall include the weight of the tractor, the weight of the semi-trailer to be used with it, and the weight of the maximum load to be carried.
History of Section.
P.L. 1950, ch. 2595, art. 14, § 1; G.L. 1956, § 31-6-3; P.L. 1969, ch. 173, § 2; P.L. 1984, ch. 418, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6 - Registration FeesSection 31-6-4. - Fees payable by jitney operators in interstate commerce.

§ 31-6-4. Fees payable by jitney operators in interstate commerce.
Notwithstanding any provision to the contrary contained in this chapter or in any other provision of the laws of this state, the administrator of the division of motor vehicles may issue certificates of registration and plates for all the jitneys owned or operated by any carrier of passengers for hire operating jitneys in interstate commerce in the state of Rhode Island and from every state contiguous to it, pursuant to the authority granted by the Interstate Commerce Commission, at a rate equal to the sum represented by the registration fee for a single jitney provided in § 31-6-1, multiplied by the average number of jitneys, as determined by the administrator of the division of motor vehicles, required by the applicant to operate the maximum number of schedules provided in the published schedules of the applicant.
History of Section.
P.L. 1950, ch. 2595, art. 14, § 1; P.L. 1954, ch. 3378, § 2; G.L. 1956, § 31-6-4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6 - Registration FeesSection 31-6-5. - Reduced fees for portion of year.

§ 31-6-5. Reduced fees for portion of year.
(a)
If an application for registration of any motor vehicle, trailer, or semi-trailer shall be made in the first quarter of the year appropriate to the individual's registration expiration, or in the second quarter or the third quarter in any year, the fee for registration shall be three-fourths (¾), two-fourths (2/4), or one-fourth (¼) respectively of the fee required for a full year.
(b)
The provisions of this section shall not apply in the case of the registration of motor vehicles used for racing, or for motor vehicles,

trailers, or semi-trailers owned by any department or agency of the state of Rhode Island, or by any city, town, or district of this state.
History of Section.
P.L. 1950, ch. 2595, art. 14, § 2; P.L. 1951, ch. 2826, § 12; G.L. 1956, § 31-6-5; P.L. 1981, ch. 327, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6 - Registration FeesSection 31-6-6. - Vehicles exempt from fees. [Effective until June 26, 2025.]

§ 31-6-6. Vehicles exempt from fees. [Effective until June 26, 2025.]
(a)
No registration fee is required for the registration of motor-driven equipment owned by the following:
(1)
American Legion bloodmobile;
(2)
American National Red Cross or any of its chapters within this state;
(3)
American Red Cross, Jamestown chapter ambulance;
(4)
American Red Cross, Tiverton chapter ambulance;
(5)
American Red Cross, Warwick chapter ambulances;
(6)
Animal Rescue League of Southern Rhode Island truck used for rescue work;
(7)
Burrillville Ambulance Corps ambulance;
(8)
Burrillville American Legion Post No. 17 ambulances;
(9)
Civil Air Patrol, Rhode Island wing motor vehicle equipment;
(10)
East Greenwich Ambulance Association ambulances;
(11)
East Greenwich American Legion Post No. 15 (incorporated February 20, 1933) ambulances;
(12)
East Tiverton Volunteer Fire Department Rescue Squad of Tiverton (a non-business corporation, incorporated February 16, 1955) equipment, that motor vehicle being a rescue truck equipped with resuscitators, underwater equipment, emergency lighting units with generators, and various other devices needed to effect rescue and save lives and property under any emergency and used for this purpose only;
(13)
Foster Ambulance Association ambulances;
(14)
Georgiaville Volunteer Fire Company, Smithfield town ambulance;
(15)
Glocester Ambulance Corps, Inc. ambulance;
(16)
Hianloland Farms Fire Engine Company of West Greenwich RI, (a non-business corporation, incorporated November 15, 1940) equipment;
(17)
Hope Valley Ambulance Squad, Inc., ambulances and rescue trucks;
(18)
Hope Valley volunteer fire company ambulances;
(19)
Hope Valley volunteer fire company crash-truck;
(20)
Hospital ambulances;
(21)
Johnston Hose Company No. 1 ambulance;
(22)
Johnston Hose Company No. 3 ambulance;
(23)

Lake Mishnock Volunteer Fire Company Rescue Squad, West Greenwich, Rhode Island;
(24)
Le Baron C. Colt Memorial Ambulance, Inc. (with plates designated “car 5,” providing ambulance service to any resident of the town of Bristol, incorporated October 17, 1923, as a charitable corporation) ambulance;
(25)
Narragansett Rescue Corps, Inc., ambulance;
(26)
North Kingstown Ambulance Association, Inc. (incorporated July 23, 1943, as a charitable corporation) ambulance;
(27)
North Providence Chamber of Commerce Ambulance Service, Inc. (incorporated March 15, 1947, as a charitable corporation) ambulance;
(28)
North Smithfield Ambulance Association ambulances;
(29)
North Smithfield Ambulance and Rescue Association rescue wagon and rescue boat trailer;
(30)
Northern Lincoln Volunteer Ambulance Corps ambulance;
(31)
Northern Rhode Island Radio Emergency Associated Citizens Teams (REACT) rescue truck and other emergency vehicles;
(32)
Public health league or district nursing association in any city or town in this state;
(33)
Rhode Island American Legion, (incorporated January 29, 1941) first district ambulance committee of the department ambulances;
(34)
Seven Hills Rhode Island;
(35)
Perspectives Corporation;
(36)
Frank Olean Center;
(37)
Rhode Island Society for the Prevention of Cruelty to Animals’ motor vehicles;
(38)
Rhode Island Lions Sight Foundation, Inc., vehicle;
(39)
Rhode Island state departments’ or agencies’ motor vehicles, trailers, or semi-trailers;
(40)
Roy Carpenter’s beach volunteer fire department, Matunuck ambulance;
(41)
Salvation Army of Providence emergency canteen vehicle;
(42)
Scituate Ambulance and Rescue Corps ambulances;
(43)
South County Ambulance Corps, Inc. (incorporated October 28, 1939, as a charitable corporation) ambulance;
(44)
South Foster Volunteer Fire Department No. 1 ambulances;
(45)
United States government motor vehicles;
(46)
United States government-accredited motor vehicles owned by a representative of a foreign country;
(47)
United States mail rural free delivery driver-owned vehicles. This exemption applies to the particular motor vehicle used in carrying that mail, and not to persons or concerns contracting to carry the United States mail. The words “United States mail” must be plainly printed on two (2) sides of that vehicle;
(48)
Veterans of Foreign Wars bloodmobile;
(49)
Veterans of Foreign Wars, Harold F. Flynn Post No. 263, Woonsocket ambulance;
(50)
Volunteer ambulance or rescue corps ambulance or rescue vehicle of a city or town used in transporting sick or injured patients;

(51)
Westerly Ambulance Corps boat-trailer;
(52)
Westerly Ambulance Corps crash-truck; and
(53)
Westerly Ambulance Corps ambulances.
(b)
Each owner may be required to pay the cost price of the number plates or markers required to be displayed on its vehicle.
History of Section.
P.L. 1940, ch. 862, § 1; P.L. 1950, ch. 2447, § 1; P.L. 1950, ch. 2595, art. 14, § 3; P.L. 1951, ch. 2668, § 1; P.L. 1951, ch. 2681, § 1; P.L. 1952, ch. 2883, § 1; P.L. 1952, ch. 2933, § 1; P.L. 1954, ch. 3243, § 1; P.L. 1954, ch. 3326, § 1; P.L. 1955, ch. 3455, § 1; P.L. 1956, ch. 3625, § 1; P.L. 1956, ch. 3646, § 1; G.L. 1956, § 31-6-6; R.P.L. 1957, ch. 9, § 1; R.P.L. 1957, ch. 11, § 1; R.P.L. 1957, ch. 13, § 1; R.P.L. 1957, ch. 24, § 1; R.P.L. 1957, ch. 25, § 1; P.L. 1958, ch. 13, § 1; P.L. 1958, ch. 43, § 1; P.L. 1958, ch. 94, § 1; P.L. 1959, ch. 3, § 1; P.L. 1959, ch. 11, § 1; P.L. 1959, ch. 43, § 1; P.L. 1961, ch. 126, § 1; P.L. 1962, ch. 15, § 1; P.L. 1962, ch. 31, § 1; P.L. 1963, ch. 5, § 1; P.L. 1963, ch. 26, § 1; P.L. 1963, ch. 143, § 1; P.L. 1964, ch. 181, § 1; P.L. 1965, ch. 15, § 1; P.L. 1965, ch. 18, § 1; P.L. 1966, ch. 153, § 1; P.L. 1966, ch. 231, § 1; P.L. 1967, ch. 82, § 1; P.L. 1971, ch. 32, § 1; P.L. 1971, ch. 52, § 1; P.L. 1976, ch. 218, § 2; P.L. 1981, ch. 327, § 1; P.L. 1985, ch. 253, § 1; P.L. 1986, ch. 478, § 1; P.L. 2016, ch. 308, § 1; P.L. 2016, ch. 323, § 1; P.L. 2023, ch. 61, § 4, effective June 14, 2023; P.L. 2023, ch. 62, § 4, effective June 14, 2023.
§ 31-6-6. Vehicles exempt from fees. [Effective June 26, 2025.]
(a)
No registration fee is required for the registration of motor-driven equipment owned by the following:
(1)
American Legion bloodmobile;
(2)
American National Red Cross or any of its chapters within this state;
(3)
American Red Cross, Jamestown chapter ambulance;
(4)
American Red Cross, Tiverton chapter ambulance;
(5)
American Red Cross, Warwick chapter ambulances;
(6)
Animal Rescue League of Southern Rhode Island truck used for rescue work;
(7)
Burrillville Ambulance Corps ambulance;
(8)
Burrillville American Legion Post No. 17 ambulances;
(9)
Civil Air Patrol, Rhode Island wing motor vehicle equipment;
(10)
East Greenwich Ambulance Association ambulances;
(11)
East Greenwich American Legion Post No. 15 (incorporated February 20, 1933) ambulances;
(12)
East Tiverton Volunteer Fire Department Rescue Squad of Tiverton (a non-business corporation, incorporated February 16, 1955) equipment, that motor vehicle being a rescue truck equipped with resuscitators, underwater equipment, emergency lighting units with generators, and various other devices needed to effect rescue and save lives and property under any emergency and used for this purpose only;
(13)
Foster Ambulance Association ambulances;
(14)
Georgiaville Volunteer Fire Company, Smithfield town ambulance;
(15)
Glocester Ambulance Corps, Inc. ambulance;
(16)
Hianloland Farms Fire Engine Company of West Greenwich RI, (a non-business corporation, incorporated November 15, 1940) equipment;
(17)
Hope Valley Ambulance Squad, Inc., ambulances and rescue trucks;

(18)
Hope Valley volunteer fire company ambulances;
(19)
Hope Valley volunteer fire company crash-truck;
(20)
Hospital ambulances;
(21)
Johnston Hose Company No. 1 ambulance;
(22)
Johnston Hose Company No. 3 ambulance;
(23)
Lake Mishnock Volunteer Fire Company Rescue Squad, West Greenwich, Rhode Island;
(24)
Le Baron C. Colt Memorial Ambulance, Inc. (with plates designated “car 5,” providing ambulance service to any resident of the town of Bristol, incorporated October 17, 1923, as a charitable corporation) ambulance;
(25)
Narragansett Rescue Corps, Inc., ambulance;
(26)
North Kingstown Ambulance Association, Inc. (incorporated July 23, 1943, as a charitable corporation) ambulance;
(27)
North Providence Chamber of Commerce Ambulance Service, Inc. (incorporated March 15, 1947, as a charitable corporation) ambulance;
(28)
North Smithfield Ambulance Association ambulances;
(29)
North Smithfield Ambulance and Rescue Association rescue wagon and rescue boat trailer;
(30)
Northern Lincoln Volunteer Ambulance Corps ambulance;
(31)
Northern Rhode Island Radio Emergency Associated Citizens Teams (REACT) rescue truck and other emergency vehicles;
(32)
Public health league or district nursing association in any city or town in this state;
(33)
Rhode Island American Legion, (incorporated January 29, 1941) first district ambulance committee of the department ambulances;
(34)
Seven Hills Rhode Island;
(35)
Perspectives Corporation;
(36)
Frank Olean Center;
(37)
Rhode Island Society for the Prevention of Cruelty to Animals’ motor vehicles;
(38)
Rhode Island Lions Sight Foundation, Inc., vehicle;
(39)
Rhode Island state departments’ or agencies’ motor vehicles, trailers, or semi-trailers;
(40)
Roy Carpenter’s beach volunteer fire department, Matunuck ambulance;
(41)
Salvation Army of Providence emergency canteen vehicle;
(42)
Scituate Ambulance and Rescue Corps ambulances;
(43)
South County Ambulance Corps, Inc. (incorporated October 28, 1939, as a charitable corporation) ambulance;
(44)
South Foster Volunteer Fire Department No. 1 ambulances;
(45)
United States government motor vehicles;
(46)

United States government-accredited motor vehicles owned by a representative of a foreign country;
(47)
United States mail rural free delivery driver-owned vehicles. This exemption applies to the particular motor vehicle used in carrying that mail, and not to persons or concerns contracting to carry the United States mail. The words “United States mail” must be plainly printed on two (2) sides of that vehicle;
(48)
Veterans of Foreign Wars bloodmobile;
(49)
Veterans of Foreign Wars, Harold F. Flynn Post No. 263, Woonsocket ambulance;
(50)
Volunteer ambulance or rescue corps ambulance or rescue vehicle of a city or town used in transporting sick or injured patients;
(51)
Westerly Ambulance Corps boat-trailer;
(52)
Westerly Ambulance Corps crash-truck;
(53)
Westerly Ambulance Corps ambulances; and
(54)
Rhode Island Disaster Medical Assistance Team, Inc. (incorporated on January 24, 2002, as a domestic nonprofit corporation) motor vehicles and trailers.
(b)
Each owner may be required to pay the cost price of the number plates or markers required to be displayed on its vehicle.
History of Section.
P.L. 1940, ch. 862, § 1; P.L. 1950, ch. 2447, § 1; P.L. 1950, ch. 2595, art. 14, § 3; P.L. 1951, ch. 2668, § 1; P.L. 1951, ch. 2681, § 1; P.L. 1952, ch. 2883, § 1; P.L. 1952, ch. 2933, § 1; P.L. 1954, ch. 3243, § 1; P.L. 1954, ch. 3326, § 1; P.L. 1955, ch. 3455, § 1; P.L. 1956, ch. 3625, § 1; P.L. 1956, ch. 3646, § 1; G.L. 1956, § 31-6-6; R.P.L. 1957, ch. 9, § 1; R.P.L. 1957, ch. 11, § 1; R.P.L. 1957, ch. 13, § 1; R.P.L. 1957, ch. 24, § 1; R.P.L. 1957, ch. 25, § 1; P.L. 1958, ch. 13, § 1; P.L. 1958, ch. 43, § 1; P.L. 1958, ch. 94, § 1; P.L. 1959, ch. 3, § 1; P.L. 1959, ch. 11, § 1; P.L. 1959, ch. 43, § 1; P.L. 1961, ch. 126, § 1; P.L. 1962, ch. 15, § 1; P.L. 1962, ch. 31, § 1; P.L. 1963, ch. 5, § 1; P.L. 1963, ch. 26, § 1; P.L. 1963, ch. 143, § 1; P.L. 1964, ch. 181, § 1; P.L. 1965, ch. 15, § 1; P.L. 1965, ch. 18, § 1; P.L. 1966, ch. 153, § 1; P.L. 1966, ch. 231, § 1; P.L. 1967, ch. 82, § 1; P.L. 1971, ch. 32, § 1; P.L. 1971, ch. 52, § 1; P.L. 1976, ch. 218, § 2; P.L. 1981, ch. 327, § 1; P.L. 1985, ch. 253, § 1; P.L. 1986, ch. 478, § 1; P.L. 2016, ch. 308, § 1; P.L. 2016, ch. 323, § 1; P.L. 2023, ch. 61, § 4, effective June 14, 2023; P.L. 2023, ch. 62, § 4, effective June 14, 2023; P.L. 2024, ch. 364, § 1, effective June 26, 2025; P.L. 2024, ch. 365, § 1, effective June 26, 2025.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6 - Registration FeesSection 31-6-7. - Motorized wheel chairs.

§ 31-6-7. Motorized wheel chairs.
Any nonprofit charitable organization shall be forever exempt from the payment of any fee for the annual registration of a certain type of motor vehicle commonly known and described as a motorized wheel chair. Any person designated, in writing, by a nonprofit charitable organization who shall operate a motorized wheel chair shall be exempt from any license requirements and fee for the operation of it.
History of Section.
P.L. 1950, ch. 2595, art. 14, § 4; G.L. 1956, § 31-6-7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6 - Registration FeesSection 31-6-8. - Disabled veterans.

§ 31-6-8. Disabled veterans.
(a)
Any veteran who has been honorably discharged from the service of the armed forces or the Merchant Marine of the United States in any of the wars or campaigns in which the United States has been engaged and who, while engaged in these wars or campaigns or as a result of engagement in these wars or campaigns, by reason of amputation, has lost one or both of the veteran’s arms, hands, feet, or legs, or who, by reason of other permanent injury, has lost the use of one or both of the veteran’s arms, hands, feet, or legs, or to whom has been granted a motor vehicle under chapter 870-2D, United States Public Laws 663, enacted 1946, 79th Congress, or has suitable documentation from the U.S. Department of Veterans Affairs to establish that the veteran:
(1)
Has a combined service connected disability rating of one hundred percent (100%); or
(2)
Is considered “individually unemployable” due to the veteran’s service-connected disability, shall be exempt from the payment of any fee for the annual registration of and a license to operate that motor vehicle.

(b)
The administrator for the division of motor vehicles shall issue to an eligible veteran for use on an automobile, or on a commercial vehicle having a gross weight of twelve thousand pounds (12,000 lbs.) or less, registration plates designated “Disabled Veteran.” Upon the death of the holder of “Disabled Veteran” plates, the plates may be transferred to the veteran’s surviving spouse for the spouse’s lifetime or until the spouse remarries. Only one set of “Disabled Veteran” plates shall be issued to an eligible veteran and only after certification of eligibility from the Veterans’ Administration or other satisfactory documentation of eligibility is presented.
History of Section.
P.L. 1950, ch. 2595, art. 14, § 4; P.L. 1952, ch. 2937, § 7; G.L. 1956, § 31-6-8; P.L. 1993, ch. 134, § 1; P.L. 2004, ch. 537, § 1; P.L. 2018, ch. 119, § 1; P.L. 2018, ch. 224, § 1; P.L. 2023, ch. 53, § 2, effective June 12, 2023; P.L. 2023, ch. 54, § 2, effective June 12, 2023.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-6 - Registration FeesSection 31-6-9. - Blind veterans.

§ 31-6-9. Blind veterans.
Any veteran who has been honorably discharged from service with the armed forces or the merchant marine of the United States in any of the wars, declared or undeclared, in which the United States has been engaged and who, by reason of that service, has become totally blind, shall be further exempt from the payment of any fee for the annual registration of a pleasure motor vehicle owned by the veteran and operated for his or her pleasure and convenience. The veteran shall be entitled to display on that vehicle the special registration plates as shall be issued by the division of motor vehicles.
History of Section.
P.L. 1947, ch. 1844, § 1; P.L. 1952, ch. 2879, § 1; G.L. 1956, § 31-6-9.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-7 - Foreign VehiclesSection 31-7-1. - Right to operate on foreign registration.

§ 31-7-1. Right to operate on foreign registration.
(a)
A nonresident owner, except as otherwise provided in §§ 31-7-2 and 31-7-3, owning any foreign vehicle of a type otherwise subject to registration pursuant to this title, may operate or permit the operation of that vehicle within this state without registering the vehicle in, or paying any fees to, this state subject to the condition that the vehicle at all times, when operated in this state, is duly registered in, and displays upon it, a valid registration card and registration plate or plates issued for that vehicle in the place of residence of that owner.
(b)
Any foreign vehicle(s) parked or garaged overnight in this state for more than thirty (30) days in the aggregate in any one year that is owned and/or operated by a resident of this state as defined in § 31-1-18 shall register the vehicle(s) and pay the same fee that is required with reference to like vehicle(s) owned by residents of this state. The state police and local police departments, upon observation of a foreign-registered vehicle present within the state for thirty (30) days or more shall identify the owner of the vehicle and, if a Rhode Island resident, provide a notice containing a copy of this section to the owner and to the tax assessor in the city or town in which the vehicle is located.
(c)
Any domiciled resident of this state who owns a vehicle that is registered in another state shall file an annual report with the administrator of the division of motor vehicles of this state and with the tax assessor of the city or town in which the domiciled resident resides, stating the make, model, year, and validation of the vehicle and the reason for registering the vehicle in the foreign state. Failure to comply with the terms of this subsection shall be subject to a civil fine of not more than five hundred dollars ($500) for every foreign vehicle. This provision shall not apply to military personnel assigned to duty outside of the state of Rhode Island and for a period of thirty (30) days after discharge.
History of Section.
P.L. 1950, ch. 2595, art. 5, § 1; G.L. 1956, § 31-7-1; P.L. 1982, ch. 27, § 1; P.L. 1984, ch. 437, § 1; P.L. 2014, ch. 364, § 1; P.L. 2014, ch. 403, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-7 - Foreign VehiclesSection 31-7-2. - Vehicles transporting persons or property for compensation.

§ 31-7-2. Vehicles transporting persons or property for compensation.
A nonresident owner of a foreign vehicle operated within this state for the transportation of persons or property for compensation or for the transportation of merchandise, either regularly according to a schedule or for a consecutive period exceeding thirty (30) days, shall register the vehicle and pay the same fees for it as is required for like vehicles owned by residents of this state.
History of Section.
P.L. 1950, ch. 2595, art. 5, § 1; G.L. 1956, § 31-7-2.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-7 - Foreign VehiclesSection 31-7-3. -

Nonresidents carrying on business in state.

§ 31-7-3. Nonresidents carrying on business in state.
Every nonresident, including any foreign corporation carrying on business within this state and owning and regularly operating in the business any motor vehicle, trailer, or semi-trailer within this state, shall be required to register each vehicle and pay the same fees for it as is required for like vehicles owned by residents of this state.
History of Section.
P.L. 1950, ch. 2595, art. 5, § 1; G.L. 1956, § 31-7-3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-7 - Foreign VehiclesSection 31-7-4. - Reciprocity.

§ 31-7-4. Reciprocity.
The provisions of § 31-7-1 shall be operative as to a nonresident owner or operator only to the extent that, under the laws of his or her residence or licensing country, state, territory, or district, like privileges are granted to motor vehicle owners resident of and registered under the laws of this state or operators licensed under the laws of this state. The division of motor vehicles shall finally determine the extent of the privileges granted to nonresident owners and operators of motor vehicles in the registration of motor vehicles and licenses of operators. The division of motor vehicles is authorized to enter into reciprocal agreements on behalf of the state with the appropriate authorities of any state in the United States of America or of the District of Columbia with respect to all fees or taxes imposed by this state and by any other state or the District of Columbia on motor vehicles, on the operation of motor vehicles, or on any transaction incident to the operation of motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 5, § 2; P.L. 1951, ch. 2826, § 10; G.L. 1956, § 31-7-4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-7 - Foreign VehiclesSection 31-7-5. - Suspension or revocation of rights of nonresidents.

§ 31-7-5. Suspension or revocation of rights of nonresidents.
Whenever the division of motor vehicles shall suspend or revoke the right of any nonresident person to operate any motor vehicle, or to have operated any motor vehicle, owned by any nonresident upon the public highways of this state, it shall suspend or revoke that right for the same periods of time and upon the same grounds that it is required to suspend or revoke the license of any chauffeur or operator by §§ 31-11-6, 31-11-7, 31-11-8, and 31-11-18.
History of Section.
P.L. 1950, ch. 2595, art. 5, § 2; G.L. 1956, § 31-7-5; P.L. 1959 (s.s.), ch. 190, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-7 - Foreign VehiclesSection 31-7-6. - Long arm jurisdiction.

§ 31-7-6. Long arm jurisdiction.
(a)
The acceptance by a nonresident of the rights and privileges conferred by chapters 1 — 27 of this title, as evidenced by the operation of a motor vehicle by the nonresident, his or her servant or agent, or the operation by a nonresident, his or her servant or agent, of a motor vehicle on a public highway in this state other than under said chapters, shall be deemed equivalent to an appointment by the nonresident of the administrator of the division of motor vehicles or his or her successor in office, to be the nonresident's true and lawful attorney upon whom may be served all lawful processes in any action or proceeding against the nonresident or his or her executor or administrator, growing out of any accident or collision in which the nonresident, his or her servant or agent, may be involved while operating a motor vehicle within this state. Acceptance or operation by the nonresident shall be deemed a signification of the nonresident's agreement that any such process against the nonresident or his or her executor or administrator which is served as provided in this chapter shall be of the same legal force and validity as if served on the nonresident personally.
(b)
This section shall also apply to a foreign corporation and to any resident of the state who becomes a nonresident prior to the commencement of an action against the corporation or resident, or his or her executor or administrator, growing out of any accident or collision in which that person or his or her agent may have been involved while operating a motor vehicle within this state.
History of Section.
P.L. 1950, ch. 2595, art. 5, § 2; art. 19, § 2; G.L. 1956, § 31-7-6; P.L. 1966, ch. 195, § 1; P.L. 1967, ch. 78, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-7 - Foreign VehiclesSection 31-7-7. - Service on nonresident.

§ 31-7-7. Service on nonresident.
(a)
Service of process on a nonresident shall be made by leaving a copy of the process with a fee of five dollars ($5.00) in the hands of the administrator of the division of motor vehicles or in his or her office with some one acting in his or her stead as the administrator

of the division of motor vehicles and the service shall be sufficient service upon the nonresident.
(b)
Notice of the service and a copy of the process shall be sent by registered or certified mail prior to service or immediately after service by the plaintiff or his or her attorney of record, to the defendant at the address given upon the defendant's registration or operator's license. The sender's post office receipt of sending and the plaintiff's or his or her attorney's affidavit of compliance are to be returned with the process in accordance with applicable procedural rules.
(c)
Notwithstanding the requirements in subsections (a) and (b) of this section, however, once service has been made on the administrator of the division of motor vehicles as provided in this section, the court shall have the authority in the event of the failure to comply with the requirement of notice to the nonresident to order any notice that shall be sufficient to apprise the nonresident of the pendency of the suit against him or her, and in addition may extend the time for answering by the nonresident. It is also sufficient if notice and a copy of the process are served upon the defendant outside the state in accordance with applicable procedural rules.
History of Section.
P.L. 1950, ch. 2595, art. 5, § 2; art. 19, § 2; impl. am. P.L. 1956, ch. 3717, § 1; G.L. 1956, § 31-7-7; P.L. 1960, ch. 75, § 7; P.L. 1961, ch. 124, § 1; P.L. 1967, ch. 78, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-7 - Foreign VehiclesSection 31-7-8. - Process fee as costs — Record of processes.

§ 31-7-8. Process fee as costs — Record of processes.
The fee of five dollars ($5.00) paid by the plaintiff to the administrator of the division of motor vehicles, or in the administrator's office, at the time of the service shall be taxed in the plaintiff's costs if he or she prevails in the suit. The administrator of the division of motor vehicles shall keep a record of all processes served on nonresidents which shall show the day and hour of service and pay to the general treasurer all fees so paid.
History of Section.
P.L. 1950, ch. 3595, art. 5, § 2; art. 19, § 2; G.L. 1956, § 31-7-8; P.L. 1960, ch. 75, § 7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-7 - Foreign VehiclesSection 31-7-9. - Offenses — Nonresident bond posting.

§ 31-7-9. Offenses — Nonresident bond posting.
Every nonresident operator, who is charged by a member of the state police or by a member of the police department of any city or town of this state with a violation of any provision of chapters 14, 15, and 16 of this title, except for a violation included under chapter 41 of this title, may be required to deposit in escrow the sum of twenty-five dollars ($25.00), or to post a proper bond for that amount, with the state or local police department preferring the charge as a prerequisite to the nonresident operator being released for appearance at a later date before the court of proper jurisdiction upon the charge. The deposit so posted shall be returned to the nonresident, or the bond so posted shall be cancelled, upon the nonresident's appearance before the court of proper jurisdiction for the disposition of the offense charged and effectuation of sentence, if any. If the nonresident shall fail to appear before the court of proper jurisdiction on the date and at the time assigned for the disposition of the offense charged, the deposit or bond, as the case may be, shall be forfeited and paid over to the clerk of court to be disbursed as if the defendant had been convicted and a fine and costs equal to that sum had been imposed.
History of Section.
P.L. 1967, ch. 216, § 1; P.L. 1971, ch. 177, § 2; P.L. 1992, ch. 324, § 14.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-8 - Offenses Against Registration and Certificate of Title LawsSection 31-8-1.1. - Operation of beach vehicle without permit.

§ 31-8-1.1. Operation of beach vehicle without permit.
No person shall operate, nor shall an owner knowingly permit to be operated, upon a beach as defined by the coastal resources management council, any vehicle required to be registered by the coastal resources management council unless there has been issued a valid beach registration permit and unless there is attached on it and displayed on it a valid registration sticker issued by the coastal resources management council for the current registration year. Any violation of this section shall be punishable by a fine of not less that twenty-five dollars ($25.00) nor more than seventy-five dollars ($75.00).
History of Section.
P.L. 1998, ch. 306, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-8 - Offenses Against Registration and Certificate of Title LawsSection 31-8-1. - Operation of vehicles without evidences of registration.

§ 31-8-1. Operation of vehicles without evidences of registration.
No person shall operate, nor shall an owner knowingly permit to be operated, upon any highway or bicycle trail or path, any vehicle

required to be registered pursuant to this title unless there has been issued for it a valid registration card and unless there is attached to it and displayed on it, when and as required by chapters 3 — 9 of this title, a valid registration plate or plates issued for it by the division of motor vehicles for the current registration year except as otherwise expressly permitted in those chapters. Any violation of this section shall be punishable by a fine of eighty-five dollars ($85.00).
History of Section.
P.L. 1950, ch. 2595, art. 13, § 2; G.L. 1956, § 31-8-2; G.L. 1956, § 31-8-1; P.L. 1971, ch. 101, § 1; P.L. 1983, ch. 81, § 1; P.L. 1987, ch. 413, § 1; P.L. 2008, ch. 100, art. 12, § 14.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-8 - Offenses Against Registration and Certificate of Title LawsSection 31-8-2. - Operation of vehicle when registration canceled, suspended, or revoked.

§ 31-8-2. Operation of vehicle when registration canceled, suspended, or revoked.
No person shall operate, nor shall an owner knowingly permit to be operated, upon any highway, a motor vehicle the registration of which has been canceled, suspended, or revoked. Any violation of this section is a civil violation.
History of Section.
P.L. 1971, ch. 101, § 1; P.L. 1999, ch. 218, art. 6, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-8 - Offenses Against Registration and Certificate of Title LawsSection 31-8-3. - Improper use of evidences of registration or certificate of title.

§ 31-8-3. Improper use of evidences of registration or certificate of title.
No person shall lend to another any certificate of title, registration card, registration plate, special plate, or permit issued to him or her if the person desiring to borrow it would not be entitled to its use. Nor shall any person knowingly permit its use by one not so entitled. Nor shall any person display upon a vehicle any registration plate or permit not issued for that vehicle or not otherwise lawfully used on it under chapters 3 — 9 of this title. Any violation of this section is a civil violation.
History of Section.
P.L. 1950, ch. 2595, art. 13, § 3; G.L. 1956, § 31-8-3; P.L. 1971, ch. 101, § 1; P.L. 1999, ch. 218, art. 6, § 3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-8 - Offenses Against Registration and Certificate of Title LawsSection 31-8-4. - Suspension or revocation of registration or certificate of title.

§ 31-8-4. Suspension or revocation of registration or certificate of title.
(a)
The division of motor vehicles is authorized to suspend or revoke the registration of a vehicle or a certificate of title, registration card, or registration plate, or any nonresident or other permit, in any of the following events:
(1)
When the division of motor vehicles is satisfied that the registration or that the certificate, card, plate, or permit was fraudulently or erroneously issued;
(2)
When the division of motor vehicles determines that a registered vehicle is mechanically unfit or unsafe to be operated or moved upon the highways;
(3)
When a registered vehicle has been dismantled or wrecked;
(4)
When the division of motor vehicles determines that the required fee has not been paid and the fee is not paid upon reasonable notice and demand;
(5)
When a registration plate or permit is knowingly displayed upon a vehicle other than the one for which issued;
(6)
When the division of motor vehicles determines that the owner has committed any offense under chapters 3 — 9 of this title involving the registration or the certificate, card, plate, or permit to be suspended or revoked;
(7)
When the division of motor vehicles is so authorized under any other provision of law; or
(8)
Upon receipt of notice the carrier and/or operator of a commercial motor vehicle has violated or is not in compliance with 49 C.F.R. 386.72 or 49 C.F.R. 390.5 et seq. of the motor carrier safety regulations or chapter 23 of this title.
(b)
Upon removal of cause for which the registration or certificate of title was revoked, denied, or suspended, the division of motor vehicles shall require the registrant or applicant to pay a restoration fee of two hundred and fifty dollars ($250), provided that no restoration fee shall be required if the revocation, denial, or suspension was issued pursuant to subsection (a)(2) of this section, §§ 31-38-2, 31-38-3, 31-38-4, or 31-47.1-3.
History of Section.

P.L. 1950, ch. 2595, art. 13, § 5; P.L. 1952, ch. 2937, § 6; G.L. 1956, § 31-8-5; G.L. 1956, § 31-8-4; P.L. 1971, ch. 101, § 1; P.L. 1996, ch. 382, § 1; P.L. 2000, ch. 275, § 1; P.L. 2009, ch. 5, art. 9, § 2; P.L. 2018, ch. 47, art. 8, § 4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-8 - Offenses Against Registration and Certificate of Title LawsSection 31-8-5. - Suspension or revocation of certificate or special plates of manufacturer, transporter, or dealer.

§ 31-8-5. Suspension or revocation of certificate or special plates of manufacturer, transporter, or dealer.
The division of motor vehicles is also authorized to suspend or revoke a certificate or the special plates issued to a manufacturer, bailee, or dealer upon determining that this person is not lawfully entitled to it; has made or knowingly permitted any illegal use of those plates; has committed fraud in the registration of vehicles; or has failed to give notices of transfers when and as required by chapters 3 — 9 of this title.
History of Section.
P.L. 1950, ch. 2595, art. 13, § 6; G.L. 1956, § 31-8-6; G.L. 1956, § 31-8-5; P.L. 1971, ch. 101, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-8 - Offenses Against Registration and Certificate of Title LawsSection 31-8-6. - Owner to return evidences of registration upon cancellation, suspension, or revocation.

§ 31-8-6. Owner to return evidences of registration upon cancellation, suspension, or revocation.
Whenever the division of motor vehicles as authorized pursuant to this title cancels, suspends, or revokes the registration of a vehicle, or a certificate of title, registration card or registration plate or plates, or any nonresident or other permit, or the license of any dealer or wrecker, that registration, certificate, or permit shall be invalid and the owner or person in possession of it shall immediately return the evidences of registration, title, or license so canceled, suspended or revoked to the division of motor vehicles. If the owner or person in possession fails to return it the division of motor vehicles may immediately direct any peace officer to secure possession of it and to return it to the division of motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 13, § 7; P.L. 1954, ch. 3277, § 1; G.L. 1956, § 31-8-7; G.L. 1956, § 31-8-6; P.L. 1971, ch. 101, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-8 - Offenses Against Registration and Certificate of Title LawsSection 31-8-7. - [Omitted.]

§ 31-8-7. [Omitted.]

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-9 - Theft and Related OffensesSection 31-9-1. - Driving without consent of owner or lessee.

§ 31-9-1. Driving without consent of owner or lessee.
Any person who drives a vehicle, not his or her own, without the consent of its owner or lessee, and with intent temporarily to deprive the owner or lessee of his or her possession of the vehicle, without intent to steal the vehicle, is guilty of a felony. The consent of the owner or lessee of a vehicle to its taking or driving shall not in any case be presumed or implied because of the owner's or lessee's consent on a prior occasion to the taking or driving of that vehicle by the same or a different person. Any person who assists in, or is a party or accessory to or an accomplice in any unauthorized taking or driving, is guilty of a felony. Any person convicted of a violation of this section shall be fined not more than five thousand dollars ($5,000) or imprisoned for a term of not more than five (5) years, or both.
History of Section.
P.L. 1950, ch. 2595, art. 12, § 4; G.L. 1956, § 31-9-1; P.L. 1986, ch. 272, § 1; P.L. 1987, ch. 356, § 1; P.L. 1988, ch. 84, § 24; P.L. 1989, ch. 73, § 1; P.L. 1990, ch. 238, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-9 - Theft and Related OffensesSection 31-9-10. - Weekly lists of stolen vehicles.

§ 31-9-10. Weekly lists of stolen vehicles.
The division of motor vehicles shall at least once each week compile and maintain at its headquarters office a list of all vehicles which have been stolen, embezzled, or recovered as reported to it during the preceding week. Those lists shall be sent to the various police departments in the state and shall be open to inspection by any person interested in any stolen or embezzled vehicle.
History of Section.
P.L. 1950, ch. 2595, art. 12, § 3; G.L. 1956, § 31-9-10.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-9 - Theft and Related OffensesSection 31-9-11. - Sale, purchase, or possession of keys or manipulative devices for automobiles.

§ 31-9-11. Sale, purchase, or possession of keys or manipulative devices for automobiles.
Any person who shall sell, offer for sale, purchase, or have in his or her possession keys or manipulative devices designed or

adapted to operate the ignition switches, door locks, or trunk locks of two (2) or more motor vehicles, the ignition switches, door locks, and trunk locks of which are designed or intended to be operated with a different key or set of keys for each vehicle, and those vehicles are not owned or leased by that person or in his or her lawful possession and control, unless that person is a locksmith, a duly licensed automobile dealer, a duly licensed body repair shop, an officer or employee of an automobile club or association, or a member of a duly authorized law enforcement agency, shall be guilty of a felony.
History of Section.
P.L. 1968, ch. 95, § 1; P.L. 1983, ch. 221, § 7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-9 - Theft and Related OffensesSection 31-9-2. - Possession of stolen vehicle or parts.

§ 31-9-2. Possession of stolen vehicle or parts.
(a)
Any person who, with intent to procure or pass title to a vehicle which he or she knows or has reason to believe has been stolen or unlawfully taken, receives or transfers possession of the vehicle from or to another, or who has in his or her possession any vehicle which that person knows or has reason to believe has been stolen or unlawfully taken, and who is not an officer of the law engaged at the time in the performance of his duty as an officer of the law, is guilty of a felony.
(b)
Any person who receives, barters, conceals, stores, sells, conveys, or disposes of stolen vehicle parts which that person knows or has reason to believe have been stolen or unlawfully taken is guilty of a felony. Conviction for a second and for subsequent convictions under this section may be punished by imprisonment for a term of not less than one year nor more than ten (10) years, or by a fine of not more than ten thousand dollars ($10,000), or by both fine and imprisonment.
History of Section.
P.L. 1950, ch. 2595, art. 12, § 5; G.L. 1956, § 31-9-2; P.L. 1983, ch. 221, § 7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-9 - Theft and Related OffensesSection 31-9-3. - Injuring or tampering with vehicles.

§ 31-9-3. Injuring or tampering with vehicles.
Any person who either individually or in association with one or more other persons willfully injures or tampers with any vehicle or breaks or removes any part or parts of or from a vehicle without the consent of the owner is guilty of a misdemeanor.
History of Section.
P.L. 1950, ch. 2595, art. 12, § 6; G.L. 1956, § 31-9-3.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-9 - Theft and Related OffensesSection 31-9-4. - Manipulating controls with malicious intent.

§ 31-9-4. Manipulating controls with malicious intent.
Any person who with intent to commit any malicious mischief, injury, or other crime climbs into or upon a vehicle whether it is in motion or at rest, or with like intent attempts to manipulate any of the levers, starting mechanism, brakes, or other mechanisms or devices of a vehicle while the vehicle is at rest and unattended, or with like intent sets in motion any vehicle while the vehicle is at rest and unattended is guilty of a misdemeanor.
History of Section.
P.L. 1950, ch. 2595, art. 12, § 6; G.L. 1956, § 31-9-4.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-9 - Theft and Related OffensesSection 31-9-5. - Alteration of identification number.

§ 31-9-5. Alteration of identification number.
(a)(1)
No person shall with fraudulent intent remove, deface, destroy, or alter the manufacturer’s serial or engine number or any other distinguishing number or identification mark of a motor vehicle or any of its parts nor shall any person place or stamp any serial, engine, or other number or mark upon a motor vehicle or any part, except one assigned to it by the division of motor vehicles. Any violation of this provision is a felony.
(2)
The fact that a person removed, defaced, destroyed, or altered the manufacturer’s serial or engine number or any other distinguishing number or identification mark of a motor vehicle or part, or that a person placed or stamped on a motor vehicle part any serial, engine, or other number or mark different from that originally assigned by the manufacturer to it, without first obtaining a permit from the division of motor vehicles, shall be prima facie evidence of that person’s fraudulent intent.
(b)
This section shall not prohibit the restoration by an owner of an original serial, engine, or other number or mark when that restoration is made under a permit issued by the division of motor vehicles, nor prevent any manufacturer from placing in the

ordinary course of business numbers or marks upon motor vehicles or their parts.
History of Section.
P.L. 1950, ch. 2595, art. 12, § 8; G.L. 1956, § 31-9-5; P.L. 1978, ch. 196, § 1; P.L. 1983, ch. 221, § 7; P.L. 1984, ch. 264, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-9 - Theft and Related OffensesSection 31-9-6. - Possession of any motor vehicle or part thereof with altered identification number.

§ 31-9-6. Possession of any motor vehicle or part thereof with altered identification number.
Any individual, company, or corporation who knowingly buys, receives, disposes of, sells, offers for sale, or has in his or her possession any motor vehicle, or its parts, from which the manufacturer's serial or engine number or derivative of that number which is ascribed to that vehicle or part by the manufacturer, the owner, or the division of motor vehicles, or from which any other distinguishing number or identification mark or number placed on it under assignment from the division of motor vehicles has been removed, defaced, covered, altered, or destroyed for the purpose of concealing or misrepresenting the identity of that motor vehicle or its parts is guilty of a felony.
History of Section.
P.L. 1950, ch. 2595, art. 12, § 7; G.L. 1956, § 31-9-6; P.L. 1978, ch. 197, § 1; P.L. 1983, ch. 221, § 7.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-9 - Theft and Related OffensesSection 31-9-7. - Reports by police officers of thefts and recoveries.

§ 31-9-7. Reports by police officers of thefts and recoveries.
Every proper officer, upon receiving reliable information that any vehicle registered under this title has been stolen, shall immediately report the theft to the division of motor vehicles unless prior to this discovery information has been received of the recovery of the vehicle. Any officer, upon receiving information that any vehicle, which was previously reported as stolen, has been recovered, shall immediately report the fact of that recovery to his or her department and the division of motor vehicles.
History of Section.
P.L. 1950, ch. 2595, art. 12, § 1; G.L. 1956, § 31-9-7; P.L. 1979, ch. 254, § 1.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-9 - Theft and Related OffensesSection 31-9-8. - Notice by owner of theft or embezzlement.

§ 31-9-8. Notice by owner of theft or embezzlement.
The owner of, or person having a lien or encumbrance upon, a registered vehicle which has been stolen or embezzled may notify the division of motor vehicles of the theft or embezzlement, but in the event of an embezzlement may make a report only after having procured the issuance of a warrant for the arrest of the person charged with the embezzlement.
History of Section.
P.L. 1950, ch. 2595, art. 12, § 2; G.L. 1956, § 31-9-8.

2024 Rhode Island General LawsTitle 31 - Motor and Other VehiclesChapter 31-9 - Theft and Related OffensesSection 31-9-9. - Filing and indexing of theft and embezzlement reports.

§ 31-9-9. Filing and indexing of theft and embezzlement reports.
The division of motor vehicles, upon receiving a report of a stolen or embezzled vehicle as previously provided for in this chapter, shall file and appropriately index the report.
History of Section.
P.L. 1950, ch. 2595, art. 12, § 3; P.L. 1952, ch. 2937, § 5; G.L. 1956, § 31-9-9.

Title: title-3

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-1 - General ProvisionsSection 3-1-1. - Definitions.

§ 3-1-1. Definitions.
As used in this title, unless the context otherwise requires:
(1)
"Alcohol inhalation" means a method of administering ethanol or alcoholic beverages directly into the respiratory system, with the aid of a vaporizing or nebulizing device.
(2)
"Alcohol-without-liquid device" means a device, machine, apparatus, or appliance that is designed or marketed for the purpose of inhaling alcohol vapor or otherwise introducing alcohol in any form into the human body including, but not limited to, introducing a heating element to convert the alcohol to a vapor or by mixing alcohol with pure or diluted oxygen, or another gas, to produce an alcoholic vapor that an individual can inhale or snort. An alcohol-without-liquid device does not include an inhaler, nebulizer, atomizer, or other device that is designed and intended by the manufacturer to dispense a prescribed or over-the-counter medication.
(3)
"Beverage" means any liquid that either by itself or by mixture with any other liquid or liquids, is, or may become, fit for human

consumption as a drink and that contains five-tenths of one per cent (.5%) or more of alcohol by weight.
(4)
“Club” means a corporation subject to the provisions of chapter 6 of title 7, owning, hiring, or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable accommodation of its members, and whose affairs and management are conducted by a board of directors, executive committee, or other similar body chosen by the members at a meeting held for that purpose, none of whose members, officers, agents, or employees are paid directly, or indirectly, any compensation by way of profit from the distribution or sale of beverages to the members of the club or to its guests beyond the amount of any reasonable salary or wages as may be fixed and voted each year by the directors or other governing body.
(5)
“Department” means the department of business regulation.
(6)
“Director” means the director of the department of business regulation.
(7)
“Division of taxation” means the division of taxation of the department of administration.
(8)
“Farmer-winery” means any plant or premise where wine is produced, rectified, blended, or fortified from fruits, flowers, herbs, or vegetables.
(9)
“Import” means at one time, or in one transaction, to take, or cause to be taken, into this state from outside the state any malt beverage in excess of eight (8) gallons or any vinous beverage or any beverage consisting in whole, or in part, of alcohol produced by distillation in excess of three (3) gallons.
(10)
“Intoxicating beverage” means a beverage that contains more than three and two-tenths percent (3.2%) of alcohol by weight.
(11)
“Malt beverage” means any beverage that is usually produced at breweries, as distinguished from distilleries.
(12)
“Nonintoxicating beverage” means a beverage that contains not more than three and two-tenths percent (3.2%) of alcohol by weight.
(13)
“Powdered alcohol” means alcohol prepared for sale or other distribution in a dry powder or crystalline, or encapsulated in dry or crystalline form, for direct consumption or reconstitution.
(14)
“Tavern” means any house where the principal business is the furnishing of food and sleeping accommodations.
(15)
“Victualing house” means any shop or place where a substantial part of the business is the furnishing of food for consumption at the place where it is furnished.
(16)
“Winegrower” means any person licensed to operate a farmer’s winery under § 3-6-1.1.
(17)
“Wines” means all fermented alcoholic beverages made from fruits, flowers, herbs, or vegetables and containing not more than twenty-four percent (24%) of alcohol by volume at sixty degrees Fahrenheit (60 degrees F), except cider obtained by the alcohol fermentation of the juice of apples and containing not less than five tenths of one percent (.05%) or containing not more than six percent (6%) of alcohol by weight at sixty degrees Fahrenheit (60 degrees F), including, but not limited to, flavored, sparkling, or carbonated cider.
History of Section.
P.L. 1933, ch. 2013, § 1; P.L. 1934, ch. 2088, § 1; G.L. 1938, ch. 162, § 1; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-1-1; P.L. 1972, ch. 119, § 1; P.L. 1978, ch. 223, § 1; P.L. 1996, ch. 100, art. 36, § 1; P.L. 1998, ch. 441, § 6; P.L. 1998, ch. 456, § 1; P.L. 2016, ch. 11, § 1; P.L. 2016, ch. 12, § 1; P.L. 2016, ch. 437, § 1; P.L. 2016, ch. 438, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-1 - General ProvisionsSection 3-1-2. - Intoxicating and nonintoxicating beverages.

§ 3-1-2. Intoxicating and nonintoxicating beverages.
Beverages are divided into two (2) classes — intoxicating and nonintoxicating. It is declared that beverages containing not more than three and two-tenths percent (3.2%) of alcohol by weight are nonintoxicating.
History of Section.
P.L. 1933, ch. 2013, § 2; G.L. 1938, ch. 162, § 2; G.L. 1956, § 3-1-2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-1 - General ProvisionsSection 3-1-3. - Manufacture or sale of cider and manufacture of wines and malt liquors for domestic use exempt from title.

§ 3-1-3. Manufacture or sale of cider and manufacture of wines and malt liquors for domestic use exempt from title.

Nothing contained in this title and chapter shall be construed as to prohibit the manufacture of cider, or the sale of cider; or the manufacture of wine or malt liquors for domestic use.
History of Section.
P.L. 1933, ch. 2013, § 67; G.L. 1938, ch. 163, § 20; G.L. 1956, § 3-1-3.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-1 - General ProvisionsSection 3-1-4. - Sales on execution exempt from title.

§ 3-1-4. Sales on execution exempt from title.
Nothing in this title and chapter shall be construed as prohibiting deputy sheriffs, constables and town sergeants from selling beverages, as defined in this title, under and by virtue of executions duly levied.
History of Section.
P.L. 1933, ch. 2013, § 77; G.L. 1938, ch. 163, § 19; G.L. 1956, § 3-1-4; P.L. 2012, ch. 324, § 7.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-1 - General ProvisionsSection 3-1-5. - Liberal construction of title.

§ 3-1-5. Liberal construction of title.
This title shall be construed liberally in aid of its declared purpose which declared purpose is the promotion of temperance and for the reasonable control of the traffic in alcoholic beverages; provided, however, that the promotion of incentive programs or discounts for any person sixty-five (65) years of age or older, active duty members of the armed forces of the United States, and members of the National Guard or Reserves shall be allowed.
History of Section.
P.L. 1933, ch. 2013, § 81; G.L. 1938, ch. 175, § 1; G.L. 1956, § 3-1-5; P.L. 2010, ch. 59, § 1; P.L. 2010, ch. 77, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-1 - General ProvisionsSection 3-1-6. - Severability.

§ 3-1-6. Severability.
(a)
Each section of this title and each part of each section is declared to be a separable and independent section, and the holding of any section or sections or part or parts of this title to be void, ineffective or unconstitutional for any cause, shall not be deemed to affect any other section or part of this title.
(b)
If any provision of this title, or its application to any person or circumstance, is determined by a court to be invalid or unconstitutional, the remaining provisions and sections shall be construed in accordance with the intent of the general assembly to limit rather than expand commerce in alcoholic beverages and to enhance strict regulatory control over taxation, distribution, and sale of alcoholic beverages through the three-tier regulatory system imposed by this title upon all alcoholic beverages.
History of Section.
P.L. 1933, ch. 2013, § 81; P.L. 1934, ch. 2088, § 14; G.L. 1938, ch. 175, § 2; G.L. 1956, § 3-1-6; P.L. 2013, ch. 519, § 2; P.L. 2013, ch. 530, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-1.1. - Alcoholic beverage floor stock tax.

§ 3-10-1.1. Alcoholic beverage floor stock tax.
(a)
Each person, firm, or corporation licensed to sell intoxicating beverages at wholesale or retail in this state shall pay to the state for the privilege of engaging in this business during any part of the calendar year 1989, an excise tax at the following rates on all of these beverages held by the licensee in this state on June 30, 1989.
(1)
Still wines (whether fortified or not), 20¢ per gallon;
(2)
Still wines (whether fortified or not) made entirely from fruit grown in this state, 10¢ per gallon;
(3)
Sparkling wines (whether fortified or not), 25¢ per gallon;
(4)
Whiskey, rum, gin, brandy spirits, cordials, and other beverages consisting in whole or in part of alcohol which is the product of distillation, $1.25 per gallon;
(5)
Ethyl alcohol to be used for beverage purposes, $2.50 per gallon;
(6)
Ethyl alcohol to be used for nonbeverage purposes, 3¢ per gallon;

(7)
Beer or other malt beverages, $1.00 per 31 gallons
and a tax at a like rate for any other quantity or fractional part.
(b)
Each licensee subject to the payment of the tax imposed shall, on or before July 10, 1989, file a return, under oath or certified under the penalties of perjury, with the tax administrator on forms furnished by the tax administrator, showing the amount of gallons of each of the beverages named in subsection (a) in each licensee's possession in this state on June 30, 1989, and the amount of tax due, and at the time of this filing pay the tax due to the tax administrator. Failure to obtain these forms shall not be an excuse for the failure to make a return containing the information required by the tax administrator.
(c)
The tax administrator may prescribe rules and regulations, not inconsistent with law, with regard to the assessment and collection of the tax imposed in this section.
(d)
Any licensee subject to the payment of the tax imposed in this section who fails or refuses to make this return when due or who makes any false or fraudulent return shall be guilty of a misdemeanor and shall for each offense be fined not to exceed five thousand dollars ($5,000).
(e)
If the tax imposed in this section is not paid within fifteen (15) days after the tax becomes due and payable, the tax administrator shall proceed to the collection of the tax, as in other cases the tax administrator is directed to proceed under § 44-1-29. The tax administrator shall, in addition to this directed procedure, certify the fact of the delinquency to the department of business regulation and the department shall proceed in the same manner as it is directed to proceed in § 3-10-8 upon the certification to it of a tax delinquency.
History of Section.
P.L. 1989, ch. 126, art. 14, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-1. - Manufacturing tax rates — Exemption of religious uses.

§ 3-10-1. Manufacturing tax rates — Exemption of religious uses.
(a)
There shall be assessed and levied by the tax administrator on all beverages manufactured, rectified, blended, or reduced for sale in this state a tax of three dollars and thirty cents ($3.30) on every thirty-one (31) gallons, and a tax at a like rate for any other quantity or fractional part. On any beverage manufactured, rectified, blended, or reduced for sale in this state consisting, in whole or in part, of wine, whiskey, rum, gin, brandy spirits, ethyl alcohol, or other strong liquors (as distinguished from beer or other brewery products), the tax to be assessed and levied is as follows:
(1)
Still wines (whether fortified or not), one dollar and forty cents ($1.40) per gallon;
(2)
Still wines (whether fortified or not) made entirely from fruit grown in this state, thirty cents ($.30) per gallon;
(3)
Sparkling wines (whether fortified or not), seventy five cents ($.75) per gallon;
(4)
Whiskey, rum, gin, brandy spirits, cordials, and other beverages consisting in whole or in part of alcohol that is the product of distillation, five dollars and forty cents ($5.40) per gallon, except that whiskey, rum, gin, brandy spirits, cordials, and other beverages consisting, in whole or in part, of alcohol that is the product of distillation but that contains alcohol measuring thirty (30) proof or less, one dollar and ten cents ($1.10) per gallon;
(5)
Ethyl alcohol to be used for beverage purposes, seven dollars and fifty cents ($7.50) per gallon; and
(6)
Ethyl alcohol to be used for nonbeverage purposes, eight cents ($.08) per gallon.
(b)
Sacramental wines are not subject to any tax if sold directly to a member of the clergy for use by the purchaser or his or her congregation for sacramental or other religious purposes.
(c)
A brewer who brews beer in this state that is actively and directly owned, managed, and operated by an authorized legal entity that has owned, managed, and operated a brewery in this state for at least twelve (12) consecutive months, shall receive a tax exemption on the first one hundred thousand (100,000) barrels of beer that it produces and distributes in this state in any calendar year. A barrel of beer is thirty one (31) gallons.
(d)
A distiller who distills spirits in this state that is actively and directly owned, managed, and operated by an authorized legal entity

that has owned, managed, and operated a distillery in this state for at least twelve (12) consecutive months, shall receive a tax exemption on the first fifty thousand (50,000) gallons of distilled spirits that it produces and distributes in this state in any calendar year.

History of Section.

P.L. 1933, ch. 2013, § 40; P.L. 1934, ch. 2088, § 10; P.L. 1936, ch. 2337, § 1; G.L. 1938, ch. 167, § 1; P.L. 1940, ch. 815, § 2; P.L. 1947, ch. 1887, art. 7, § 1; G.L. 1956, § 3-10-1; P.L. 1958, ch. 17, art. 1, § 1; P.L. 1969, ch. 197, art. 5, § 1; P.L. 1978, ch. 223, § [3a]; P.L. 1979, ch. 174, art. 7, § 9; P.L. 1980, ch. 372, § 1; P.L. 1983, ch. 308, § 1; P.L. 1989, ch. 126, art. 14, § 1; P.L. 1997, ch. 30, art. 35, § 1; P.L. 2013, ch. 144, art. 9, § 8; P.L. 2014, ch. 145, art. 12, § 10; P.L. 2014, ch. 528, § 1; P.L. 2015, ch. 141, art. 11, § 8; P.L. 2016, ch. 142, art. 13, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-11. - Limit on wholesaler's profits — Payment of excess to state.

§ 3-10-11. Limit on wholesaler's profits — Payment of excess to state.

Every holder of a wholesaler's license is entitled only to retain for himself or herself those profits in his or her business as are necessary to repair loss or shrinkage in his or her capital invested in the business plus nine percent (9%) per annum cumulatively upon the amount of capital actually invested in the business. All profits in excess of that amount shall be paid annually by the wholesaler to the treasurer of the state for its own use.

History of Section.

P.L. 1933, ch. 2013, § 49; G.L. 1938, ch. 167, § 7; G.L. 1956, § 3-10-11.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-12. - Sale of distillery and winery products — Records of wholesalers.

§ 3-10-12. Sale of distillery and winery products — Records of wholesalers.

Sale of the products of a distillery or a winery shall be made only to holders of wholesale licenses under this title. Every wholesaler shall keep separate accounts of the business conducted under his or her license in any form as shall be approved by the department of business regulation. The accounts shall be open to inspection by the department at all reasonable times.

History of Section.

P.L. 1933, ch. 2013, § 49; G.L. 1938, ch. 167, § 7; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-10-12.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-13. - Rules and regulations.

§ 3-10-13. Rules and regulations.

The department has the power to establish rules and regulations for the purpose of ascertaining the profits which the wholesalers make in the operation of their business and to require that all profits in excess of those permitted shall be paid as is provided to the general treasurer.

History of Section.

P.L. 1933, ch. 2013, § 49; G.L. 1938, ch. 167, § 7; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-10-13.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-14. - Brewers exempt from §§ 3-10-11 — 3-10-13.

§ 3-10-14. Brewers exempt from §§ 3-10-11 — 3-10-13.

The provisions of §§ 3-10-11 — 3-10-13 shall not apply to brewers holding a manufacturer's license.

History of Section.

P.L. 1933, ch. 2013, § 49; G.L. 1938, ch. 167, § 7; G.L. 1956, § 3-10-14.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-15. - Retaliatory service charge on imported beverages.

§ 3-10-15. Retaliatory service charge on imported beverages.

Whenever the law or any order, rule, or regulation of any other state of the United States or of any foreign sovereignty having the force of law operates as to expose beverages manufactured in this state to liability to any tax, assessment, impost, or other charge which is intended to give or has in practice the effect of giving any beverage manufactured in the state or sovereignty in question a market advantage over beverages manufactured in this state and transported to and intended to be sold in that state or sovereignty, then the service charge authorized by § 3-10-16, imposed or to be imposed upon beverages manufactured or exported from that state or sovereignty into this state shall be in an amount at least equal to the tax, assessment, impost, or other charge imposed by that state or sovereignty upon the like beverages manufactured in this state and shipped into that state or sovereignty. In case, in the judgment of the department of business regulation, a service charge equal to that tax, assessment, impost, or other charge is not sufficient to bring about the removal of the discrimination against beverages manufactured in this state in favor of beverages manufactured in that state or sovereignty, then the department shall impose any additional service charge or charges as in its judgment will be

adequate to that end.
History of Section.
P.L. 1933, ch. 2013, § 40; P.L. 1937, ch. 2523, § 1; G.L. 1938, ch. 167, § 8; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-10-15.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-16. - Reciprocal license and requirements for importation of malt beverages.

§ 3-10-16. Reciprocal license and requirements for importation of malt beverages.
Any person, firm, or corporation located in another state and engaged in the business of manufacturing or selling malt beverages, who transports or causes to be transported malt beverages into this state for sale or consumption in this state, shall pay an annual fee equal in amount to the license or other fees which that other state requires to be paid by a person, firm, or corporation located in this state by reason of the transportation of those beverages from this state into that other state or the sale of those beverages to a person, firm, or corporation located in that other state or otherwise; and shall perform all other duties, including the filing of bonds and certificates of approval, which that other state requires to be performed by a person, firm, or corporation located in this state as a condition precedent to the transportation of those beverages from this state into that other state or the sale of those beverages to a person, firm, or corporation located in that other state. Whenever an order for the importation of beverages is placed with the department of business regulation under this section, the department shall determine what fee or fees must be paid and what other conditions precedent must be performed under this section by the person, firm, or corporation by which that order is placed and to which that order is to be forwarded, and shall refuse to forward that order until the fee or fees have been paid and any other conditions precedent performed. The fee or fees shall be paid to the general treasurer for the use of the state.
History of Section.
P.L. 1933, ch. 2013, § 86; P.L. 1938, ch. 2608, § 1; G.L. 1938, ch. 167, § 11; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-10-16.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-17. - Tax on imported malt beverages.

§ 3-10-17. Tax on imported malt beverages.
There is imposed on all malt beverages imported into this state from another state under the provisions of § 3-10-16:
(1)
A tax on every thirty-one (31) gallons, which tax is equal to the amount by which the sum of the taxes on those beverages, or on the sale of a like quantity of those beverages, shipped from this state into that other state, imposed by that other state from which those beverages are imported, when added to the service charges imposed by that other state in connection with the shipment into that other state, is in excess of the sum of the taxes imposed by that other state on those beverages, or on the sale of those beverages, manufactured within that other state when added to the service charges imposed by that other state in connection with the sale of those beverages manufactured within that other state; and
(2)
A tax at a like rate for any other quantity or for any fractional part.
History of Section.
P.L. 1933, ch. 2013, § 84; P.L. 1938, ch. 2608, § 1; G.L. 1938, ch. 167, § 9; G.L. 1956, § 3-10-17.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-18. - Payment of malt beverage tax.

§ 3-10-18. Payment of malt beverage tax.
A person who has placed an order with the department of business regulation for the importation of malt beverages into this state under the provisions of § 3-10-16, shall file a duplicate copy of that order with the tax administrator. The administrator shall determine the amount of tax due in connection with that order under the provisions of § 3-10-17. Notice of the amount of the tax determined shall be certified to the general treasurer. The tax shall be paid to the general treasurer as a condition precedent to the forwarding of the order by the department of business regulation. If the order is placed by a licensee who engages to store the beverages ordered or any part of them in the warehouse of the department of business regulation, then the payment of the tax may be deferred until the beverages are withdrawn from the warehouse, and in that case as beverages are withdrawn the tax shall be paid.
History of Section.
P.L. 1933, ch. 2013, § 85; P.L. 1938, ch. 2608, § 1; G.L. 1938, ch. 167, § 10; impl. am. P.L. 1939, ch. 660, §§ 70, 120; G.L. 1956, § 3-10-18.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-19. - Refunds on import orders not filled.

§ 3-10-19. Refunds on import orders not filled.
Whenever these import orders shall not be filled after the tax in connection with these import orders has been paid, the general

treasurer shall, upon receiving any proof, as may be satisfactory to the department of business regulation, refund the amount of the tax to the person by whom it was paid.
History of Section.
P.L. 1933, ch. 2013, § 85; P.L. 1938, ch. 2608, § 1; G.L. 1938, ch. 167, § 10; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-10-19.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-2. - Export permits — Tax exemption.

§ 3-10-2. Export permits — Tax exemption.
Whenever a manufacturer has reason to ship any beverage out of this state and it is intended that the beverage shall be consumed beyond the borders of this state, the manufacturer may secure a shipping permit from the department of business regulation and the quantity of beverage which shall in fact be shipped out of this state and consumed beyond its borders shall not be subject to the tax imposed by this title. The department, however, is given full powers to make any investigation with respect to any shipment or shipments with a view to ascertaining whether or not the beverage securing tax exemption under this section is in fact shipped out of this state and remains permanently beyond its borders. In case any manufacturer or his or her agents, or other representatives, falsely pretend to ship beverage beyond this state for the purpose of evading the tax imposed upon that beverage by this title, his or her license issued under this title shall become void.
History of Section.
P.L. 1933, ch. 2013, § 41; G.L. 1938, ch. 164, § 12; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-10-2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-20. - Appeals.

§ 3-10-20. Appeals.
Appeals from administrative orders or decisions made pursuant to any provisions of this chapter shall be to the sixth division district court pursuant to chapter 35 of title 42.
History of Section.
P.L. 1933, ch. 2013, § 85; P.L. 1938, ch. 2608, § 1; G.L. 1938, ch. 167, § 10; impl. am. P.L. 1939, ch. 660, § 70; G.L. 1956, § 3-10-20; P.L. 1982, ch. 388, §§ 3, 4.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-21. - Refund of taxes and service fees on lost, unmarketable, or condemned beverages.

§ 3-10-21. Refund of taxes and service fees on lost, unmarketable, or condemned beverages.
(a)
Holders of manufacturer’s, wholesaler’s, and retailer’s licenses issued pursuant to this title shall, upon claim made to the liquor control administrator, receive a refund of any taxes and service fees previously paid on alcoholic beverages, which were lost, rendered unmarketable, or condemned by an authorized official by reason of:
(1)
Fire, flood, casualty, or other disaster; or
(2)
Breakage, destruction, or other damage (but not including theft) resulting from vandalism or malicious mischief, if this disaster or damage occurred in this state and if these alcoholic beverages were held and intended for sale at the time of this disaster or other damage. Refunds provided in this section shall be made to the person holding the alcoholic beverages for sale at the time of the disaster or other damage.
(b)
No refund shall be allowed under this section unless:
(1)
A claim is filed within six (6) months after the date upon which the alcoholic beverages were lost, rendered unmarketable or condemned by an authorized official; and
(2)
The claimant furnishes satisfactory proof to the liquor control administrator that the claimant:
(i)
Was not indemnified by any valid claim of insurance or otherwise in respect of the taxes or service fees on the alcoholic beverages covered by the claim; and
(ii)
Is entitled to payment under this section.
(c)
No claim of less than one hundred dollars ($100) is allowed under this section with respect to any disaster or other damage (as the case may be).
(d)

When payment has been made under this section in respect of the tax or service fee on the alcoholic beverages condemned by an authorized official or rendered unmarketable, the alcoholic beverages shall be destroyed under the supervision as the liquor control administrator may prescribe, unless the alcoholic beverages were previously destroyed under supervision satisfactory to the liquor control administrator.
History of Section.
P.L. 1987, ch. 92, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-3. - Reports and information required of manufacturers.

§ 3-10-3. Reports and information required of manufacturers.
In order to aid in the assessment, levy, and collection of the tax imposed by § 3-10-1, the department of business regulation may of its own motion or at the request of the tax administrator require each manufacturer to furnish any reports, statements, and inventories as shall be needful or helpful in determining the amount of the tax, and for that purpose the department or its agents may make any examination and investigation and take inventories and do any other acts as are necessary to insure a full disclosure of the quantity of beverages subject to the tax. All reports, statements, inventories, and investigation results are open to the tax administrator to aid him or her in assessing the tax imposed by this chapter. The director of business regulation and the tax administrator shall carry out and enforce the provisions of this section.
History of Section.
P.L. 1933, ch. 2013, § 40; P.L. 1934, ch. 2088, § 10; P.L. 1936, ch. 2337, § 1; G.L. 1938, ch. 167, § 1; P.L. 1940, ch. 815, § 2; G.L. 1956, § 3-10-3.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-4. - Monthly returns by manufacturers — Payment of tax.

§ 3-10-4. Monthly returns by manufacturers — Payment of tax.
Any person holding a manufacturer's license issued under this title, shall, on or before the tenth (10th) day of every month, or at the discretion of the tax administrator on a quarterly basis, return to the tax administrator under the oath of its treasurer, or person performing the duties of treasurer, or of an authorized agent or officer as of the last day of the month preceding, a statement showing its name and location, the quantity of beverage in gallons manufactured and sold by it within the month preceding or during the quarter ending the last day of the preceding month if on a quarterly basis and any other information as the administrator shall require. The amount of the tax shall be paid to the general treasurer within fifteen (15) days following its assessment.
History of Section.
P.L. 1933, ch. 2013, § 42; G.L. 1938, ch. 167, § 2; impl. am. P.L. 1939, ch. 660, § 70; G.L. 1956, § 3-10-4; P.L. 1992, ch. 374, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-5. - Information supplemental to returns — Audit of books.

§ 3-10-5. Information supplemental to returns — Audit of books.
(a)
The tax administrator may at any time request further information from any person or from the officers and employees of any corporation that he or she may deem necessary to verify, explain, or correct any return made in pursuance of the provisions of this chapter, and for the like purpose, the administrator or his or her authorized agent may examine the books of account of that person or corporation during business hours.
(b)
Each Class A licensee authorized to sell intoxicating beverages at wholesale or retail in this state shall file an annual report on or before February 1 with the division of taxation in the form required by the tax administrator. Such report shall include, but not be limited to, total sales of alcoholic beverages, sales tax, and excise tax collections on such sales for the immediately preceding calendar year. Annually, on or before May 1, the tax administrator shall prepare and submit to the chairs of the house and senate finance committees a report reflecting data from the annual reports submitted by said licensee to the division of taxation. The tax administrator's report shall compile total sales of alcoholic beverages, sales tax, and excise tax collections by county.
History of Section.
P.L. 1933, ch. 2013, § 44; G.L. 1938, ch. 167, § 4; impl. am. P.L. 1939, ch. 660, § 70; G.L. 1956, § 3-10-5; P.L. 2012, ch. 241, art. 21, § 15; P.L. 2013, ch. 144, art. 9, § 9; P.L. 2014, ch. 528, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-6. - Orders to produce evidence or permit examination.

§ 3-10-6. Orders to produce evidence or permit examination.
If any officer or employee of any person or any corporation refuses to give to the tax administrator or his or her authorized agent any information reasonably necessary for the determination of the tax assessed under this chapter, or refuses to permit any examination of the books of that person or corporation reasonably necessary for the purpose, the administrator may take the proceedings set forth

in § 44-11-24, and the district court is empowered to proceed to hear and determine the matter and to issue any orders as authorized by that section. A party aggrieved by an order of the court may appeal that order to the supreme court in accordance with the procedures contained in the rules of appellate procedure of the supreme court.
History of Section.
P.L. 1933, ch. 2013, § 45; G.L. 1938, ch. 167, § 5; impl. am. P.L. 1939, ch. 660, § 70; P.L. 1976, ch. 140, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-7. - Assessment in absence of return — Interest.

§ 3-10-7. Assessment in absence of return — Interest.
Whenever the tax administrator ascertains that any person subject to the tax imposed by this chapter has failed to make the return required by § 3-10-4, the administrator shall proceed to assess the tax from any information he or she can obtain for any prior month for which no return has been made with interest at the rate of eight per cent (8%) per annum from the time when the tax should in fact have been paid.
History of Section.
P.L. 1933, ch. 2013, § 43; G.L. 1938, ch. 167, § 3; impl. am. P.L. 1939, ch. 660, § 70; G.L. 1956, § 3-10-7.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-8. - Collection of delinquent taxes — Suspension of license.

§ 3-10-8. Collection of delinquent taxes — Suspension of license.
If the tax provided for by this chapter is not paid to the general treasurer within fifteen (15) days after the tax becomes due and payable, the general treasurer, attorney general, and other officials shall proceed to collect the tax in the same manner as they are directed in other cases to proceed under § 44-13-33. In addition to the procedure above directed, the general treasurer shall, if the tax remains unpaid for the period of thirty (30) days after the tax becomes due and payable, certify the fact of delinquency to the department of business regulation, and it is the duty of that department to immediately notify the delinquent that in case the tax is not paid to the general treasurer within ten (10) days after the giving of the notice, the license of the delinquent will be and remain suspended until all delinquent taxes of the licensee are paid. Upon the expiration of that ten (10) days the department shall, in case all the licensee’s taxes as provided for have not been paid, suspend the license of the delinquent until all of those taxes are paid in full.
History of Section.
P.L. 1933, ch. 2013, § 46; P.L. 1935, ch. 2271, § 1; G.L. 1938, ch. 167, § 6; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-10-8.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-10 - Taxation of BeveragesSection 3-10-9. - Information confidential — Appeal of assessments.

§ 3-10-9. Information confidential — Appeal of assessments.
The provisions of § 44-11-21 are applicable to the persons and corporations concerned in the assessment, levy, and collection of the tax imposed by this chapter.
History of Section.
P.L. 1933, ch. 2013, § 45; G.L. 1938, ch. 167, § 5; G.L. 1956, § 3-10-9; P.L. 1982, ch. 388, § 17.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-11 - Penalties and LiabilitiesSection 3-11-2. - Habitually intemperate persons — Notice by family or employer — Liability of notified persons.

§ 3-11-2. Habitually intemperate persons — Notice by family or employer — Liability of notified persons.
The husband, wife, parent, child, guardian, or employer of any person who has the habit of drinking intoxicating beverages to excess may give notice, in writing, signed by him or her, to any person requesting him or her not to sell or deliver intoxicating beverage to the person having that habit. If the person, so notified, at any time within twelve (12) months sells or delivers any intoxicating beverage to the person having that habit, or permits that person to loiter on his or her premises, the person giving the notice may in a civil action recover from the person notified any sum as may be assessed as damages; provided, the employer giving the notice shall be injured in his or her person, business or property. A married person may bring the action in his or her own name, and all damages recovered by him or her shall enure to his or her separate use. In case of the death of either party, the action and right of action shall survive to or against the executor or administrator.
History of Section.
P.L. 1933, ch. 2013, § 70; G.L. 1938, ch. 168, § 2; G.L. 1956, § 3-11-2; P.L. 1998, ch. 441, § 9.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-11 - Penalties and LiabilitiesSection 3-11-3. - Actions for beverages unlawfully sold.

§ 3-11-3. Actions for beverages unlawfully sold.
No action of any kind shall be had or maintained in any court of this state for the value of any beverage drunk upon the premises of

the seller or for the possession or value of any beverages held, purchased, or sold contrary to this title.
History of Section.
P.L. 1933, ch. 2013, § 76; G.L. 1938, ch. 169, § 1; G.L. 1956, § 3-11-3.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-11 - Penalties and LiabilitiesSection 3-11-4. - Unlawful possession of corks, seals, and labels.

§ 3-11-4. Unlawful possession of corks, seals, and labels.
(a)
The possession of crowns, corks, seals, wrappers, containers, or labels of, on or for beverages, whether those crowns, corks, seals, wrappers, containers, or labels are real or imitation, by a person not the proprietor or the authorized agent of the proprietor of the beverage represented by those crowns, corks, seals, or labels, or said to be contained in those wrappers or containers, is declared to be unlawful and every person in possession of those crowns, corks, seals, wrappers, containers, or labels shall be fined or imprisoned, or both, as provided in § 3-11-5.
(b)
This section shall not apply to crowns, corks, seals, wrappers, or labels on or to containers of beverages which were marketed by the proprietor, if the person in possession of those crowns, corks, seals, wrappers, or labels does not intend to use them or to abet another in using them in connection with the sale of beverages. The provisions of §§ 3-12-9 — 3-12-15 are made applicable so as to authorize forfeitures of crowns, corks, seals, wrappers, labels, and containers unlawfully possessed in the same manner as if those crowns, corks, seals, wrappers, labels, and containers were mentioned in those sections.
History of Section.
P.L. 1933, ch. 2013, § 36, as enacted by P.L. 1934, ch. 2088, § 9; G.L. 1938, ch. 170, § 3; G.L. 1956, § 3-11-4; P.L. 1965, ch. 168, § 3.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-11 - Penalties and LiabilitiesSection 3-11-5. - Penalties for violations.

§ 3-11-5. Penalties for violations.
Except as otherwise expressly provided, any person violating any of the provisions of this title, shall be subject to a fine not in excess of one thousand dollars ($1000).
History of Section.
P.L. 1933, ch. 2013, § 35; P.L. 1934, ch. 2088, § 9; P.L. 1936, ch. 2337, § 1; G.L. 1938, ch. 170, § 2; G.L. 1956, § 3-11-5; P.L. 1999, ch. 146, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-1. - Duty of deputy sheriffs, town constables, and police officers — Action on taxpayer's demand.

§ 3-12-1. Duty of deputy sheriffs, town constables, and police officers — Action on taxpayer's demand.
Members of the division of sheriffs, the city and town sergeants, town constables, officers, members of the town or city police, and members of the division of state police are empowered and it is made their duty to see that the provisions of this title and the rules and regulations made or authorized by the department of business regulation and the division of taxation are enforced within their counties, towns, and cities. It is their special duty to use their utmost efforts to repress and prevent crime by the suppression of unlicensed liquor shops, gambling places, and houses of ill fame, and they shall also do so on the request of any taxpayer of any town or city and may command aid in the execution of the authority conferred. Any officer within the above enumeration who willfully neglects or refuses to perform the duties imposed upon him or her by this section shall be fined not exceeding five hundred dollars ($500) and be rendered ineligible again to be appointed to this position; provided, that the officer may after investigation, before taking any further action at the request of any taxpayer, demand that the taxpayer requesting him or her to act give a bond to secure to that officer reasonable compensation for his or her services and to protect him or her from all costs and damages that may arise from that action.
History of Section.
P.L. 1933, ch. 2013, § 33; G.L. 1938, ch. 174, § 1; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-12-1; P.L. 1996, ch. 100, art. 36, § 13; P.L. 2012, ch. 324, § 9; P.L. 2015, ch. 260, § 1; P.L. 2015, ch. 275, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-10. - Return of goods when forfeiture not adjudged.

§ 3-12-10. Return of goods when forfeiture not adjudged.
If the cause of forfeiture is not proved, then all the seized beverages and the vessels containing them shall be restored to the proper owner or to the place from which they were taken by the officer who seized them.
History of Section.
P.L. 1933, ch. 2013, § 59; G.L. 1938, ch. 172, § 6; G.L. 1956, § 3-12-10.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-11. - Sentence

of forfeiture — Appeal.

§ 3-12-11. Sentence of forfeiture — Appeal.
If the cause of forfeiture is proved, the court before which the complaint or information shall be tried shall enter sentence of forfeiture to the state against those beverages and the casks or other vessels containing them; and any person aggrieved by the sentence may appeal the sentence to the superior court according to the provisions relating to criminal appeals from district courts.
History of Section.
P.L. 1933, ch. 2013, § 59; G.L. 1938, ch. 172, § 6; G.L. 1956, § 3-12-11.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-12. - Destruction of forfeited beverages.

§ 3-12-12. Destruction of forfeited beverages.
Upon entry of sentence of forfeiture, if no appeal is then taken and no recognizance given as prescribed in other criminal cases, the court shall forthwith issue a warrant to the officer, commanding the officer forthwith to destroy the beverages; and the officer shall execute the warrant and return it, having signed it, to the court, within any time as the court shall direct. In case of final judgment for the state on appeal, the court entering the final judgment shall issue the warrant for the destruction of the beverages seized.
History of Section.
P.L. 1933, ch. 2013, § 60; G.L. 1938, ch. 172, § 7; G.L. 1956, § 3-12-12.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-13. - Disposition of forfeited beverages to institutions.

§ 3-12-13. Disposition of forfeited beverages to institutions.
In lieu of ordering the destruction of intoxicating liquors forfeited to the state, the court may, in its discretion, order the beverages disposed of to state or charitable institutions for use by them for medicinal purposes.
History of Section.
P.L. 1932, ch. 1857, § 11; G.L. 1938, ch. 172, § 8; G.L. 1956, § 3-12-13.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-14. - Disposition of forfeited vessels.

§ 3-12-14. Disposition of forfeited vessels.
The officers having in their custody any vessels which have been forfeited to the state under this chapter, are authorized to destroy those vessels, or to sell those vessels at public auction or private sale and to turn over the net proceeds of that sale to the general treasurer.
History of Section.
P.L. 1933, ch. 2014, § 61; G.L. 1938, ch. 172, § 9; G.L. 1956, § 3-12-14.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-15. - Fees in forfeiture proceedings.

§ 3-12-15. Fees in forfeiture proceedings.
There shall be allowed and paid to the officer who makes the seizure, for every seizure made under the foregoing provisions, the sum of five dollars ($5.00) with two dollars ($2.00) additional for every day after the first that the officer shall be necessarily employed in causing the beverages seized to be condemned, and ten cents (10¢) for every mile which he or she shall travel, together with any reasonable sum as the court may deem just for necessary expense incurred in providing storage for liquors seized, pending proceedings for condemnation; all which costs shall be taxed in the bill of costs, and the amount allowed by the court in which final judgment shall be rendered, to those officers, shall be paid on the order of the state controller out of any money in the treasury not otherwise appropriated. Any fees paid to any state official shall be returned by him or her to the general treasurer to and for the use of the state.
History of Section.
P.L. 1933, ch. 2013, § 63; G.L. 1938, ch. 172, § 11; impl. am. P.L. 1939, ch. 660, § 65; G.L. 1956, § 3-12-15.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-16. - Allegations in criminal proceedings.

§ 3-12-16. Allegations in criminal proceedings.
In any action, complaint and warrant, information, indictment, or other proceeding, against any person for a violation of any of the provisions of this title, it is not necessary to set forth the kind or quantity of beverage, or the time of the sale or manufacturer of the beverage; but proof of the violation of any of the provisions of this title, the substance of which is briefly set forth, within the times mentioned, by the person complained of, shall be good and sufficient. In order to convict any person of a second, third or any subsequent offense under any of the provisions of this title, it is requisite in any action, complaint and warrant, indictment, or other proceeding against any person for a violation of the provisions of this title to set forth a record of a former conviction or former

convictions, with the date or dates of that former conviction or convictions.
History of Section.
P.L. 1933, ch. 2013, § 73; G.L. 1938, ch. 170, § 4; G.L. 1956, § 3-12-16.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-17. - Correction of defects in proceedings.

§ 3-12-17. Correction of defects in proceedings.
Any defects of form in any action, complaint and warrant, indictment, information, or other proceeding against any person for a violation of this title, may be amended by the court before whom the action, complaint and warrant, indictment, information, or other proceeding is originally brought.
History of Section.
P.L. 1933, ch. 2013, § 74; G.L. 1938, ch. 170, § 5; G.L. 1956, § 3-12-17.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-18. - Negative allegations — Lawful sale as defense.

§ 3-12-18. Negative allegations — Lawful sale as defense.
Negative allegations need not be made in or proved at the trial of any complaint under this title. Evidence of the sale or keeping for sale of any beverage is evidence that the sale or keeping for sale is unlawful, but the respondent in any complaint under this title may show any license or authority to sell or any other fact that renders a sale or keeping for sale lawful by way of defense.
History of Section.
P.L. 1933, ch. 2013, § 38; G.L. 1938, ch. 170, § 6; G.L. 1956, § 3-12-18.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-19. - Officers not liable for costs.

§ 3-12-19. Officers not liable for costs.
An officer of the law complaining on account of the violation of any of the provisions of this title is not required at the time of complaint or thereafter to enter into recognizance or in any way to become liable for the costs that may accrue on the complaint.
History of Section.
P.L. 1933, ch. 2013, § 68; G.L. 1938, ch. 170, § 9; G.L. 1956, § 3-12-19.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-2. - Special constables not authorized to serve civil process.

§ 3-12-2. Special constables not authorized to serve civil process.
Nothing in this title conferring powers on the officers authorizes special constables to make service of civil process.
History of Section.
P.L. 1933, ch. 2013, § 34; G.L. 1938, ch. 174, § 2; G.L. 1956, § 3-12-2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-20. - Appeal from convictions.

§ 3-12-20. Appeal from convictions.
Any person convicted before a district court of any offense under this title may appeal the sentence of that court, according to the provisions of law relating to criminal appeals from district courts.
History of Section.
P.L. 1933, ch. 2013, § 65; G.L. 1938, ch. 170, § 10; G.L. 1956, § 3-12-20.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-21. - Recognizance of witnesses on appeal.

§ 3-12-21. Recognizance of witnesses on appeal.
In case of an appeal pursuant to § 3-12-20, the district court shall, upon motion either of the complainant or defendant, require any witness sworn, to enter into recognizance in the sum of fifty dollars ($50.00) with condition that he or she will appear before the court appealed to, to testify in the trial of the appeal whenever that appeal shall be called for trial.
History of Section.
P.L. 1933, ch. 2013, § 66; G.L. 1938, ch. 170, § 11; G.L. 1956, § 3-12-21.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-22. - Complainant’s attorney — Prosecution by attorney general.

§ 3-12-22. Complainant’s attorney — Prosecution by attorney general.
(a)

In all cases of appeal under this title from the sentence of a district court, and upon all questions arising under that sentence or under any complaint or warrant made under this title in the supreme or superior court, the cases may be conducted and argued in behalf of the complainant by any attorney who may be employed or authorized by that complainant; and in every case in which the defendant or person answering the complaint is required to pay costs, the sum of six dollars ($6.00) shall be taxed in the bill of costs for the services of the attorney employed or authorized and appearing as the attorney of record of the complainant; for which sum the clerk or other officer to whom the costs may be paid shall account with and pay over to the attorney of record within ten (10) days after the bill of costs is paid.

(b)

If no attorney within five (5) days after the appeal from the sentence of a district court, or after any question arising under that sentence or under any complaint or warrant under this title, is presented in the supreme or superior court, shall enter his or her appearance in behalf of the complainant, then it is the duty of the attorney general or the assistant attorneys general to take charge of, conduct, argue, and manage that appeal or question in the supreme or superior court, and for those services the sum of six dollars ($6.00) shall be taxed in the bill of costs, and shall be paid over to the officers rendering those services by the clerk or other officer to whom those costs are paid.

History of Section.

P.L. 1933, ch. 2013, § 75; G.L. 1938, ch. 170, § 12; G.L. 1956, § 3-12-22.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-23. - Notice of conviction to department and local authorities.

§ 3-12-23. Notice of conviction to department and local authorities.

It is the duty of each clerk of a court upon the final conviction or sentence of any person for violating any provision of this title, to notify, within ten (10) days after that final conviction or sentence, the town council of the town or the board of commissioners for granting of licenses of the city or town where the person convicted or sentenced at the time of the complaint carried on business, and also at the time of the conviction carries on business, and also to notify the department of business regulation and the division of taxation within ten (10) days after the final conviction or sentence of the fact of that final conviction or sentence and of the offense for which that final conviction or sentence was had, and any clerk who neglects or refuses to notify as provided in this section shall be fined fifty dollars ($50.00) for each and every offense.

History of Section.

P.L. 1933, ch. 2013, § 72; G.L. 1938, ch. 170, § 13; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-12-23; P.L. 1996, ch. 100, art. 36, § 13.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-24. - Disposition of fines.

§ 3-12-24. Disposition of fines.

All fines recovered under this title shall inure to the sole benefit of the state except for those fines imposed pursuant to § 3-5-21 by a local licensing board which fines shall inure to the city or town first imposing that fine.

History of Section.

P.L. 1933, ch. 2013, § 64; G.L. 1938, ch. 170, § 14; G.L. 1956, § 3-12-24; P.L. 1986, ch. 364, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-3. - Entry on licensed premises — Arrest without warrant — Evidence of unlawful sales.

§ 3-12-3. Entry on licensed premises — Arrest without warrant — Evidence of unlawful sales.

The mayor and council of any city, or the town council, or either member, or the chief of police of any city or town, or any police officer, or any town constable specially authorized by that city or town council, or any member of the division of state police, or agent of the department of business regulation and the division of taxation, may at any time enter upon the premises of any person licensed under this title to ascertain the manner in which that person conducts his or her business and to preserve order; and every chief of police, police officer, town constable or member of the division of state police, has the power to arrest, without a warrant, all persons found actually engaged, in the premises entered, in the commission of any offense in violation of any of the provisions of this title and to keep those persons arrested in custody until they can be brought before some magistrate (but for a period not to exceed twenty-four (24) hours) having the proper jurisdiction of that offense in that city or town to be dealt with according to law; and whenever any person is seen to drink any beverage in those premises, or in any part of those premises, on any days or hours prohibited, under this title, it is evidence that those beverages were sold and kept for sale by the occupant of those premises or his or her authorized agent.

History of Section.

P.L. 1933, ch. 2013, § 71; G.L. 1938, ch. 174, § 3; P.L. 1939, ch. 659, § 2; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-12-3; P.L. 1996, ch. 100, art. 36, § 13; P.L. 2015, ch. 260, § 1; P.L. 2015, ch. 275, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-4. - Search warrants.

§ 3-12-4. Search warrants.
Search warrants to search for and seize any beverages, impure or adulterated liquors, vessels containing beverages or impure or adulterated liquors, or other property possessed, kept for sale or otherwise in violation of any of the provisions of this title may be issued as provided by law in chapter 5 of title 12.
History of Section.
P.L. 1933, ch. 2013, § 54; G.L. 1938, ch. 172, § 1; G.L. 1956, § 3-12-4; P.L. 1956, ch. 168, § 4.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-12 - Enforcement of TitleSection 3-12-9. - Forfeiture of goods held for unlawful sale.

§ 3-12-9. Forfeiture of goods held for unlawful sale.
All beverages and the vessels containing them, seized under this title, kept for sale in violation of law, are forfeited to the state, and the officer making the seizure or an officer designated by the court for that purpose, shall forthwith proceed to prosecute for the forfeiture in the manner provided by law.
History of Section.
P.L. 1933, ch. 2013, § 58; G.L. 1938, ch. 172, § 5; G.L. 1956, § 3-12-9.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-13 - Malt Beverage Supplier-Wholesaler AgreementsSection 3-13-1. - Definitions.

§ 3-13-1. Definitions.
As used in this chapter:
(1)
“Agreement” means any contract, agreement, or arrangement, whether expressed or implied, whether oral or written, for a definite or indefinite period between a supplier and a wholesaler pursuant to which a wholesaler has the right to purchase, resell, and distribute any or all brands of malt beverages offered by the supplier. The agreement between a supplier and a wholesaler is not considered a franchise relationship.
(2)
“Good cause” means the failure by any party to an agreement, without reasonable excuse and justification, to comply substantially with a reasonable requirement imposed by either party.
(3)
“Malt beverage” means the same as defined in chapter 1 of this title.
(4)
“Person” means a natural person, partnership, trust, agency, corporation, division of a corporation, or other form of business enterprise. Person also includes heirs, assigns, personal representatives, and guardians.
(5)
“Supplier” means any person engaged in business as a brewer, manufacturer, importer, master wholesaler, broker, or agent of malt beverages who enters into an agreement with any wholesaler in this state to distribute any or all of its brands of malt beverages, and any successor-in-interest to that entity with respect to the agreement. The term supplier does not refer to any brewer licensed under § 3-6-1.
(6)
“Territory” or “sales territory” means the geographic area of primary sales responsibility designated by an agreement between a wholesaler and supplier for any brand or brands of the supplier.
(7)
“This act” means this chapter that has the short title and may be cited as the “Beer Industry Fair Dealing Law”.
(8)
“Wholesaler” means any person licensed to import, or cause to be imported, into this state, or to purchase, or cause to be purchased, in this state, malt beverages for resale or distribution to retailers licensed in this state, and any successor-in-interest to that entity.
History of Section.
P.L. 1982, ch. 415, § 1; P.L. 2016, ch. 512, art. 2, § 45.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-13 - Malt Beverage Supplier-Wholesaler AgreementsSection 3-13-10. - Right of free association.

§ 3-13-10. Right of free association.
No supplier or wholesaler shall restrict or inhibit, directly or indirectly, the right of free association among suppliers or wholesalers for any lawful purpose.
History of Section.
P.L. 1982, ch. 415, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-13 - Malt Beverage Supplier-Wholesaler AgreementsSection 3-13-11. - Civil actions.

§ 3-13-11. Civil actions.
(a)
If a supplier or wholesaler who is a party to an agreement pursuant to § 3-13-5(6) fails to comply with this chapter or otherwise engages in conduct prohibited under this chapter, the affected party may maintain a civil action in the superior court in the county in which the wholesaler's principal place of business or residence is located.
(b)
In any action under this section, the court may grant any equitable relief that the court determines is necessary or appropriate considering the purposes of this chapter, to remedy the effects of any failure to comply with this chapter or the effect of conduct prohibited under this chapter.
(c)
The prevailing party in any action under this section is entitled to actual damages as defined in § 3-13-7, plus interest and costs.
(d)
To the extent the parties by agreement specify that disputes arising out of the supplier-wholesaler relationship shall be resolved by arbitration, that procedure shall be the exclusive remedy and may be compelled by either party upon proper application under the law of this state. An affected party may maintain a civil action in the superior court to enforce the provisions of § 3-13-7(c), notwithstanding any pending arbitration proceedings.
History of Section.
P.L. 1982, ch. 415, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-13 - Malt Beverage Supplier-Wholesaler AgreementsSection 3-13-12. - Severability.

§ 3-13-12. Severability.
If any provision of this chapter is held unconstitutional, that decision shall not affect the validity of the remainder of the chapter.
History of Section.
P.L. 1982, ch. 415, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-13 - Malt Beverage Supplier-Wholesaler AgreementsSection 3-13-2. - Purposes — Construction — Variation by contract prohibited.

§ 3-13-2. Purposes — Construction — Variation by contract prohibited.
(a)
This chapter shall be liberally construed and applied to promote its remedial purposes and policies.
(b)
The purposes and policies of this chapter are:
(1)
To regulate agreements between suppliers and their wholesalers to benefit the economy and enhance competition in this state and to promote moderation and obedience to the laws of this state and the United States controlling the distribution and sale of malt beverages;
(2)
To protect wholesalers substantial initial and continuing investments of money, time and effort in their distributorships and to stimulate greater investment of those resources in these small businesses by assuring their continuation on a fair, equitable and nondiscriminatory basis;
(3)
To enhance competition in the malt beverage industry by:
(i)
Assuring the wholesaler is free to manage its business enterprise in the manner the wholesaler deems best, including the wholesaler's right independently to establish its selling prices, to determine the efforts and resources which the wholesaler will exert to promote and develop the sale of a supplier's products; and
(ii)
Assuring the public and suppliers that wholesalers will price competitively, devote reasonable efforts and resources to sales of all supplier's products marketed in this state and maintain satisfactory sales levels.
(4)
To govern all relations between suppliers and their wholesalers, including any renewals to agreements between them, to the full extent consistent with the constitutions of this state and the United States.
(c)
The effect of this chapter may not be varied by agreement. Any agreement purporting to do so is void and unenforceable to that extent only.
History of Section.
P.L. 1982, ch. 415, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-13 - Malt Beverage Supplier-Wholesaler AgreementsSection 3-13-3. - Prior notification of cancellation.

§ 3-13-3. Prior notification of cancellation.

(a)

Except as provided in subsection (c), no supplier or wholesaler may cancel, fail to renew, or otherwise terminate an agreement unless the supplier or wholesaler furnishes prior notification in accordance with subsection (b) to the affected party.

(b)

The notification required under subsection (a) shall be in writing and sent to the affected party by certified mail, return receipt requested, not less than ninety (90) days before the date on which the agreement will be cancelled, not renewed, or otherwise terminated. The notification shall contain:

(1)

A statement of intention to cancel, not renew, or otherwise terminate;

(2)

A statement of all reasons, stated with particularity;

(3)

The date on which the action shall take effect; and

(4)

A statement of the remedy or remedies available to the affected party to cure the specified cause.

(c)

A supplier or wholesaler may cancel, fail to renew or otherwise terminate an agreement without furnishing the prior notification required under this section only:

(1)

In the event of insolvency, liquidation or bankruptcy of the affected party;

(2)

In the event the affected party makes an assignment for the benefit of creditors or similar disposition of substantially all of the assets of that party's business; or

(3)

In the event of a conviction or plea of guilty or no contest to a charge of violating a law or regulation, or the revocation of a license or permit, relating to business which materially and adversely affects the party's ability to continue in business.

History of Section.

P.L. 1982, ch. 415, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-13 - Malt Beverage Supplier-Wholesaler AgreementsSection 3-13-4. - Cancellation of agreements — Good cause required.

§ 3-13-4. Cancellation of agreements — Good cause required.

No supplier or wholesaler may cancel, fail to renew, or otherwise terminate an agreement unless the party intending that action has good cause for that action and, in any case in which prior notification is required under § 3-13-3, the party intending to act has furnished prior notification and the affected party has not corrected the conduct specified in that notification as the reason for cancellation, failure to renew, or termination, within the period specified in that notice.

History of Section.

P.L. 1982, ch. 415, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-13 - Malt Beverage Supplier-Wholesaler AgreementsSection 3-13-5. - Prohibited conduct.

§ 3-13-5. Prohibited conduct.

No supplier shall:

(1)

Induce or coerce, or attempt to induce or coerce, any wholesaler to accept delivery of any malt beverage or any other item or commodity which has not been ordered by the wholesaler. Provided, that recommendation, endorsement, exposition, persuasion, or argument is not deemed to constitute inducements, coercion, or requirements prohibited by this section.

(2)

Induce or coerce, or attempt to induce or coerce, any wholesaler to engage in any illegal act or course of conduct or to resign from an agreement by means of any threat, expressed or implied, to cancel, fail to renew, otherwise terminate an agreement, any requirement imposed on the wholesaler pursuant to an agreement or any contract or other arrangement ancillary or collateral to these.

(3)

Require a wholesaler to assent to any requirement, condition, understanding, or term of an agreement limiting the wholesaler's right to sell the product of any other supplier.

(4)
Fix or maintain the price at which a wholesaler may resell malt beverages, whether by the terms or requirements imposed on the wholesaler under an agreement, the manner of their enforcement, or otherwise.
(5)
Impose, attempt to impose, or enforce against a wholesaler any requirement, standard of performance, or term, including the terms of sale of malt beverages sold to the wholesaler, which is discriminatory as compared with the requirements, standards, or terms imposed by the supplier on other similarly situated wholesalers within this state. Differences in any requirement, standard, or term imposed by a supplier under its agreement or in the manner of their enforcement are permitted only if and to the extent they are based on proper and justifiable distinctions considering the purposes of this chapter, and are not arbitrary.
(6)
Fail to provide to each wholesaler of its brands after May 22, 1982 a written contract which conforms to this chapter and embodies the supplier's agreement with its wholesalers, including the essential requirements, standards of performance, and terms imposed by the supplier. In the event of failure to provide that written contract, any agreement in existence upon May 22, 1982 must conform to this chapter and is subject to this chapter until the written contract is provided.
History of Section.
P.L. 1982, ch. 415, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-13 - Malt Beverage Supplier-Wholesaler AgreementsSection 3-13-6. - Transfer of business assets of stock.

§ 3-13-6. Transfer of business assets of stock.
(a)
No supplier shall, by the terms of an agreement or otherwise, unreasonably withhold or delay approval of any assignment, sale, or transfer of the stock of a wholesaler or all or any portion of a wholesaler's assets, wholesaler's voting stock, the voting stock of any parent corporation, or the beneficial ownership or control of any other entity owning or controlling a wholesaler, including the wholesaler's rights and obligations under the terms of an agreement whenever the person or persons to be substituted meet reasonable and express standards imposed not only upon the wholesaler but upon all other wholesalers of a supplier generally.
(b)
Upon the death of one of the partners of a partnership operating the business of a wholesaler, no supplier shall deny the surviving partner or partners of that partnership the right to become a successor-in-interest to the agreement between the supplier and that partnership; provided the survivor has been active in the management of the partnership and is otherwise capable of carrying on the business of the partnership.
(c)
A wholesaler shall not transfer or agree to transfer any of its rights and obligations under the terms of any agreement without first giving prior notice to the supplier.
History of Section.
P.L. 1982, ch. 415, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-13 - Malt Beverage Supplier-Wholesaler AgreementsSection 3-13-7. - Damages for improper cancellation, termination, or failure to renew — Arbitration.

§ 3-13-7. Damages for improper cancellation, termination, or failure to renew — Arbitration.
(a)
Any supplier which without good cause cancels, terminates or fails to renew any agreement, or unlawfully causes a wholesaler to resign from an agreement or unreasonably denies or withholds consent to any assignment, transfer or sale of business assets or capital stock or other equity securities of a wholesaler with whom that supplier has an agreement pursuant to § 3-13-5(6), is subject to compensatory damages, equitable relief, or both. Compensatory damages include reasonable compensation for the value of the wholesaler's business with relation to the affected brand or brands and the wholesaler's goodwill, if any.
(b)
The supplier and the wholesaler may, by the terms of an agreement or otherwise, submit the disputes set forth in subsection (a), including the compensation, if any, to be paid for the value of the wholesaler's business, to a neutral arbitrator to be selected by the parties, or if they cannot agree, by the presiding justice of the Rhode Island superior court. The arbitration proceeding shall be held within the state and shall be governed by chapter 3 of title 10. Arbitration costs shall be paid one-half (½) by the wholesaler and one-half (½) by the supplier. The award of the arbitrator is final and binding on the parties.
(c)
Unless otherwise ordered by the superior court, all of the terms and conditions of an agreement between the parties shall remain in full force and effect for a period not to exceed one year during the course of any arbitration or judicial proceedings brought to enforce any rights under an agreement or under this chapter. No supplier who, pursuant to an agreement with a wholesaler, has designated a sales territory for which the wholesaler is primarily responsible or in which the wholesaler is required to concentrate its efforts, shall enter into an agreement with any other wholesaler during that one year period for the purpose of establishing an additional wholesaler for any of its brands or products. Notwithstanding any pending arbitration proceeding, a party may petition the

superior court in accordance with § 3-13-11 to obtain any relief as may be necessary to enforce this section.
History of Section.
P.L. 1982, ch. 415, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-13 - Malt Beverage Supplier-Wholesaler AgreementsSection 3-13-8. - Sale of supplier.

§ 3-13-8. Sale of supplier.
Except for discontinuance of all sales of a brand or brands in this state or for good cause, any person who purchases a supplier becomes obligated to all of the terms of any agreement in effect on the date of purchase. The acquiring supplier is not obligated to supply its brand or brands to the wholesalers of the acquired supplier. Nothing prevents the parties from negotiating a new agreement consistent with the provisions of this chapter. The term purchase includes, but is not limited to, a purchase of stock, purchase of assets, lease, merger, or any other reorganization, consolidation, or acquisition of a supplier.
History of Section.
P.L. 1982, ch. 415, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-13 - Malt Beverage Supplier-Wholesaler AgreementsSection 3-13-9. - Sales territories exclusive.

§ 3-13-9. Sales territories exclusive.
No supplier who, pursuant to an agreement with a wholesaler, has designated a sales territory for which a wholesaler is primarily responsible or in which a wholesaler is required to concentrate its efforts shall enter into an agreement with any other wholesaler for the purpose of establishing an additional wholesaler for any of its brands, including any brand or brands introduced after the effective date of the agreement, in all or part of the same territory.
History of Section.
P.L. 1982, ch. 415, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-14 - Rhode Island Liquor Liability ActSection 3-14-1. - Short title.

§ 3-14-1. Short title.
This chapter shall be known as the “Rhode Island Liquor Liability Act”.
History of Section.
P.L. 1986, ch. 537, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-14 - Rhode Island Liquor Liability ActSection 3-14-10. - Settlement — Release — Contributions — Indemnity.

§ 3-14-10. Settlement — Release — Contributions — Indemnity.
(a)
A plaintiff’s settlement and proper release of either the intoxicated tortfeasor or a defendant, as defined in § 3-14-5, will not bar potential claims against any other defendant(s).
(b)
The amount paid to a plaintiff in consideration for the settlement and proper release of any defendant will be offset against all other subsequent judgments received by the plaintiff.
(c)
The liability of the intoxicated tortfeasor and any defendant, as defined in § 3-14-5, who served alcoholic beverages, shall be joint and several.
(d)
In cases of negligent conduct, the intoxicated tortfeasor and any defendant, as defined in § 3-14-5, who served alcoholic beverages have a right of contribution and not a right of indemnification.
(e)
In cases of reckless conduct, nonreckless defendants have a right of either indemnification or contribution from any reckless defendants.
History of Section.
P.L. 1986, ch. 537, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-14 - Rhode Island Liquor Liability ActSection 3-14-11. - Statute of limitations.

§ 3-14-11. Statute of limitations.
Any action under this chapter against a defendant alleging negligent or reckless conduct must be brought within three (3) years after the cause of action accrues.

History of Section.
P.L. 1986, ch. 537, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-14 - Rhode Island Liquor Liability ActSection 3-14-12. - Evidence of responsible serving practices.

§ 3-14-12. Evidence of responsible serving practices.
(a)
Proof of defendant's responsible serving practices is admissible as evidence that the server was not negligent or reckless. Responsible serving practices include, but are not limited to:
(1)
Defendant's and defendant's employees' attendance at a server education training course; and
(2)
Defendant's implementation, at the time of service, of responsible management policies, procedures, and actions.
(b)
Proof or disproof that the defendant was adhering to responsible serving practices is not by itself proof or disproof of negligence or recklessness.
History of Section.
P.L. 1986, ch. 537, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-14 - Rhode Island Liquor Liability ActSection 3-14-13. - Privileges.

§ 3-14-13. Privileges.
(a)
No licensee is liable for damages resulting from a good faith refusal to serve liquor to any individual who:
(1)
Fails to show proper identification of age;
(2)
Reasonably appears to be a minor; or
(3)
Is refused service in a good faith effort to prevent him or her from becoming visibly intoxicated.
(b)
No licensee is liable for retaining identification documents presented to the licensee as proof of the individual's age for the purpose of receiving liquor provided:
(1)
Retention is for a reasonable length of time in a good faith effort to determine whether the individual is of legal age; and
(2)
The licensee informs the individual why he or she is retaining the identification documents.
(c)
This section does not limit a licensee's right to assert any other defense provided by law.
(d)
A licensee may not be held liable under this chapter for failing to exercise any privilege provided in this section; however, this subsection does not provide immunity from liability under §§ 3-14-6 and 3-14-7.
History of Section.
P.L. 1986, ch. 537, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-14 - Rhode Island Liquor Liability ActSection 3-14-2. - Purposes.

§ 3-14-2. Purposes.
(a) Primary legislative purpose.
The primary legislative purpose of this chapter is to prevent intoxication-related injuries, deaths and other damages among Rhode Island's population.
(b) Secondary purposes.
The secondary legislative purposes are:
(1)
To establish a legal basis for obtaining compensation for those suffering damages as a result of intoxication related incidents in accordance with this chapter;
(2)
To allocate the liability for payment of damages fairly among those responsible for the damages, which will encourage liquor liability insurance availability; and

(3)
To encourage all servers of alcohol to exercise responsible serving practices.
History of Section.
P.L. 1986, ch. 537, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-14 - Rhode Island Liquor Liability ActSection 3-14-3. - Definitions.

§ 3-14-3. Definitions.
As used in this chapter, unless the context indicates otherwise, the following terms have the following meanings:
(a)
“Adult” means any person twenty-one (21) years of age or older.
(b)
“Intoxicated individual” means an individual who is in a state of intoxication as defined by this chapter.
(c)
“Intoxication” means a substantial impairment of a person’s mental or physical faculties as a result of drug or alcoholic beverage use so as to diminish that person’s ability to think and act in a manner in which an ordinary prudent and cautious person, in full possession of his or her faculties and using reasonable care, would act under like circumstances.
(d)
“Licensee” means the person to whom a license of any kind is issued by the local licensing authority and any person who is required to be licensed to serve or to permit the consumption of liquor.
(e)
“Liquor” means any intoxicating beverage which contains more than three and two tenths percent (3.2%) of alcohol by weight.
(f)
“Minor” means any person under the age of twenty-one (21) years.
(g)
“Person” means any individual, governmental body, corporation, or other legal entity.
(h)
“Service of liquor” means any sale, gift, or other furnishing of liquor.
(i)
“Visibly intoxicated” means a state of intoxication accompanied by a perceptible act or series of acts presenting an apparent sign or signs of intoxication.
History of Section.
P.L. 1986, ch. 537, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-14 - Rhode Island Liquor Liability ActSection 3-14-4. - Plaintiffs.

§ 3-14-4. Plaintiffs.
(a)
Except as provided in subsection (b), any person who suffers damage, as provided in § 3-14-8, may bring an action under this chapter. This chapter shall not be construed to limit any currently existing common law or statutory right.
(b)
The following persons may not bring an action under this chapter against a defendant for negligently serving liquor to an individual, but may bring an action under this chapter against a defendant for recklessly serving liquor to an individual:
(1)
The intoxicated tortfeasor if he or she was at least twenty-one (21) years old when served by the defendant;
(2)
The estate of the intoxicated tortfeasor if he or she was at least twenty-one (21) years old when served by the defendant; and
(3)
Any person asserting claims arising out of the personal injury or death of the intoxicated tortfeasor if the intoxicated tortfeasor was at least twenty-one (21) years old when served.
History of Section.
P.L. 1986, ch. 537, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-14 - Rhode Island Liquor Liability ActSection 3-14-5. - Defendants.

§ 3-14-5. Defendants.
The following persons who commit an act giving rise to liability, as provided in § 3-14-6, may be made defendants to a claim under this chapter:
(1)

An alcoholic beverage retail licensee, and any employee or agent of this licensee; or
(2)
Any person who, at the time of an act giving rise to liability, as provided in § 3-14-6, was required by law to have had an alcoholic beverage retail license under chapter 7 of this title and any employee or agent of that person.
History of Section.
P.L. 1986, ch. 537, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-14 - Rhode Island Liquor Liability ActSection 3-14-6. - Liability for negligent service of liquor.

§ 3-14-6. Liability for negligent service of liquor.
(a)
A defendant, as described in § 3-14-5, who negligently serves liquor to a minor is liable for damages proximately caused by the minor's consumption of the liquor.
(b)
A defendant, as defined in § 3-14-5, who negligently serves liquor to a visibly intoxicated individual is liable for damages proximately caused by the individual's consumption of the liquor.
(c)
Service of liquor to a minor or to an intoxicated individual is negligent if the defendant knows, or if a reasonable and prudent person in similar circumstances would know that the individual being served is a minor or is visibly intoxicated.
(d)
A defendant is not chargeable with knowledge of an individual's consumption of liquor or other drugs off the defendant's premises unless the individual's appearance and behavior, or other facts known to the defendant, would put a reasonable and prudent person on notice of that consumption.
(e)
Proof of service of alcoholic beverages to a person under twenty-one (21) years of age without request for identification forms a rebuttable presumption of negligence.
History of Section.
P.L. 1986, ch. 537, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-14 - Rhode Island Liquor Liability ActSection 3-14-7. - Liability for reckless service of liquor.

§ 3-14-7. Liability for reckless service of liquor.
(a)
A defendant, as defined in § 3-14-5, who recklessly provides liquor to a minor is liable for damages proximately caused by that minor's consumption of the liquor.
(b)
A defendant, as defined in § 3-14-5, who recklessly serves liquor to a visibly intoxicated individual is liable for damages proximately caused by that individual's consumption of the liquor.
(c)(1)
Service of liquor is reckless if a defendant intentionally serves liquor to an individual when the server knows that the individual being served is a minor or is visibly intoxicated, and the server consciously disregards an obvious and substantial risk that serving liquor to that individual will cause physical harm to the drinker or to others.
(2)
For the purposes of this chapter, the disregard of the risk, when viewed in light of the nature and purpose of the server's conduct and the circumstances known to him or her, must involve a gross deviation from the standard of conduct that a reasonable and prudent person would observe in the same situation.
(d)
Specific serving practices that are admissible as evidence of reckless conduct include, but are not limited to, the following:
(1)
Active encouragement of intoxicated individuals to consume substantial amounts of liquor;
(2)
Service of liquor to an individual who is under twenty-one (21) years old when the server has actual or constructive knowledge of the individual's age; and
(3)
Service of liquor to an individual that is so continuous and excessive that it creates a substantial risk of death by alcohol poisoning.
History of Section.
P.L. 1986, ch. 537, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-14 - Rhode Island Liquor Liability ActSection

3-14-8. - Damages.

§ 3-14-8. Damages.
(a)
Damages may be awarded for all injuries recognized under Rhode Island common or statutory law.
(b)
Punitive damages may be awarded in all actions based on reckless conduct, as set forth in § 3-14-7(c). Punitive damages may not be awarded for actions based on negligent conduct, as set forth in § 3-14-6(c).
(c)
Damages may be recovered under chapter 7 of title 10 and § 10-7-8, as in other tort actions.
History of Section.
P.L. 1986, ch. 537, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-14 - Rhode Island Liquor Liability ActSection 3-14-9. - Common law claims and defenses.

§ 3-14-9. Common law claims and defenses.
Common law claims and defenses applicable to tort actions based on negligence and recklessness in this state shall not be limited by this chapter.
History of Section.
P.L. 1986, ch. 537, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-2 - Liquor Control AdministrationSection 3-2-2. - Supervision.

§ 3-2-2. Supervision.
(a)
The department has general supervision of the conduct of the business of manufacturing, importing, exporting, storing, transporting, keeping for sale, and selling beverages.
(b)
The department may lease a warehouse for the purpose of efficiently exercising its powers and duties of inspection and may upon reasonable charges store beverages for license holders in the warehouse. No lease shall be for a longer period than five (5) years and every lease shall contain the provision that if it becomes unlawful to manufacture, keep for sale, and to sell beverages in this state it shall become void.
(c)
The department has the power at any time to issue, renew, revoke and cancel all manufacturers', wholesalers' and retailers' Class G licenses and permits as are provided for by this title.
(d)
The department shall supervise and inspect all licensed places to enforce the provisions of this title and the conditions, rules and regulations which the department establishes and authorizes.
History of Section.
P.L. 1933, ch. 2013, § 13; P.L. 1934, ch. 2088, § 4; G.L. 1938, ch. 164, § 6; P.L. 1941, ch. 1038, § 2; P.L. 1952, ch. 3044, § 1; G.L. 1956, § 3-2-2; P.L. 1970, ch. 79, § 2; P.L. 1996, ch. 100, art. 36, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-2 - Liquor Control AdministrationSection 3-2-3.1. - Bureau of importation — Superintendent.

§ 3-2-3.1. Bureau of importation — Superintendent.
Within the division of taxation there is a bureau of importation. The superintendent of the bureau is appointed by the director of the department of administration.
History of Section.
P.L. 1996, ch. 100, art. 36, § 3.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-2 - Liquor Control AdministrationSection 3-2-3. - Bureau of inspection — Superintendent.

§ 3-2-3. Bureau of inspection — Superintendent.
Within the department, there is a bureau of inspection. The superintendent of the bureau shall be appointed by the director of business regulation.
History of Section.
P.L. 1935, ch. 2250, § 74; G.L. 1938, ch. 164, § 7; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-2-3; P.L. 1996, ch. 100, art. 36, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-2 - Liquor Control AdministrationSection 3-2-4. - Superintendents ineligible to hold other office.

§ 3-2-4. Superintendents ineligible to hold other office.
Any person qualifying for the office of superintendent of the bureau of importation or superintendent of the bureau of inspection shall cease to hold any other elective office under the laws of this state. Anyone holding any office of trust and confidence under the laws of the United States shall not be eligible to qualify for the office of superintendent of the bureau of importation or inspection.
History of Section.
P.L. 1933, ch. 2013, § 52; G.L. 1938, ch. 164, § 3; impl. am. P.L. 1939, ch. 660, § 123; G.L. 1956, § 3-2-4; P.L. 1996, ch. 100, art. 36, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-2 - Liquor Control AdministrationSection 3-2-5. - Administration of oaths — Subpoena power — False swearing.

§ 3-2-5. Administration of oaths — Subpoena power — False swearing.
(a)
The superintendents of the bureaus of importation and inspection are authorized to administer oaths in matters on formal hearing before them and also in connection with any matter having to do with the performance of their duties.
(b)
The department in all cases before it is authorized and empowered to summon witnesses by subpoena signed by the director of the department and to compel those witnesses to attend and testify in the same manner as in either the supreme or the superior courts.
(c)
The department is authorized to compel the production of all papers, books, documents, records, certificates or other legal evidence that may be necessary for the determination and the decision of any question or the discharge of any duty required by law of the department, by issuing a subpoena duces tecum signed by the director. Any person who disobeys that writ is considered in contempt of the department, and the department may punish that and any other contempt of its authority in the same manner as contempts may be punished in either the supreme or the superior court.
(d)
Any person who willfully swears falsely in any proceeding, matter or hearing before the department is guilty of the crime of perjury.
History of Section.
P.L. 1933, ch. 2013, § 10; G.L. 1938, ch. 164, § 8; impl. am. P.L. 1939, ch. 660, § 123; G.L. 1956, § 3-2-5; P.L. 1996, ch. 100, art. 36, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-2 - Liquor Control AdministrationSection 3-2-6. - Suspension or revocation of license for refusing official's access to licensed premises.

§ 3-2-6. Suspension or revocation of license for refusing official's access to licensed premises.
If any inspector or other officer charged with the duty of supervision or inspection of places licensed under the provisions of this title is refused access to any licensed premises at a time when any person is within the licensed premises, after exhibiting his or her credentials if requested, that refusal shall be a sufficient ground for the suspension or revocation of that license.
History of Section.
G.L., ch. 164, § 6, as enacted by P.L. 1940, ch. 814, § 9; P.L. 1941, ch. 1038, § 2; P.L. 1952, ch. 3044, § 1; G.L. 1956, § 3-2-6.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-2 - Liquor Control AdministrationSection 3-2-7. - Records of the department.

§ 3-2-7. Records of the department.
All records of the department relating to liquor control are declared to be public records and are open to public inspection under any rules that the department of business regulation makes. The governor and attorney general are authorized to require the department to furnish to them any record, information, copy of any document, paper, book or other thing in their possession. Certified copies of any part of the records of the department are prima facie evidence of the matters contained in the records.
History of Section.
P.L. 1933, ch. 2013, § 79; G.L. 1938, ch. 164, § 14; impl. am. P.L. 1939, ch. 660, § 123; G.L. 1956, § 3-2-7; P.L. 1996, ch. 100, art 36, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-4 - Transportation of BeveragesSection 3-4-1. - Importation orders.

§ 3-4-1. Importation orders.
(a)
Except as otherwise provided, it is unlawful to import beverages into this state. A person desiring to import beverages into this state may place with the division of taxation an order directed to a dealer for the beverage he or she desires to import and shall satisfy the division of taxation of his or her intention to pay for the merchandise. The division of taxation shall execute these orders unless

doing so would involve some illegal act or the doing of an act which would be cause for the forfeiture of any license issued under this title.
(b)
All sellers, dealers, merchants, wholesalers and retailers of beverages who advertise in the state of Rhode Island, or whose advertisements are reasonably anticipated to circulate in this state shall prominently and conspicuously include within the advertisement a notice printed using a font size equal to but not larger than the font size of the largest price designation featured in the advertisement stating that the importation of beverages into the state, after purchase outside of the state, are subject to Rhode Island sales tax, and the failure to pay such tax may result in the seizure of such beverages upon entry into the state.
(c)
Any entity accepting commercial advertisements from any seller, dealer, merchant, wholesaler or retailer of beverages shall not publish such advertisement for the sale of such beverages unless the advertisement includes the notice set forth in this section.
History of Section.
P.L. 1933, ch. 2013, § 39; P.L. 1934, ch. 2088, § 10; G.L. 1938, ch. 164, § 11; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-4-1; P.L. 1996, ch. 100, art 36, § 6; P.L. 2007, ch. 73, art. 7, § 13.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-4 - Transportation of BeveragesSection 3-4-2. - Payment of purchase price and service charges.

§ 3-4-2. Payment of purchase price and service charges.
If the division of taxation decides to execute an order pursuant to § 3-4-1, it may require the payment to it, with the order and the means of paying for the merchandise desired, of a reasonable sum to cover any expenses it may be put to in connection with the transaction taken in connection with other similar transactions. It is a condition precedent to the receiving of the merchandise covered by the order that the party desiring the importation has paid the division of taxation a service charge based upon the manufacturing rates set forth in § 3-10-1 provided, that if the order is placed by a licensee who engages to store the goods ordered, or any part of them, in the warehouse of the department, then the payment of the service charge may be deferred until the goods are withdrawn from the warehouse and in that case the service charge is paid before each lot or parcel is withdrawn.
History of Section.
P.L. 1933, ch. 2013, § 39; P.L. 1934, ch. 2088, § 10; G.L. 1938, ch. 164, § 11; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-4-2; P.L. 1964, ch. 235, § 1; P.L. 1996, ch. 100, art. 36, § 6; P.L. 1997, ch. 30, art. 35, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-4 - Transportation of BeveragesSection 3-4-3. - Importation and payments by division of taxation.

§ 3-4-3. Importation and payments by division of taxation.
The division of taxation may arrange for the importation and payment of the sale price of the imported article. In case it does so, it shall cause the importation to be made in a manner that it will have an opportunity to examine and inspect the articles imported. All sums paid to the division of taxation, excepting sums for the payment of the sale price, shall be turned over to the general treasurer for the use of the state.
History of Section.
P.L. 1933, ch. 2013, § 39; P.L. 1934, ch. 2088, § 10; G.L. 1938, ch. 164, § 11; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-4-3; P.L. 1996, ch. 100, art. 36, § 6.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-4 - Transportation of BeveragesSection 3-4-4. - Risk assumed by purchaser.

§ 3-4-4. Risk assumed by purchaser.
The only obligation of the division of taxation, if it decides to execute an order pursuant to § 3-4-1, is to mail the order and the medium of payment for the order in case the division of taxation transmits the means of payment, to inspect the merchandise upon its delivery, and to notify the party ordering the merchandise of its arrival and where it may be found. The leaving with the division of taxation of the order and the making of the payments are taken to be an agreement upon the part of the person desiring the importation to assume all the risks of the transaction, and it is declared that he or she assumes those risks.
History of Section.
P.L. 1933, ch. 2013, § 39; P.L. 1934, ch. 2088, § 10; G.L. 1938, ch. 164, § 11; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-4-4; P.L. 1996, ch. 100, art. 36, § 6.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-4 - Transportation of BeveragesSection 3-4-5. - Class G licensees exempt.

§ 3-4-5. Class G licensees exempt.
Nothing contained in §§ 3-4-1 — 3-4-4 applies to or affects the rights of holders of Class G licenses to transport within this state, or to import into this state, beverages kept for sale or sold while actually en route in the cars or on the vessels of those licensees.
History of Section.

P.L. 1933, ch. 2013, § 39; P.L. 1934, ch. 2088, § 10; G.L. 1938, ch. 164, § 11; G.L. 1956, § 3-4-5.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-4 - Transportation of BeveragesSection 3-4-6. - Penalty for carrying beverages for unlawful sale.

§ 3-4-6. Penalty for carrying beverages for unlawful sale.
Every express carrier, common carrier, or other person who, for the purpose of carrying to any other person, receives any beverage which has been sold or is intended for sale in violation of this title, having reasonable cause to believe that the beverage has been, or is intended to be sold, shall be fined not more than five hundred dollars ($500) and may be prosecuted for this violation in the city or town where the beverage has been received, or in any city or town through or into which it has been carried.
History of Section.
P.L. 1933, ch. 2013, § 47; G.L. 1938, ch. 170, § 7; P.L. 1976, ch. 180, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-4 - Transportation of BeveragesSection 3-4-7. - Waybill or memorandum of shipment required.

§ 3-4-7. Waybill or memorandum of shipment required.
Whenever beverages are transported in wholesale quantities as defined in this section from the place where sold for delivery to the purchaser, the person in charge of the vehicle in which the beverage is transported shall, during the transportation, have in his or her possession a waybill or a memorandum from the seller to the purchaser showing the name and address of the seller and of the purchaser and the quantity and character of the beverage sold and transported. Upon the demand of any of the officers mentioned in this title, the person in charge of the transportation shall exhibit the waybill or the memorandum. The provisions of this section apply to interstate transactions insofar as this state, in the exercise of its police powers, may impose them. Any person transporting beverages in violation of this section shall be fined not more than fifty dollars ($50.00) for each offense.
History of Section.
P.L. 1933, ch. 2013, § 51; P.L. 1934, ch. 2088, § 11; G.L. 1938, ch. 170, § 8; G.L. 1956, § 3-4-7.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-4 - Transportation of BeveragesSection 3-4-8. - Unlawful sale and shipment.

§ 3-4-8. Unlawful sale and shipment.
(a)
It shall be unlawful for any person in the business of selling intoxicating beverages in another state or country to ship or cause to be shipped any intoxicating beverage directly to any Rhode Island resident who does not hold a valid wholesaler license issued by the State of Rhode Island. The foregoing shall not apply to any order for intoxicating beverages personally placed by the purchaser at the manufacturer's premises, for shipment to an address in Rhode Island for nonbusiness purpose. Any shipment of intoxicating beverages pursuant to this section shall contain the language: "Contains Alcohol, Adult Signature (over 21) Required for Delivery."
(b)
Any person who violates subsection (a) of this section shall, for the first offense, be mailed a certified letter by the department ordering that person to cease and desist any shipment of intoxicating beverages to Rhode Island residents and for each subsequent offense shall be fined one thousand five hundred dollars ($1,500).
History of Section.
P.L. 2001, ch. 314, § 1; P.L. 2001, ch. 341, § 1; P.L. 2002, ch. 311, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-1. - License required for manufacture, sale, or importation of beverages.

§ 3-5-1. License required for manufacture, sale, or importation of beverages.
No person shall at any time manufacture or sell or suffer to be manufactured or sold or keep or suffer to be kept on his or her premises or possession or under his or her charge for the purpose of sale within this state any beverage unless licensed to do so as provided in this title; and except as provided in this title no person shall import, or suffer to be imported beverages into this state.
History of Section.
P.L. 1933, ch. 2013, § 3; G.L. 1938, ch. 163, § 1; G.L. 1956, § 3-5-1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-10. - Residence of licensees and qualifications of persons and corporations as licensee.

§ 3-5-10. Residence of licensees and qualifications of persons and corporations as licensee.
(a)(1)
Except as otherwise provided, licenses are issued only to citizens who are residents of this state. It is not required that dining car companies, sleeping car companies, railroad companies operating in this state, or companies operating passenger-carrying marine vessels in this state be citizens of this state in order to be eligible to receive retailers' Class G licenses. Retailer's licenses may, however, be issued to corporations incorporated in any other of the United States which are authorized by the secretary of state to

transact business in this state.
(2)
Notwithstanding the provisions of subsection (a)(1) of this section, no license shall be issued, granted, renewed, or transferred to any trust or trustee or to any corporation of which any share or shares of stock or other indicia of ownership or control are owned or held by any trust, or trustee, business organization, or other entity or person other than a natural person or corporation authorized by the secretary of state to transact business in this state; provided, however, that this subsection shall not affect any grant, renewal, or transfer of a license which occurred prior to the effective date of this subsection [June 15, 2000].
(b)(1)
In applications for beverage licenses by corporations except those having more than twenty-five (25) stockholders, the names and addresses of all officers and members of the board of directors and of all stockholders shall be filed with the board, body, or official to whom application is made. No beverage license shall be issued to the corporation unless each officer, director or stockholder is a suitable person to hold a license within the discretion of the board, body or official to whom application is made.
(2)
All those corporations holding beverage licenses shall report to the board, body or official who issued the licenses the name of any newly elected officer or director and the acquisition by any person of more than ten percent (10%) of any class of corporate stock, within thirty (30) days after the election or acquisition. Thereupon, the board, body or official may call a hearing, at its discretion, to determine whether the new officer, director or stockholder is a suitable person under this section and the board, body or official may revoke or suspend the license if the new officer or director or stockholder is not a suitable person to hold a license.
(3)
No person shall acquire fifty percent (50%) or more of any class of the stock of any corporation licensed under this section, except corporations having more than twenty-five (25) stockholders, unless permission for the acquisition is first given by the board, body or official who issued the license. Application for permission to acquire stock is subject to the provisions of § 3-5-19 relating to the transfer of a license to another person except that it shall not be necessary that a new bond be given. Unless the board, body or official determines that the person seeking permission to acquire fifty per cent (50%) or more of the corporation’s stock is a suitable person to hold a license, the permission shall not be given.
(4)
The beverage license of a corporation is subject to suspension or revocation for failure to comply with any of the provisions of this section or for any fraud or misrepresentation in connection with the beverage license.
(c)
Applicants for beverage licenses shall make full disclosure in their applications for a license of any interest, whether direct or indirect, by any other person, firm or corporation in the license applied for, and failure to do so or any misrepresentation by the applicant may be cause for denial of the application or revocation of the license if granted by the board, body or official issuing the license.
(d)
The board, body or official issuing beverage licenses may also deny applications of persons who have criminal records, or who have records of repeated violations of this title.
History of Section.
P.L. 1933, ch. 2013, § 17; P.L. 1934, ch. 2088, § 5; G.L. 1938, ch. 163, § 4; G.L. 1956, § 3-5-10; P.L. 1963, ch. 156, § 1; P.L. 1965, ch. 109, § 1; P.L. 1973, ch. 194, § 1; P.L. 2000, ch. 48, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-11.1. - Liquor franchises prohibited.

§ 3-5-11.1. Liquor franchises prohibited.
(a)
To promote the effective and reasonable control and regulation of the Rhode Island alcoholic beverage industry and to help the consumer by protecting their choices and ensuring equitable pricing. Class A liquor license authorized by this title shall not be granted, issued, renewed, or transferred to or for the use of any liquor franchisor or franchisee. Class A liquor license holders are expressly prohibited from utilizing the provisions of the Rhode Island Franchise Investment Act, chapter 28.1 of title 19.
(b)
Any franchise agreements involving the retail sales of alcoholic beverages are hereby declared null and void and illegal as of the effective date of this section [April 1, 2005].
(c)
Any franchise agreements involving the retail sales of alcoholic beverages shall be terminated by the franchisor or the franchisee within thirty (30) days of the effective date of this section.
(d)
Upon finding of a violation of this section by either the franchisor or the licensee, the department shall be empowered to set a fine up to the amount of ten thousand dollars ($10,000) per violating franchisor or licensee, revoke the license of the violator or suspend the license of the violator for a period of time to be determined by the department. Additionally, the department shall have the power to revoke or suspend the franchise registration in accordance with § 19-28.1-18 and to order it to cease and desist from all operations

that are violative of the provisions of this section.
Notwithstanding anything contained in this chapter to the contrary, this act shall not be construed as to prevent the utilization of duly licensed professionals rendering services as independent contractors.
History of Section.
P.L. 2004, ch. 376, § 2; P.L. 2004, ch. 469, § 2; P.L. 2016, ch. 511, art. 1, § 3.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-11. - Licensing of chain stores.

§ 3-5-11. Licensing of chain stores.
(a)
Licenses, except retailer's Class E, Class B, Class B-H, Class B-L, Class B-M, and Class B-V licenses, authorized by this title shall not be granted, issued, or transferred to or for the use of any "chain store organization," which term shall consist of any chain of retail or wholesale business or business organizations, and more specifically defined herein, including, without limitation, grocery stores, markets, department stores, and convenience stores, as well as retailers of alcoholic beverages, and which include chains in which one or more stores are located outside of the state.
(b)
The term "chain store organization" is defined to include, but not limited to:
(1)
Any group of one or more holders of Class A liquor licenses who engage in one or more of the following practices with respect to the business conducted under such licenses, either directly or indirectly, or have any direct or indirect beneficial interest in the following practices:
(i)
Common, group, centralized or coordinated purchases of wholesale merchandise.
(ii)
Common billing or utilization of the services of the same person or the same entity in the management or operation of more than one liquor licensed business.
(iii)
Participation in a coordinated or common advertisement with one or more liquor licensed business in any advertising media.
(iv)
Coordinated or common planning or implementation of marketing strategies.
(v)
Participation in agreed upon or common pricing of products.
(vi)
Any term or name identified as a chain or common entity.
(2)
Any group of one or more liquor license holders who share any of the following common features, either directly or indirectly or acquire any direct or indirect beneficial interest in the following practices:
(i)
The same director of a corporation, member of a LLC, LLP, partner in a general or limited partnership, trustee or beneficiary of a trust.
(ii)
The same individual or corporate owners.
(3)
Any group of one or more license holders that is found to be a "chain store organization" as a factual matter by the department, as a result of an evidentiary hearing in connection with any application for the issuance, grant or transfer of a license, or upon the filing of a complaint by any member of the public.
(4)
Upon a finding of violation of this section, the department shall be empowered to set a fine up to the amount of ten thousand dollars ($10,000) per violating licensee, revoke the license of the violator, or suspend the license of the violator for a period of time to be determined by the department. Additionally, the department shall issue a cease and desist order against the violating chain store entity(s) and may further order the dissolution of the violating chain store entity(s).
History of Section.
P.L. 1933, ch. 2013, § 6; P.L. 1934, ch. 2088, § 2; G.L. 1938, ch. 163, § 5; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-5-11; P.L. 1990, ch. 45, § 1; P.L. 1994, ch. 421, § 1; P.L. 2004, ch. 376, § 1; P.L. 2004, ch. 469, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-12. - Licensees to keep or sell legal beverages only — Minimum size of containers.

§ 3-5-12. Licensees to keep or sell legal beverages only — Minimum size of containers.
Only beverages which have been legally manufactured and on which all taxes and charges, federal and state, have been paid, shall

be kept for sale or sold by a licensee. Holders of Class B, C, D, I and J licenses shall not have on the licensed premises distilled or vinous beverages in the containers, nor bottles, flasks or containers of less capacity than twenty-three ounces (23 oz.). Holders of Class B wholesaler's licenses, Class G retailer's licenses, Class B-H retailer's licenses and Class A retailer's licenses are authorized to keep for sale and to sell distilled beverages in containers of a minimum capacity of fifty milliliters (50 mls.) or one and seven tenths ounces (1.7 oz.).
History of Section.
P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; P.L. 1940, ch. 814, § 4; impl. am. P.L. 1952, ch. 3004, § 1; G.L. 1956, § 3-5-12; P.L. 1966, ch. 218, § 2; P.L. 1985, ch. 66, § 1; P.L. 1986, ch. 535, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-13. - Consumption of distilled liquors on premises.

§ 3-5-13. Consumption of distilled liquors on premises.
Licenses to be issued under this chapter shall in no case authorize the sale for consumption on the premises where sold of distilled liquors, or of beverages composed wholly or partly of those liquors, unless these sales are authorized by this title.
History of Section.
P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; G.L. 1956, § 3-5-13.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-14.1. - Licenses issued by the department of business regulation.

§ 3-5-14.1. Licenses issued by the department of business regulation.
The right, power, and jurisdiction to issue manufacturer's and wholesaler's licenses are solely in the department. The department has the right and power to limit the number of manufacturer's and wholesaler's licenses of each class.
History of Section.
P.L. 1996, ch. 100, art. 36, § 8.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-14. - Licenses issued by department of business regulation.

§ 3-5-14. Licenses issued by department of business regulation.
The right, power, and jurisdiction to issue manufacturer's, wholesaler's, or retailer's Class G and Class I licenses are solely in the department of business regulation; provided, that before the department issues any Class I license it shall first receive the approval of the licensing authority of the town or city in which the premises covered by the Class I license are located; and provided, that the number of Class I licenses in the state shall be limited to one to each twenty-five thousand (25,000) of its inhabitants as determined by the latest census taken under the authority of the United States or of this state.
History of Section.
P.L. 1933, ch. 2013, § 11; P.L. 1934, ch. 2088, § 3; G.L. 1938, ch. 164, § 4; P.L. 1940, ch. 814, § 7; G.L. 1956, § 3-5-14.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-15. - Local licensing authorities.

§ 3-5-15. Local licensing authorities.
The right, power, and jurisdiction to issue all other licenses authorized by this title within the maximum number to be fixed as provided in § 3-5-16 are in the town councils or license boards of the several towns, and in the mayors and city councils in the several cities. However, where a police commission exists in a town or in a city that police commission has the right, power, and jurisdiction to issue those other licenses. If there is neither a city council nor a police commission in a city, the right, power, and jurisdiction shall be in the mayor and council. In the city of Providence the right, power, and jurisdiction are in the bureau of licenses. In the several cases where the town councils or license boards of the several towns, the mayors and city councils of the several cities, or the mayor and council of a city are authorized to issue licenses, they are for that purpose constituted license commissioners, and in those cases the town or city clerk is the clerk of those commissioners.
History of Section.
P.L. 1933, ch. 2013, § 11; P.L. 1934, ch. 2088, § 3; G.L. 1938, ch. 164, § 4; impl. am. P.L. 1951, ch. 2721, § 4; G.L. 1956, § 3-5-15.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-16.1. - Revocation of abandoned Class A licenses.

§ 3-5-16.1. Revocation of abandoned Class A licenses.
Whenever it comes to the attention of any local licensing authority as defined in § 3-5-15 that the holder of a Class A license has abandoned the premises from which the licensee has been conducting his or her business or has ceased to operate under the license for a period of ninety (90) days or more then after hearing with due notice to the licensee the local licensing authority shall cancel the license; provided, that the authority may grant a reasonable period of time, not to exceed one year, to the licensee within which to reestablish the business where the abandonment or cessation of operating was due to illness, death, condemnation of business

premises, fire or other casualty.
History of Section.
G.L. 1956, § 3-5-16.1; P.L. 1969, ch. 63, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-16. - Maximum number of licenses.

§ 3-5-16. Maximum number of licenses.
(a)(1)
The department of business regulation shall have the right and power to limit the number of licenses of each class. The limit shall not exceed the maximum number, if any, of any class of license that is fixed by the licensing boards within their respective towns or cities.
(2)
The number of Class C licenses in any town or city shall not exceed one for each one thousand (1,000) of its inhabitants.
(3)
Every city and town may grant in any year renewals of any license of Class A in operation prior to April 28, 1969, except when renewal of that license is refused for cause, but no further new and original licenses of Class A shall be granted until the number of licenses of Class A outstanding in any city or town has been reduced to less than one for each six thousand (6,000) of its inhabitants (one for each four thousand (4,000) of its inhabitants in any city or town with less than twenty thousand (20,000) inhabitants), as determined by the last census taken under the authority of the United States or the state, by cancellation, revocation, or the failure of holders of those licenses to apply for renewals. After that reduction to less than one for each six thousand (6,000) inhabitants (one for each four thousand (4,000) inhabitants in any town or city with less than twenty thousand (20,000) inhabitants), licenses of Class A may be granted in any year by any city or town only up to a total not exceeding one for each six thousand (6,000) of its inhabitants (one for each four thousand (4,000) of its inhabitants in any town or city with less than twenty thousand (20,000) inhabitants) as determined by census as required in this subsection. However, two (2) Class A licenses may be issued by every city or town of the state irrespective of population and, until the qualified electors of any city or town shall vote to the contrary, one Class A license may be issued in every city or town in this state unless otherwise ordered by the city or town council.
Any Class A license issued to or held by a Class E licensee pursuant to the provisions of § 3-7-5 shall be included in the total of, and subject to the limit upon the number of, Class A licenses which may be granted by any city or town under this section.
(b)
The transfer of any existing license from the holder of this license to another person shall not be considered as the issuance of a new license under this section.
(c)
The several cities and towns, except those cities and towns that had in effect on June 1, 1971, a limit on the number of retailers' Class B or D licenses, shall not issue any new retailers' Class B or D licenses until May 1, 1972. The provisions of this section shall not apply to any application filed on or before May 30, 1971.
(d)
Notwithstanding the provisions of subsection (a) of this section, irrespective of the population of the town of Smithfield, it is expressly authorized to issue a total of five (5) Class A liquor licenses.
History of Section.
P.L. 1933, ch. 2013, § 16; P.L. 1936, ch. 2338, § 2; G.L. 1938, ch. 164, § 10; P.L. 1940, ch. 814, § 10; P.L. 1941, ch. 1038, § 3; impl. am. P.L. 1952, ch. 3004, § 1; G.L. 1956, § 3-5-16; R.P.L. 1957, ch. 150, § 1; P.L. 1958, ch. 114, § 1; P.L. 1959, ch. 148, § 1; P.L. 1961, ch. 163, § 1; P.L. 1963, ch. 167, § 1; P.L. 1964, ch. 223, § 1; P.L. 1965, ch. 132, § 1; P.L. 1966, ch. 120, § 1; P.L. 1967, ch. 93, § 1; P.L. 1968, ch. 19, § 1; P.L. 1969, ch. 44, § 1; P.L. 1969, ch. 114, § 1; P.L. 1970, ch. 198, § 1; P.L. 1971, ch. 138, § 1; P.L. 1999, ch. 352, § 1; P.L. 2015, ch. 27, § 1; P.L. 2015, ch. 31, § 1; P.L. 2020, ch. 20, § 1; P.L. 2020, ch. 44, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-17. - Notice and hearing on licenses.

§ 3-5-17. Notice and hearing on licenses.
Before granting a license to any person under the provisions of this chapter and title, the board, body or official to whom application for the license is made, shall give notice by advertisement published once a week for at least two (2) weeks in some newspaper published in the city or town where the applicant proposes to carry on business, or, if there is no newspaper published in a city or town, then in some newspaper having a general circulation in the city or town. Applications for retailer's Class F, P and Class G licenses need not be advertised. The advertisement shall contain the name of the applicant and a description by street and number or other plain designation of the particular location for which the license is requested. Notice of the application shall also be given, by mail, to all owners of property within two hundred feet (200′) of the place of business seeking the application. The notice shall be given by the board, body or official to whom the application is made, and the cost of the application shall be borne by the applicant. The notices shall state that remonstrants are entitled to be heard before the granting of the license, and shall name the time and place of the hearing. At the time and place a fair opportunity shall be granted the remonstrants to make their objections before acting upon the application; provided that no advertisement or notice need be given pursuant to this section when a license holder applies for a

temporary seasonal expansion of an existing liquor license.
History of Section.
P.L. 1933, ch. 2013, § 20; P.L. 1934, ch. 2088, § 5; G.L. 1938, ch. 163, § 6; G.L. 1956, § 3-5-17; P.L. 1977, ch. 216, § 1; P.L. 2003, ch. 241, § 2; P.L. 2003, ch. 366, § 2; P.L. 2007, ch. 501, § 1; P.L. 2007, ch. 511, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-18. - Signature on licenses — Posting and exhibition.

§ 3-5-18. Signature on licenses — Posting and exhibition.
(a)
All retail licenses issued under chapter 7 of this title shall bear the signature, or electronic signature, of the clerk of the licensing board, body, or officials issuing them, and shall not be printed, stamped, typewritten, engraved, photographed, or cut from one instrument and attached to another and shall be displayed by the licensee, on the premises, and shall be exhibited on demand to any deputy sheriff, to any city or town sergeant, constable, officer or member of the city or town police or to any member of the department of state police or agent of the department.
(b)
All retail licenses shall be displayed within the premises but need not be posted. The license shall be exhibited to any deputy sheriff of the county, to any city or town sergeant, constable, officer or member of the city or town police or to any member of the department of state police or agent of the department who request proof that the establishment is duly licensed.
History of Section.
P.L. 1933, ch. 2013, § 29; G.L. 1938, ch. 163, § 16; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-5-18; P.L. 1970, ch. 234, § 1; P.L. 2006, ch. 638, § 1; P.L. 2010, ch. 255, § 1; P.L. 2012, ch. 324, § 8; P.L. 2018, ch. 176, § 1; P.L. 2018, ch. 289, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-19. - Transfer or relocation of license.

§ 3-5-19. Transfer or relocation of license.
(a)
The board, body or official which has issued any license under this title may permit the license to be used at any other place within the limits of the town or city where the license was granted, or, in their discretion, permit the license to be transferred to another person, but in all cases of change of licensed place or of transfer of license, the issuing body shall, before permitting the change or transfer, give notice of the application for the change or transfer in the same manner as is provided in this chapter in the case of original application for the license, and a new bond shall be given upon the issuance of the license provided, that notice by mail need not be made in the case of a transfer of a license without relocation. In all cases of transfer of license, indebtedness of the licensee incurred in the operation of the licensed premises shall be paid to or released by an objecting creditor before the issuing body permits the transfer. In cases of dispute as to the amount of indebtedness, the issuing body, may, in its discretion, permit the transfer upon statement of the licensee, under oath, that the claim of indebtedness is disputed and that the statement of dispute is not interposed for the purpose of inducing transfer of the license. No creditor is allowed to object to the transfer of a license by a receiver, trustee in bankruptcy, assignee for the benefit of creditors, executor, administrator, guardian or by any public officer under judicial process. In case of the death of any licensee, the license becomes part of the personal estate of the deceased. The holders of any retail Class A license within the city or town issuing or transferring a Class A license have standing to be heard before the board, body, or official granting or transferring the license.
(b)
The transfer of a license is contingent upon the full payment of outstanding police detail bills.
(c)
The transferee of a license assumes all penalties that the license board has imposed upon the transferor of the license.
History of Section.
P.L. 1933, ch. 2013, § 37; G.L. 1938, ch. 163, § 15; G.L. 1956, § 3-5-19; R.P.L. 1957, ch. 59, § 1; P.L. 1959, ch. 154, § 1; P.L. 1977, ch. 216, § 1; P.L. 1987, ch. 423, § 1; P.L. 2011, ch. 200, § 1; P.L. 2011, ch. 309, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-2. - Local option — Questions put to electors — Petition for election.

§ 3-5-2. Local option — Questions put to electors — Petition for election.
(a)
In every election in every town and city, held for the election of town or city officers, the official or officials charged with the duty of preparing the official ballot labels, shall cause to be printed on these ballot labels the following questions:
“Shall licenses for the sale of beverages as defined in chapters 5, 6, and 7 of title 3, be issued in this town (or city)?”
“Shall retailers’ Class C beverage licenses provided for in § 3-7-8, be issued in this town (or city)?”
(b)
No vote may be taken on either of those questions in any town or city unless a number of qualified electors equal in cities to ten percent (10%) and in towns to fifteen per cent (15%) of the total legal vote cast in the city or town for governor at the general

election next preceding shall petition the clerk or the official acting as the secretary or clerk of the board of canvassers and registration, or the board, body or official exercising in that town or city the powers of such a board, at least twenty (20) days prior to the election and the clerk or other official shall, on the petition, insert a provision for the taking of the vote or votes in the warrant calling the town, ward or district meeting.
History of Section.
P.L. 1933, ch. 2013, § 25; P.L. 1934, ch. 2088, § 7; G.L. 1938, ch. 171, § 1; G.L. 1956, § 3-5-2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-20.1. - Manufacturer's and wholesaler's licenses — Notice and procedure.

§ 3-5-20.1. Manufacturer's and wholesaler's licenses — Notice and procedure.
All manufacturer's and wholesaler's licenses to be issued under this chapter shall be in any form prescribed by the department. The licensee shall be held liable under any rules and regulations that the department shall impose, establish and authorize and the department is authorized to establish any rules and regulations. Notwithstanding any of the foregoing provisions of this section, the adoption or authorization of rules and regulations by the department and the modification or repeal of any rules and regulations previously adopted shall be by written order of the department and adopted in accordance with the provisions of chapter 35 of title 42.
History of Section.
P.L. 1996, ch. 100, art. 36, § 8.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-20. - Rules and regulations — Notice and procedure.

§ 3-5-20. Rules and regulations — Notice and procedure.
All licenses issued shall be in any form prescribed by the department of business regulation and the license shall be held under any rules and regulations as the department shall impose, establish, and authorize and the department is authorized to establish rules and regulations and to authorize the making of any rules and regulations by the licensing authority of the several towns and cities as in their discretions in the public interest seem proper to be made. Notwithstanding any of the foregoing provisions of this section, the adoption or authorization of rules and regulations by the department and the modification or repeal of any rules and regulations previously adopted shall be by written order of the department and adopted in accordance with the provisions of chapter 35 of title 42.
History of Section.
P.L. 1933, ch. 2013, § 12; G.L. 1938, ch. 164, § 5; P.L. 1940, ch. 814, § 8; G.L. 1956, § 3-5-20.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-21. - Revocation or suspension of licenses — Fines for violating conditions of license.

§ 3-5-21. Revocation or suspension of licenses — Fines for violating conditions of license.
(a)
Every license is subject to revocation or suspension and a licensee is subject to fine by the board, body, or official issuing the license, or by the department or by the division of taxation, on its own motion, for:
(1)
Breach by the holder of the license of the conditions on which it was issued; or
(2)
Violation by the holder of the license of any rule or regulation applicable; or
(3)
Any fraudulent act or "material misrepresentation" made by an applicant for a license or a licensee, including, but not limited to, any misrepresentation of information upon which the licensing board reasonably relies in rendering any decision concerning a license, licensee, or establishment; or
(4)
Breach of any provisions of this chapter; or
(5)
Operating in any manner inconsistent with the license, or in any manner consistent with another class license, without first coming before the board for a new license application.
(b)
Any fine imposed pursuant to this section shall not exceed five hundred dollars ($500) for the first offense and shall not exceed one thousand dollars ($1,000) for each subsequent offense. For the purposes of this section, any offense committed by a licensee three (3) years after a previous offense shall be considered a first offense.
(c)
In the event that a licensee is required to hire a police detail and the police refuse to place a detail at the location because a licensee has failed to pay outstanding police detail bills or to reach a payment plan agreement with the police department, the license board may prohibit the licensee from opening its place of business until such time as the police detail bills are paid or a payment plan

agreement is reached.
(d)
Upon any violation by a licensee under § 3-5-21, the local licensing board, at its sole discretion, may impose a limitation on the hours of operation of the licensee, regardless of the license type, and notwithstanding any prior approval of an application for a later closing time.
History of Section.
P.L. 1933, ch. 2013, § 12; G.L. 1938, ch. 164, § 5; P.L. 1940, ch. 814, § 8; G.L. 1956, § 3-5-21; P.L. 1985, ch. 393, § 1; 1988, ch. 202, § 1; P.L. 1996, ch. 100, art. 36, § 7; P.L. 2011, ch. 200, § 1; P.L. 2011, ch. 309, § 1; P.L. 2016, ch. 384, § 1; P.L. 2016, ch. 402, § 1; P.L. 2017, ch. 451, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-22. - Reissuance of license after revocation.

§ 3-5-22. Reissuance of license after revocation.
In case any license issued is revoked, the board, body or official revoking the license shall, as part of the order of revocation, provide that no license be granted to the same person for the period of one year after the revocation, and in case the order is made, no license shall be issued during the year to the person whose license is revoked.
History of Section.
P.L. 1933, ch. 2013, § 11; P.L. 1934, ch. 2088, § 3; G.L. 1938, ch. 164, § 4; G.L. 1956, § 3-5-22.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-23. - Revocation of license for criminal offenses or disorderly conditions — Action on bond.

§ 3-5-23. Revocation of license for criminal offenses or disorderly conditions — Action on bond.
(a)
If any licensed person is convicted of violating any of the provisions of this title, or of chapters 6, 10, 34, or 45 of title 11, or §§ 11-2-1, 11-9-13, 11-9-15, 11-11-5, 11-18-2 — 11-18-4, 11-20-1, 11-20-2, 11-23-4, 11-30-1 — 11-30-11, 11-31-1 or 11-37-2 — 11-37-4, or pleads guilty or nolo contendere to any complaint or indictment under any of these provisions, or if his or her license is revoked, his or her bond shall be put in suit by the town or city treasurer of the city or town where the bond is given, and by due process of law, the penal sum of the bond shall be recovered for the use of the town or city.
(b)
If any licensed person permits the house or place where he or she is licensed to sell beverages under the provisions of this title to become disorderly as to annoy and disturb the persons inhabiting or residing in the neighborhood, or permits any gambling or unlawful gaming to be carried on in the neighborhood, or permits any of the laws of this state to be violated in the neighborhood, in addition to any punishment or penalties that may be prescribed by statute for that offense, he or she may be summoned before the board, body, or official that issued his or her license and before the department, when he or she and the witnesses for and against him or her may be heard. If it appears to the satisfaction of the board, body, or official hearing the charges that the licensee has violated any of the provisions of this title or has permitted any of the things listed in this section, then the board, body, or official may suspend or revoke the license or enter another order.
(c)
In case the license is revoked, the licensed person after the revocation shall cease to have any authority under the license and shall be disqualified from holding any of the licenses provided for in this title for a period of five (5) years following the revocation.
(d)
The revocation of a license shall not interfere with, or prejudice the right of, recovery upon the licensee’s bond for the full amount of the bond.
History of Section.
P.L. 1933, ch. 2013, § 30; G.L. 1938, ch. 163, § 10; P.L. 1948, ch. 2124, § 1; G.L. 1956, § 3-5-23; P.L. 1987, ch. 78, § 10; P.L. 1996, ch. 100, art. 36, § 7; P.L. 1997, ch. 326, § 3; P.L. 2016, ch. 512, art. 2, § 42.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-24. - Licensee becoming bail.

§ 3-5-24. Licensee becoming bail.
If any person holding a license under this title becomes bail for any person complained of for violating any of the provisions of this title, his or her license becomes void as of the day of becoming bail.
History of Section.
P.L. 1933, ch. 2013, § 28; G.L. 1938, ch. 163, § 12; G.L. 1956, § 3-5-24.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-25. - Antiunion discrimination.

§ 3-5-25. Antiunion discrimination.

If the department determines that any licensee under this title has discriminated against any employee because that employee is or has become a member of any trade union, the licensee shall forfeit his or her license.
History of Section.
P.L. 1933, ch. 2013, § 53; G.L. 1938, ch. 163, § 18; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-5-25.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-26. - Records of proceedings — Admission in evidence.

§ 3-5-26. Records of proceedings — Admission in evidence.
(a)
The board, body or official issuing licenses under this title shall keep records of its proceedings and those records are declared to be public records to which the public has the right of access at any reasonable time and under any rules as shall be established by the board, body or official keeping those records.
(b)
Copies of those records certified by the secretary or clerk of the board, body or official keeping those records shall be received in any court as evidence of any of the proceedings recorded and the certificate of the clerk that it does not appear by those records that a person named in the certificate holds, or held at any named time, a license under this title shall be evidence of the fact stated in the certificate.
History of Section.
P.L. 1933, ch. 2013, § 23; G.L. 1938, ch. 163, § 13; G.L. 1956, § 3-5-26.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-27. - Annual reports.

§ 3-5-27. Annual reports.
(a)
Boards, bodies or officials in towns or cities issuing licenses under this title shall annually on or before the first day of December, and at any other times required by the department, make a report to the department, which states the number of licenses granted by them lawfully outstanding at the time of the report with the names and addresses of the licensees, and a description of the licensed places, and the amount of money received and any other information required by the department. The department shall make available, by electronic means, the annual reports filed by said towns and cities to provide those reports to members of the public and general assembly upon request.
(b)
The department shall, on or before the first day of February in every year, make available on its website, a report showing the number of manufacturers and wholesalers licenses granted by it lawfully outstanding at the time of the report with the names and addresses of licensees and a description of the licensed places, and the division of taxation shall report the amount of money received, showing the amount of beverages of various kinds imported into this state by each licensed dealer and the amount of service charge collected and the general condition affecting the use of beverages in this state.
History of Section.
P.L. 1933, ch. 2013, § 24; G.L. 1938, ch. 163, § 14; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-5-27; P.L. 1996, ch. 100, art. 36, § 7; P.L. 2015, ch. 82, § 1; P.L. 2015, ch. 105, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-28. - Uniform procedures.

§ 3-5-28. Uniform procedures.
The department is authorized to issue any orders and prescribe any forms to local licensing boards or authorities that will provide uniform procedures and forms in the processing, handling and reporting of license applications and disciplinary actions against licensees by local licensing boards or authorities.
History of Section.
G.L. 1956, § 3-5-28; P.L. 1965, ch. 109, § 2; P.L. 1996, ch. 100, art. 36, § 7.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-29. - Prohibition against assignment or leasing of license.

§ 3-5-29. Prohibition against assignment or leasing of license.
The holder of a license issued pursuant to this title shall not assign, rent, lease or let the license but may transfer his or her interest only as provided in § 3-5-19.
History of Section.
G.L. 1956, § 3-5-29; P.L. 1968, ch. 80, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-3. - Tabulation of votes.

§ 3-5-3. Tabulation of votes.
The results of the vote upon questions submitted in the towns and cities shall be counted and tabulated in the manner provided for in chapter 19 of title 17.
History of Section.
P.L. 1933, ch. 2013, § 25; P.L. 1934, ch. 2088, § 7; G.L. 1938, ch. 171, § 1; G.L. 1956, § 3-5-3.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-4. - Denial of licenses after adverse vote.

§ 3-5-4. Denial of licenses after adverse vote.
If a majority of ballots cast on which the electors have indicated their choice upon the first of the questions in § 3-5-2 is against the granting of licenses, no license for the sale of beverages mentioned in the question shall be issued under the provisions of this chapter and chapters 6 and 7 of this title in the town or city for the two (2) years beginning December second after the election, nor until a majority of the electors of the town or city who vote in response to the question at a subsequent election in the town or city vote affirmatively on this question. If a majority of the ballots cast on which the electors have indicated their response to the second of the questions in § 3-5-2 is against the granting of the license mentioned in the question, no license shall be issued in the town or city during the same two (2) years, nor until a majority of the electors in the town or city, who vote in response to the question shall, at a subsequent similar election, vote affirmatively on this question. Nothing contained in this section prevents the granting of a license for the manufacture of beverages in any city or town to be sold for export beyond the state, or to any person authorized to sell those beverages in any city or town in the state.
History of Section.
P.L. 1933, ch. 2013, § 25; P.L. 1934, ch. 2088, § 7; G.L. 1938, ch. 171, § 1; G.L. 1956, § 3-5-4.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-5. - Towns and cities in which licenses authorized.

§ 3-5-5. Towns and cities in which licenses authorized.
It is lawful in every town and city in this state, except in the town of Barrington, to issue licenses for the manufacture, keeping for sale, and sale of beverages in these cities and towns and if upon any referendum provided for in § 3-5-2 the majority of the ballots cast in the town of Barrington are in favor of granting licenses for the sale of nonintoxicating or intoxicating beverages, then licenses may be issued for the sale in that town of beverages in accordance with the result of that referendum; and provided, further, that no license for the sale of nonintoxicating beverages or of intoxicating beverages shall be issued in any town or city in this state if a majority of the ballots on which the electors in these cities or towns have indicated their response to the appropriate question are opposed to the issuing of those licenses.
History of Section.
P.L. 1933, ch. 2013, § 4; P.L. 1934, ch. 2088, § 2; G.L. 1938, ch. 163, § 2; G.L. 1956, § 3-5-5.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-6. - Classes of licenses.

§ 3-5-6. Classes of licenses.
There are several classes of beverage licenses, each of which authorizes the doing of things stated in the chapter and sections concerning the class of license.
History of Section.
P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; G.L. 1956, § 3-5-6.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-7. - Wholesale and retail sales distinguished.

§ 3-5-7. Wholesale and retail sales distinguished.
The sale of malt beverages in quantities of more than eight (8) gallons and the sale of vinous beverages and of beverages consisting in whole or in part of alcohol, which is the product of distillation in quantities of more than three (3) gallons, constitutes a sale by wholesale, and a sale of those beverages in lesser quantities constitutes a sale at retail; provided, that the sale of any quantity of beverages to a nonlicense holder constitutes a sale at retail.
History of Section.
P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; G.L. 1956, § 3-5-7.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-8. - Expiration date of licenses.

§ 3-5-8. Expiration date of licenses.
Every license except retailer’s Class F licenses and retailer’s Class G licenses shall expire on December 1 after its issuance.
History of Section.

P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; G.L. 1956, § 3-5-8.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-5 - Licenses GenerallySection 3-5-9. - Premises covered.

§ 3-5-9. Premises covered.
Not more than one retail license, except in the case of a retailer's Class E license, shall be issued for the same premises. Every license shall particularly describe the place where the rights under the license are to be exercised and beverages shall not be manufactured or kept for sale or sold by any licensee except at the place described in his or her license.
History of Section.
P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; G.L. 1956, § 3-5-9; P.L. 1998, ch. 441, § 7.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-1.1. - Farmer-winery licenses — Fee.

§ 3-6-1.1. Farmer-winery licenses — Fee.
(a)
For the purpose of encouraging the development of domestic vineyards, the department shall issue a farmer-winery license to any applicant of the state and to applying partnerships and to applying corporations organized under the laws of any other state of the United States and admitted to do business in this state.
(b)
A winegrower may operate a farmer's winery under any conditions the department may prescribe by regulation.
(c)
A winegrower may import fruit, flowers, herbs, and vegetables to produce not more than seven thousand five hundred (7,500) gallons of wine during his or her first year of operation, not more than five thousand (5,000) gallons during his or her second year of operation, not more than two thousand five hundred (2,500) gallons during his or her third year of operation and not more than one thousand (1,000) gallons per year thereafter.
(d)
If a winegrower suffers crop failure in his or her vineyard in a particular year to the extent that the fruit yield from his or her vineyard that year is at least twenty-five percent (25%) below the average yield for the previous two (2) years, the winegrower may import fruit into the state during that year in an amount equal to the difference between the current year's yield and the average for the previous two (2) years. A winegrower shall not import unfermented juice, wine or alcohol into the state.
(e)
A winegrower may sell wine or winery products under his or her label and fermented by him or her or another winegrower licensed by the state. He or she may sell wine or winery products:
(1)
At wholesale to any person holding a valid license to manufacture alcoholic beverages;
(2)
At wholesale to any person holding a valid wholesaler's and importer's license under §§ 3-6-9 — 3-6-11;
(3)
At wholesale to any person holding a valid farmer-winery license under this section;
(4)
At retail by the bottle to consumers for consumption off the winery premises; provided, however a winegrower shall not sell wine at retail for delivery off the site of the winery premises in Rhode Island directly to Rhode Island residents, except in the manner provided for like sales and shipment in § 3-4-8.
(5)
At wholesale to any person in any state or territory in which the importation and sale of wine is not prohibited by law;
(6)
At wholesale to any person in any foreign country;
(7)
At wholesale to liquor dealers holding a valid license under the provisions of title 3;
(8)
At wholesale to restaurants holding a valid license under the provisions of title 3; and
(9)
At retail by the bottle or by the glass for consumption on the winery premises.
(f)
A winegrower may not sell at retail to consumers any wine or winery product not fermented in the state and sold under the brand name of the winery.
(g)
A winegrower may serve complimentary samples of wine produced by the winery where the wine is fermented in the state and sold

under the winery brand name.
(h)
All wines sold by a licensee shall be sold under any conditions and with any labels or other marks to identify the producer as the department may prescribe.
(i)
Every applicant for a farmer-winery license shall, at the time of filing an application, pay a license fee based on a reasonable estimate of the amount of wine to be produced during the year covered by the license. Persons holding farmer-winery licenses shall report annually at the end of the year covered by the license the amount of wine produced during that year. If the total amount of wine produced during the year is less than the amount permitted by the fee already paid, the state shall reimburse the licensee for whatever fee was paid in excess. If the total amount of wine produced during the year exceeds the amount permitted by the fee already paid, the licensee shall pay whatever additional fee is owing.
History of Section.
P.L. 1978, ch. 223, § 3; P.L. 1996, ch. 100, art. 36, § 9; P.L. 2005, ch. 330, § 1; P.L. 2005, ch. 399, § 1; P.L. 2008, ch. 60, § 1; P.L. 2008, ch. 64, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-1.2. - Brewpub manufacturer's license.

§ 3-6-1.2. Brewpub manufacturer's license.
(a)
A brewpub manufacturer's license shall authorize the holder to establish and operate a brewpub within this state. The brewpub manufacturer's license shall authorize the retail sale of the beverages manufactured on the location for consumption on the premises. The license shall not authorize the retail sale of beverages from any location other than the location set forth in the license. A brewpub may sell at retail alcoholic beverages produced on the premises by the half-gallon bottle known as a "growler" to consumers for off the premises consumption to be sold pursuant to the laws governing retail Class A establishments. The license also authorizes the sale of beverages produced on the premises in an amount not in excess of forty-eight (48) twelve-ounce (12 oz.) bottles or cans or forty-eight (48) sixteen-ounce (16 oz.) bottles or cans of malt beverages, or one thousand five hundred milliliters (1,500 ml) of distilled spirits per visitor, per day, to be sold in containers that may hold no more than seventy-two ounces (72 oz.) each. These beverages may be sold to the consumers for off-premises consumption, and shall be sold pursuant to the laws governing retail Class A establishments.
(b)
The license shall also authorize the sale at wholesale at the licensed place by the manufacturer of the product of his or her licensed plant as well as beverages produced for the brewpub and sold under the brewpub's name to a holder of a wholesaler's license and the transportation and delivery from the place of sale to the licensed wholesaler or to a common carrier for that delivery.
(c)
The brewpub manufacturer's license further authorizes the sale of beverages manufactured on the premises to any person holding a valid wholesaler's and importer's license under § 3-6-9 or § 3-6-11.
(d)
The annual fee for the license is one thousand dollars ($1,000) for a brewpub producing more than fifty thousand gallons (50,000 gal.) per year and five hundred dollars ($500) per year for a brewpub producing less than fifty thousand gallons (50,000 gal.) per year. The annual fee shall be prorated to the year ending December 1 in every calendar year and paid to the general treasurer for the use of the state.
(e)
A holder of a brewpub manufacturer's license will be permitted to sell, with take-out food orders, up to two (2) seven hundred fifty millimeter (750 ml) bottles of wine or the equivalent volume of wine in smaller factory sealed containers, or seventy-two ounces (72 oz.) of mixed wine-based drinks or single-serving wine in containers sealed in such a way as to prevent re-opening without obvious evidence that the seal was removed or broken, one hundred forty-four ounces (144 oz.) of beer or mixed beverages in original factory sealed containers, and one hundred forty-four ounces (144 oz.) of draft beer or seventy-two ounces (72 oz.) of mixed beverages containing not more than nine ounces (9 oz.) of distilled spirits in growlers, bottles, or other containers sealed in such a way as to prevent re-opening without obvious evidence that the seal was removed or broken, provided such sales shall be made in accordance with § 1.4.10 of the department of business regulation (DBR) liquor control administration regulations, 230-RICR-30-10-1, and any other DBR regulations.
(1)
Delivery of alcoholic beverages with food from a brewpub licensee is prohibited.
(2)
The provisions of subsection (e) and (e)(1) of this section shall remain permanent and any sunset provision pursuant to P.L. 2021, ch. 129, § 3 or P.L. 2021, ch. 130, § 3 shall be void.
History of Section.
P.L. 1992, ch. 472, § 1; P.L. 1996, ch. 100, art. 36, § 9; P.L. 1997, ch. 347, § 1; P.L. 2003, ch. 221, § 1; P.L. 2004, ch. 595, art. 30, § 1; P.L. 2018, ch. 176, § 3; P.L. 2018, ch. 289, § 3; P.L. 2021, ch. 129, § 2, effective July 2, 2021; P.L. 2021, ch. 130, § 2, effective

July 2, 2021; P.L. 2021, ch. 313, § 2, effective July 9, 2021; P.L. 2021, ch. 314, § 2, effective July 9, 2021; P.L. 2022, ch. 3, § 1, effective February 16, 2022; P.L. 2022, ch. 4, § 1, effective February 16, 2022.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-1. - Manufacturer's license.

§ 3-6-1. Manufacturer's license.

(a)

A manufacturer's license authorizes the holder to establish and operate a brewery, distillery, or winery at the place described in the license for the manufacture of beverages within this state. The license does not authorize more than one of the activities of operator of a brewery or distillery or winery and a separate license shall be required for each plant.

(b)

The license also authorizes the sale at wholesale, at the licensed place by the manufacturer of the product of the licensed plant, to another license holder and the transportation and delivery from the place of sale to a licensed place or to a common carrier for that delivery. The license does authorize the sale of beverages for consumption on premises where sold; provided that the manufacturer does not sell an amount in excess of forty-eight ounces (48 oz.) of malt beverage or four and one-half ounces (4.5 oz.) of distilled spirits, or fifteen ounces (15 oz.) of wine per visitor, per day, or a combination not greater than three (3) drinks where a drink is defined as up to sixteen ounces (16 oz.) of beer or one and one-half ounces (1.5 oz.) or five ounces (5 oz.) of wine of spirits, for consumption on the premises. The license also authorizes the sale of beverages produced on the premises in an amount not in excess of forty-eight (48) twelve-ounce (12 oz.) bottles or cans or forty-eight (48) sixteen-ounce (16 oz.) bottles or cans of malt beverages, or one thousand five hundred milliliters (1,500 ml) of distilled spirits per visitor, or three (3) seven hundred fifty milliliter (750 ml) bottles of wine or the equivalent amount of wine sold by the can or other container, per day, to be sold in containers that may hold no more than seventy-two ounces (72 oz.) each. These beverages may be sold to the consumers for off-premises consumption, and shall be sold pursuant to the laws governing retail Class A establishments. The containers for the sale of beverages for off-premises consumption shall be sealed. The license does not authorize the sale of beverages in this state for delivery outside this state in violation of the law of the place of delivery. The license holder may provide to visitors, in conjunction with a tour or tasting, samples, clearly marked as samples, not to exceed three hundred seventy-five milliliters (375 ml) per visitor for distilled spirits and seventy-two ounces (72 oz.) per visitor for malt beverages at the licensed plant by the manufacturer of the product of the licensed plant to visitors for off-premises consumption. The license does not authorize providing samples to a visitor of any alcoholic beverages for off-premises consumption that are not manufactured at the licensed plant. All manufacturer licenses conducting retail sales or providing samples shall be subject to compliance with alcohol server training and liquor liability insurance requirements set forth in §§ 3-7-6.1 and 3-7-29 and the regulations promulgated thereunder.

(c)

The annual fee for the license is three thousand dollars ($3,000) for a distillery producing more than fifty thousand gallons (50,000 gal.) per year and five hundred dollars ($500) for a distillery producing less than or equal to fifty thousand gallons (50,000 gal.) per year; five hundred dollars ($500) for a brewery; and one thousand five hundred dollars ($1,500) for a winery producing more than fifty thousand gallons (50,000 gal.) per year and five hundred dollars ($500) per year for a winery producing less than fifty thousand gallons (50,000 gal.) per year. All those fees are prorated to the year ending December 1 in every calendar year and shall be paid to the general treasurer for the use of the state.

History of Section.

P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; P.L. 1942, ch. 1212, art. 12, § 1; G.L. 1956, § 3-6-1; P.L. 1978, ch. 223, § 2; P.L. 1996, ch. 100, art. 36, § 9; P.L. 2004, ch. 595, art. 30, § 1; P.L. 2013, ch. 462, § 1; P.L. 2013, ch. 463, § 1; P.L. 2016, ch. 142, art. 13, § 1; 2016, ch. 184, § 1; P.L. 2016, ch. 198, § 1; P.L. 2018, ch. 176, § 3; P.L. 2018, ch. 289, § 3; P.L. 2019, ch. 269, § 1; P.L. 2021, ch. 313, § 1, effective July 9, 2021; P.L. 2021, ch. 314, § 1, effective July 9, 2021; P.L. 2022, ch. 192, § 1, effective June 27, 2022; P.L. 2022, ch. 193, § 1, effective June 27, 2022; P.L. 2024, ch. 134, § 1, effective June 17, 2024; P.L. 2024, ch. 135, § 1, effective June 17, 2024.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-10. - Wholesaler's license — Class B.

§ 3-6-10. Wholesaler's license — Class B.

(a)

A wholesaler's license, Class B, authorizes the holder to keep for sale and to sell malt and vinous beverages and distilled spirits at wholesale, at the place described in the license, to holders of licenses under this title within this state and to holders of wholesale licenses in other states and authorizes the transportation and delivery from the place of sale to those license holders or to a common carrier for that delivery. Sales by a wholesaler in this state to a holder of a wholesale license in another state shall be only to a wholesaler who is a distributor of the same brand of malt beverages, vinous beverages, and distilled spirits subject to permission by the state liquor control administrator. The license shall not authorize the sale of beverages for consumption on the premises where sold nor the sale of beverages for delivery outside this state in violation of the law of the place of delivery.

(b)

The annual fee for the license is four thousand dollars ($4,000) prorated to the year ending December 1 in every calendar year, and

shall be paid to the general treasurer for the use of the state whenever any malt beverages, vinous beverages, and distilled spirits are sold outside the state pursuant to this section. Refunds or credits of import fees previously paid on malt beverages, vinous beverages and distilled spirits shall be made to holders of wholesaler's licenses under this title in accordance with regulations promulgated by the division of taxation.

History of Section.

P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1934 (S.S.), ch. 2173, § 1; P.L. 1934 (S.S.), ch. 2174, § 1; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; P.L. 1942, ch. 1212, art. 12, § 2; G.L. 1956, § 3-6-10; P.L. 1960, ch. 75, § 1; P.L. 1986, ch. 145, § 1; P.L. 1996, ch. 100, art. 36, § 9; P.L. 2004, ch. 595, art. 30, § 1; P.L. 2018, ch. 176, § 3; P.L. 2018, ch. 289, § 3.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-11. - Wholesaler's Class C license.

§ 3-6-11. Wholesaler's Class C license.

A wholesaler's Class C license authorizes the holder to manufacture, transport, import, export, deliver, and sell alcohol for mechanical, manufacturing, medicinal, or chemical purposes only, or to any registered pharmacist, licensed pharmacy, drug store, or apothecary shop, or to any registered physician or dentist, or to any hospital or educational or scientific institution, for use other than beverage purposes. The annual fee for the license is two hundred dollars ($200) and shall be paid to the general treasurer for the use of the state.

History of Section.

G.L. 1938, ch. 163, § 3; P.L. 1940, ch. 815, § 1; P.L. 1942, ch. 1212, art. 12, § 2; G.L. 1956, § 3-6-11; P.L. 1960, ch. 75, § 1; P.L. 1996, ch. 100, art. 36, § 9; P.L. 2018, ch. 176, § 3; P.L. 2018, ch. 289, § 3.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-12. - Agents' licenses.

§ 3-6-12. Agents' licenses.

Any person who represents a distillery, winery, or brewery is deemed and taken to be acting as an agent for and on behalf of that distillery, winery, or brewery, and is required to have received from the department a license to act as an agent. The annual fee for that license is fifty dollars ($50.00) paid to the general treasurer. The department may, after notice, suspend or revoke any license for cause.

History of Section.

P.L. 1977, ch. 187, § 1; P.L. 1996, ch. 100, art. 36, § 9; P.L. 2004, ch. 595, art. 30, § 1; P.L. 2018, ch. 176, § 3; P.L. 2018, ch. 289, § 3.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-14.1. - Pricing restrictions — Affirmation of price compliance.

§ 3-6-14.1. Pricing restrictions — Affirmation of price compliance.

(a)

No holder of a certificate of compliance for distilled spirits or vinous beverages shall ship, transport, or deliver within this state, or sell or offer for sale, to a wholesaler, any brand of distilled spirits or vinous beverages at a bottle or case price higher than the lowest price at which that item is then being sold or offered for sale or shipped, transported, or delivered by the holder of a certificate of compliance to any wholesaler in any other state of the United States or in the District of Columbia or to any state, including an agency of the state, which owns and operates retail liquor outlets.

(b)

Prior to the shipment of distilled spirits or vinous beverages, the holder of a certificate of compliance, or the authorized representative of the holder, shall file with the department a written affirmation under oath by the holder of the certificate of compliance certifying that at the time of filing the bottle or case price to the wholesaler is no higher than the lowest price at which each item of distilled spirits or vinous beverages is being sold, offered for sale, shipped, transported, or delivered by that holder to any wholesaler in any other state in the United States or in the District of Columbia, or to any state or agency of a state which owns and operates retail liquor outlets.

(c)

A holder of a certificate of compliance may file the affirmation required by this section once and may certify that the affirmation remains in full force and effect until amended as set forth in this title.

(d)

In determining the lowest price for which any item or distilled spirits or vinous beverages is or was sold, offered for sale, shipped, transported or delivered by the holder of a certificate of compliance to a wholesaler in any other state or in the District of Columbia or to any state or state agency which owns and operates retail liquor outlets, appropriate reductions will be made for all discounts, rebates, free goods, allowances and other inducements of any kind whatever offered or given to the wholesaler in another state or in the District of Columbia or to any state agency which owns and operates retail liquor outlets. Differentials in price which make only due allowances for differences in state taxes and fees and for the actual cost of delivery are permissible. As used in this section, "state taxes and fees" means the excise taxes imposed or the fees required by any state or the District of Columbia upon or based

upon a gallon of alcoholic liquor and “gallon” means one hundred twenty-eight (128) fluid ounces.
(e)
This section shall not preclude the holder of a certificate of compliance from lowering prices to any wholesaler in any other state of the United States or in the District of Columbia, or to any state or agency of a state which owns and operates retail liquor outlets at any time but notice of this change shall be set forth in an amendment to the affirmation on file in the office of the department. This amendment shall be under oath and shall be filed within ten (10) days from the date of this change in price.
(f)
The department shall enforce the provisions of this section and make any regulations that are necessary to carry out its provisions.
History of Section.
G.L. 1956, § 3-6-14.1; P.L. 1974, ch. 282, § 1; P.L. 1987, ch. 539, § 1; P.L. 1996, ch. 100, art. 36, § 9.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-14. - Certificate of compliance.

§ 3-6-14. Certificate of compliance.
(a)
As conditions precedent to transporting, or causing to be transported, distilled spirits, malt beverages, and vinous beverages into this state for storage, sale, or consumption in this state, any person, firm, or corporation located in another state shall first obtain a certificate of compliance from the department.
(b)
The certificate of compliance shall be issued upon the condition that the holder furnishes from time to time, as the department may require, but in no event more often than once each month, information concerning all shipments or sales of distilled spirits, malt beverages, and vinous beverages made into this state. The holder must also furnish information concerning the brand, type of container, quantity, and other information that may be required by the department. The department is empowered to promulgate any rules and regulations that may be necessary for the enforcement of this subsection.
(c)
As a condition precedent to the issuance of and during the term of a certificate, the holder shall comply with the provisions of this title, and all rules and regulations promulgated under authority of this title.
(d)
The department may suspend, cancel, or revoke any certificate of compliance for violation of the terms or conditions of the certificate.
(e)
The certificate of compliance shall contain on its face a list of those distilled spirits, malt beverages, and vinous beverages transported or caused to be transported into this state by the holder of the certificate.
(f)
The annual fee for the certificate of compliance is forty dollars ($40.00) for each and every brand, blend, mixture, variety, type, kind, and class of distilled spirits, malt beverages, and vinous beverages. The annual fee, prorated to the year ending December 1st in every calendar year, is paid to the department, and deposited as general revenues. The department may fix a flat fee per gallon instead of the annual fee for any of the above categories where the application for a certificate of compliance contains an affidavit that less than twenty-five (25) gallons of the category involved will be imported during the year for which filed.
History of Section.
G.L. 1956, § 3-6-14; P.L. 1959, ch. 156, § 1; P.L. 1963, ch. 150, § 1; P.L. 1977, ch. 240, § l; P.L. 1987, ch. 95, § 1; P.L. 1995, ch. 370, art. 40, § 2; P.L. 1996, ch. 2, § 1; P.L. 1996, ch. 100, art. 36, § 9; P.L. 2002, ch. 65, art. 13, § 20; P.L. 2004, ch. 595, art. 30, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-15. - Manufacturer’s interest in business of wholesaler prohibited.

§ 3-6-15. Manufacturer’s interest in business of wholesaler prohibited.
No manufacturer of distilled spirits or wines whose principal place of manufacture is outside of this state shall hold a wholesaler’s license issued under this title or shall have any interest in a wholesaler’s license, either directly or indirectly, as an owner or part owner, or through a subsidiary or affiliate, or by any officers, directors, or employees of the manufacturer, or by stock ownership, interlocking directors, trusteeship, loan, mortgage or by being a guarantor, endorser or surety of any obligation of a wholesaler.
History of Section.
G.L. 1956, § 3-6-15; P.L. 1968, ch. 96, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-16. - Purchases by wholesalers from distilleries, wineries, rectifiers, breweries and certain importers only.

§ 3-6-16. Purchases by wholesalers from distilleries, wineries, rectifiers, breweries and certain importers only.
(a)
The holders of wholesale licenses in this state shall purchase beverages only from the distillery, rectifier, winery or brewery

manufacturing the beverages or from the importer holding the basic contract with a foreign supplier whereby that foreign supplier exports distilled spirits, wines or malt beverages into the United States. Any wholesaler, who, prior to May 16, 1975, has made regular purchases from the agent specifically designated by a distillery, rectifier, winery, brewery or importer for the express purpose of making sales of distilled spirits, wines or malt beverages to wholesalers in states other than the one in which the agent is licensed and located, may continue to make those purchases from the agent.
(b)
The provisions of this section shall not apply to purchases by wholesalers in this state from other wholesalers in this state nor shall the provisions of this section apply to purchases of distilled spirits, wines or malt beverages by wholesalers in this state from wholesalers in another state who sell the same brand of distilled spirits, wines or malt beverages if those purchases are made only to fill in temporary shortages of inventory.
History of Section.
G.L. 1956, § 3-6-16; P.L. 1975, ch. 107, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-17. - Penalties for violations.

§ 3-6-17. Penalties for violations.
A violation of any provision of this chapter is punishable, upon conviction, by a fine of not more than five hundred dollars ($500) or imprisonment for not more than ninety (90) days.
History of Section.
P.L. 1977, ch. 187, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-18. - License fee relief.

§ 3-6-18. License fee relief.
If the holder of a manufacturer’s license obtains a rectifier’s license or another type of manufacturer’s license for further operations at the same premises, the department will waive the license fee for the additional license.
History of Section.
P.L. 2024, ch. 117, art. 6, § 1, effective June 17, 2024.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-2. - Rectifying as manufacturing.

§ 3-6-2. Rectifying as manufacturing.
With a view to the enforcement of the provisions of this title, and of the conditions, rules and regulations established and authorized by the department pertaining to rectifiers and those regarded as being in the business of rectifying, the business of manufacturing beverages may be deemed to include the business of rectifying beverages unless the context otherwise requires.
History of Section.
P.L. 1937, ch. 2524, § 3; G.L. 1938, ch. 166, § 3; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-6-2; P.L. 1996, ch. 100, art. 36, § 9.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-3. - Rectifier’s license.

§ 3-6-3. Rectifier’s license.
The department is authorized to issue rectifiers’ licenses in accordance with the provisions of §§ 3-6-4 — 3-6-8. The fee provided shall be prorated to the year ending December 1 in every calendar year and be paid to the general treasurer for the use of the state.
History of Section.
P.L. 1933, ch. 2013, § 5; P.L. 1937, ch. 2524, § 1; G.L. 1938, ch. 163, § 3; P.L. 1942, ch. 1212, art. 12, § 1; G.L. 1956, § 3-6-3; P.L. 1996, ch. 100, art. 36, § 9; P.L. 2018, ch. 176, § 3; P.L. 2018, ch. 289, § 3.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-4. - Practices requiring rectifier’s license.

§ 3-6-4. Practices requiring rectifier’s license.
Any person who rectifies, purifies, refines or blends distilled spirits or wines by any process, other than by original and continuous distillation from mash, wort, or wash, through continuous closed vessels and pipes until the manufacture is complete, and every wholesale or retail licensee who has in his or her possession any still or leach tub, or who keeps any other apparatus for the purpose of refining in any manner distilled spirits and wines, and any person who without rectifying, purifying or refining distilled spirits mixes such spirits, wines or other liquor with any material, manufactures any spurious, imitation or compound liquors for sale under the name of whiskey, brandy, gin, rum, wine, spirits, cordials or wine bitters, or any other name, is regarded as a rectifier engaged in the business of rectifying. Nothing in this section shall be held to prohibit the purifying or refining of spirits in the course of original

and continuous distillation through any material which will not remain incorporated with those spirits when the manufacture of the spirits is complete.
History of Section.
P.L. 1933, ch. 2013, § 5; P.L. 1937, ch. 2524, § 1; G.L. 1938, ch. 166, § 1; G.L. 1956, § 3-6-4.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-5. - Privileges conferred by rectifier's license.

§ 3-6-5. Privileges conferred by rectifier's license.
A rectifier's license authorizes the holder to engage in the business of rectifying and blending at the place described for the rectifying, purifying, refining, blending, warehousing and bottling of distilled spirits and wines within this state by any process other than by original and continuous distillation from mash, wort, or wash, through continuous closed vessels and pipes, until the manufacturing is complete. A separate license is required for each plant.
History of Section.
P.L. 1933, ch. 2013, § 5; P.L. 1937, ch. 2524, § 1; G.L. 1938, ch. 166, § 1; G.L. 1956, § 3-6-5.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-6. - Bottling and sale privileges of a rectifier's license.

§ 3-6-6. Bottling and sale privileges of a rectifier's license.
A rectifier's license also authorizes the license holder to bottle distilled spirits and wines without rectifying or blending and authorizes the sale at wholesale at the licensed place by the rectifier of the distilled spirits and wines rectified, blended, warehoused or bottled at his or her licensed plant to another license holder and the transportation and the delivery from the place of sale to the licensed place or to a common carrier for that delivery. It shall not authorize the sale of beverages for consumption on the premises where sold, nor the sale of beverages within this state for delivery outside the state in violation of the law of the place of delivery.
History of Section.
P.L. 1933, ch. 2013, § 5; P.L. 1937, ch. 2524, § 1; G.L. 1938, ch. 166, § 1; P.L. 1942, ch. 1212, art. 12, § 4; G.L. 1956, § 3-6-6.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-7. - Annual rectifier's license fee.

§ 3-6-7. Annual rectifier's license fee.
The annual fee for a rectifier's license is five hundred dollars ($500). The fee is prorated to the year ending December 1 in each calendar year.
History of Section.
P.L. 1933, ch. 2013, § 5; P.L. 1937, ch. 2524, § 1; G.L. 1938, ch. 166, § 1; P.L. 1942, ch. 1212, art. 12, § 4; G.L. 1956, § 3-6-7; P.L. 2018, ch. 121, § 1; P.L. 2018, ch. 226, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-8. - Supervision of rectifying.

§ 3-6-8. Supervision of rectifying.
The department of business regulation has general supervision of the conduct of the business of rectifying, and the right, power and jurisdiction to issue a rectifier's license is solely in that department.
History of Section.
P.L. 1937, ch. 2524, § 2; G.L. 1938, ch. 166, § 2; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-6-8.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-6 - Manufacturing and Wholesale LicensesSection 3-6-9. - Wholesaler's license — Class A.

§ 3-6-9. Wholesaler's license — Class A.
A wholesaler's license, Class A, authorizes the holder to keep for sale and to sell malt beverages and wines at wholesale at the place described to holders of licenses under this title within this state and to holders of wholesale licenses in other states and the transportation and delivery from the place of sale to those license holders or to a common carrier for that delivery. Sales by a wholesaler in this state to a holder of a wholesale license in another state shall be only to a wholesaler who is a distributor of the same brand of malt beverages or wines subject to permission by the department. The license shall not authorize the sale of malt beverages or wines for consumption on the premises where sold nor their sale for their delivery outside this state in violation of the law of the place of delivery. The annual fee for the license is two thousand dollars ($2,000) prorated to the year ending December 1 in every calendar year, and shall be paid to the general treasurer for the use of the state. Whenever any malt beverages or wines are sold outside the state pursuant to this section, refunds or credits of import fees previously paid on those malt beverages or wines shall be made to holders of wholesaler's licenses under this title in accordance with regulations promulgated by the division of taxation.
History of Section.

P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1934 (S.S.), ch. 2173, § 1; P.L. 1934 (S.S.), ch. 2174, § 1; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; P.L. 1942, ch. 1212, art. 12, § 2; G.L. 1956, § 3-6-9; P.L. 1960, ch. 75, § 1; P.L. 1986, ch. 145, § 1; P.L. 1996, ch. 100, art. 36, § 9; P.L. 2004, ch. 595, art. 30, § 1; P.L. 2018, ch. 176, § 3; P.L. 2018, ch. 289, § 3.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-1. - Class A license — Towns and cities of less than 10,000.

§ 3-7-1. Class A license — Towns and cities of less than 10,000.

In cities and towns having a population of less than ten thousand (10,000) inhabitants, a retailer's Class A license authorizes the holder to keep for sale and to sell at the place described beverages at retail and to deliver the beverages in a sealed package or container, which package or container shall not be opened nor its contents consumed on the premises where sold. The sale of any quantity of beverages to a nonlicense holder constitutes a sale at retail. These provisions shall not be construed to limit the powers of the department of business regulation to issue licenses on condition, nor to make rules and regulations as provided. The annual fee for the license is four hundred dollars ($400) prorated to the year ending December 1 of every calendar year.

History of Section.

P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3, impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-7-1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-10. - Doors from Class C licensed premises to other structures — Sale to unlicensed dealer or house of ill fame.

§ 3-7-10. Doors from Class C licensed premises to other structures — Sale to unlicensed dealer or house of ill fame.

If at the time of or after the issue of any Class C license, the place licensed shall have an opening from within the licensed place into any other part of the same structure or into any adjoining structure, the license shall be void. A sale, by any person holding any class of license under the provisions of this title, of any beverage to an unlicensed dealer in any beverage or to any owner or keeper of any house of ill fame, with reason to believe that the beverage is to be resold, shall be sufficient cause for the revocation of the license. The holder shall be fined not more than one hundred dollars ($100) or imprisoned not more than thirty (30) days, or both. Any person whose license is revoked is disqualified from holding any license of any kind under the provisions of this title for the period of five (5) years following the date of the revocation.

History of Section.

P.L. 1933, ch. 2013, § 26; G.L. 1938, ch. 163, § 11; P.L. 1940, ch. 814, § 6; impl. am. P.L. 1952, ch. 3004, § 1; G.L. 1956, § 3-7-10.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-11.1. - Golf courses — Sale of alcoholic beverages.

§ 3-7-11.1. Golf courses — Sale of alcoholic beverages.

(a)

Notwithstanding the provisions of § 3-7-11, a club possessing a Class D or B-V (a class B license holder operating as a victualer) license and operating a golf course may, in addition to the place described in such license, be authorized to sell alcoholic beverages to its members and guests from mobile wagons or carts for consumption on the golf course; provided that all such sales must be made within the confines of the golf course.

(b)

If the golf course shall be located in more than one contiguous city or town, then the other city or town, i.e. other than the one issuing the Class D or B-V license, may, upon application by the golf club, issue a Class D or B-V ancillary license, which shall permit sales from mobile wagons or carts upon that portion of the golf course located within the other city or town. Any violation of the provisions of title 3 will be prosecuted in the city or town where the violation occurred. The annual fee for such ancillary license shall be not more than four hundred dollars ($400) prorated to the year ending December 1 in every calendar year determined by each local municipality.

History of Section.

P.L. 2005, ch. 190, § 1; P.L. 2005, ch. 210, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-11. - Class D license.

§ 3-7-11. Class D license.

A retailer's Class D license shall be issued only to a club or to any corporation organized prior to the year 1900 for purposes similar to those set forth in chapter 6 of title 7, and which has held a Class D license for at least ten (10) consecutive years prior to July 1, 1993, and authorizes the holder of the license to keep for sale and to sell beverages at the place described at retail and to deliver those beverages for consumption on the premises where sold. The license authorizes the holder of the license to keep for sale and sell beverages, including beer in cans, at retail at the place described and to deliver those beverages for consumption on the premises. If a club is not the owner or, for the period of two (2) years before the filing of its application for a license, the lessee of the premises where its principal activities are carried on or of kitchen and dining room equipment in the club premises reasonably adequate to supply its members and guests with food, then the license shall authorize the holder of the license to keep for sale and

sell malt and vinous beverages, but not beverages consisting in whole or in part of alcohol produced by distillation. Notwithstanding the provisions of this section, with the written permission of the local authority, the licensee may supply food and beverage to the public for consumption on the premises at times determined by the holder of the license. The annual fee for the license to sell beverages shall be not more than eight hundred dollars ($800) and for the license to sell malt and vinous beverages only shall be not more than four hundred dollars ($400), in each case prorated to the year ending December 1 in every calendar year determined by each local municipality; provided, further, a municipality may establish separate and lower annual fees for Class D licenses for veterans' halls with a capacity of not more than one hundred (100) persons.

History of Section.

P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; G.L. 1956, § 3-7-11; P.L. 1967, ch. 188, § 1; P.L. 1970, ch. 197, § 1; P.L. 1977, ch. 225, § 1; P.L. 1978, ch. 338, § 1; P.L. 1985, ch. 140, § 1; P.L. 1986, ch. 147, § 1; P.L. 2002, ch. 128, § 1; P.L. 2002, ch. 325, § 1; P.L. 2002, ch. 393, § 1; P.L. 2003, ch. 376, art. 7, § 11; P.L. 2004, ch. 536, § 1; P.L. 2006, ch. 17, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-12. - Information as to club affairs.

§ 3-7-12. Information as to club affairs.

Every club on demand of the department shall file with it a list of the names and addresses of its members, directors, officers, agents and employees and any other information with respect to its affairs that the department shall require.

History of Section.

P.L. 1933, ch. 2013, § 50; G.L. 1938, ch. 164, § 13; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-7-12.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-13. - Class E license.

§ 3-7-13. Class E license.

A retailer's Class E license authorizes a person entitled to retail, compound, and dispense medicines and poisons to keep for sale and to sell at the place described in the license, beverages not to exceed one quart each for medicinal purposes and only upon the prescription of a licensed practicing physician. The license shall not authorize the doing of any act in violation of any law of the United States. The annual fee for the license is ten dollars ($10.00) to two hundred dollars ($200).

History of Section.

P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; P.L. 1949, ch. 2373, § 2; G.L. 1956, § 3-7-13; P.L. 2003, ch. 376, art. 7, § 11; P.L. 2004, ch. 237, § 1; P.L. 2004, ch. 410, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-14.1. - Class F-1 license.

§ 3-7-14.1. Class F-1 license.

(a)

A retailer's Class F-1 license authorizes the holder of the license to keep for sale and to sell alcoholic beverages on the premises, described in the license, at retail for consumption on the premises where sold for a period of nineteen (19) hours, including Sunday. The license may be issued to religious organizations, state corporations, limited-liability companies (LLCs), sole proprietorships, and political organizations only and the sale of beverages may take place between the hours of six o'clock (6:00) a.m. and one o'clock (1:00) a.m. on the following day; provided that, no more than twelve (12) licenses shall be issued to any organization, corporation, LLC, sole proprietorship, or political organization in any one calendar year; and provided further, that as to each such entity, this limit of twelve (12) licenses per calendar year shall apply collectively to the entity and its officers, directors, principals, affiliates, employees, and agents. Class F-1 licenses shall not be granted to any person or entity holding any other liquor license.

(b)

The fee for the license is thirty-five dollars ($35.00.)

(c)

The issuing authority may, in its discretion, permit applicants to file a single annual application for issuance of up to twelve (12) event licenses for a calendar year and the authority may issue the licenses concurrently; provided that, each event license shall state the specific event date with which it is associated; and provided further that, the applicant shall pay the collective amount of the event license fees, thirty-five dollars ($35.00) multiplied by the number of licenses issued, at the time of issuance.

(d)

Class F and F-1 license holders shall purchase alcohol for resale from Class A license holders only.

History of Section.

G.L., § 3-7-14.1; P.L. 1975, ch. 113, § 2; P.L. 1983, ch. 309, § 1; P.L. 2019, ch. 102, § 1; P.L. 2019, ch. 135, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-14.2. - Class P licenses — Caterers.

§ 3-7-14.2. Class P licenses — Caterers.

(a)
A caterer licensed by the department of health and the division of taxation shall be eligible to apply for a Class P license from the department of business regulation. The department of business regulation is authorized to issue all caterers' licenses. The license will be valid throughout this state as a state license and no further license will be required or tax imposed by any city or town upon this alcoholic beverage privilege. Each caterer to which the license is issued shall pay to the department of business regulation an annual fee of five hundred dollars ($500) for the license, which fees are paid into the state treasury. The department is authorized to promulgate rules and regulations for the implementation of this license. In promulgating said rules, the department shall include, but is not limited to, the following standards:
(1)
Proper identification will be required for individuals who look thirty (30) years old or younger and who are ordering alcoholic beverages;
(2)
Only valid ID's as defined by these titles are acceptable;
(3)
An individual may not be served more than two (2) drinks at a time;
(4)
Licensees, their agents, or employees will not serve visibly intoxicated individuals;
(5)
Licensees may only serve alcoholic beverages for no more than a five-hour (5) period per event;
(6)
Only a licensee, or its employees, may serve alcoholic beverages at the event;
(7)
The licensee will deliver and remove alcoholic beverages to the event; and
(8)
No shots or triple alcoholic drinks will be served.
(b)
Any bartender employed by the licensee shall be certified by a nationally recognized alcohol beverage server training program.
(c)
The licensee shall purchase at retail all alcoholic beverages from a licensed Class A alcohol retail establishment located in the state, provided, however, any licensee who also holds a Class B license, issued pursuant to the provisions of § 3-7-7, shall be allowed to purchase alcoholic beverages at wholesale. Any person violating this section shall be fined five hundred dollars ($500) for this violation and shall be subject to license revocation. The provisions of this section shall be enforced in accordance with this title.
(d)
Violation of subsection (a) of this section is punishable upon conviction by a fine of not more than five hundred dollars ($500). Fines imposed under this section shall be paid to the department of business regulation.
History of Section.
P.L. 1997, ch. 374, § 1; P.L. 2003, ch. 241, § 1; P.L. 2003, ch. 366, § 1; P.L. 2007, ch. 242, § 1; P.L. 2022, ch. 231, art. 3, § 1, effective June 27, 2022.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-14.3. - Class F-2 license.

§ 3-7-14.3. Class F-2 license.
(a)
A retailer's license, class F-2, shall authorize the holder to keep for sale by auction alcoholic beverages on the premises or by televised auction for a specifically designated period, not to exceed three (3) days.
(b)
The license may be issued to religious organizations, Rhode Island non-business corporations, public corporations, and political organizations only. The city or town clerk of a municipality in which a full time licensing board does not exist shall be authorized to issue this license.
(c)
The fee for the license shall be thirty-five dollars ($35.00).
History of Section.
P.L. 1998, ch. 3, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-14. - Class F license.

§ 3-7-14. Class F license.
(a)
A retailer's Class F license authorizes the holder of the license to keep for sale and to sell malt and vinous beverages on the premises, described in the license, at retail for consumption on the premises where sold for a period of nineteen (19) hours,

including Sunday. The license may be issued to religious organizations, state corporations, limited-liability companies (LLCs), sole proprietorships, and political organizations only and the sale of malt and vinous beverages may take place between the hours of six o'clock (6:00) a.m. and one o'clock (1:00) a.m. on the following day, provided that no more than twelve (12) licenses shall be issued to any organization, corporation, LLC, sole proprietorship, or political organization in any one calendar year; and provided further that, as to each such entity, this limit of twelve (12) licenses per calendar year shall apply collectively to the entity and its officers, directors, principals, affiliates, employees, and agents. Class F licenses shall not be granted to any person or entity holding any other liquor license. The fee for each retailer's Class F license is fifteen dollars ($15.00).

(b)

The issuing authority may, in its discretion, permit applicants to file a single annual application for issuance of up to twelve (12) event licenses for a calendar year and the authority may issue the licenses concurrently; provided that, each event license shall state the specific event date with which it is associated; and provided further that, the applicant shall pay the collective amount of the event license fees, fifteen dollars ($15.00) multiplied by the number of licenses issued, at the time of issuance.

History of Section.

P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; G.L. 1956, § 3-7-14; P.L. 1975, ch. 113, § 1; P.L. 1983, ch. 309, § 1; P.L. 2019, ch. 102, § 1; P.L. 2019, ch. 135, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-15.1. - Class GD license.

§ 3-7-15.1. Class GD license.

(a)

A retailer's Class GD license, upon application, shall be issued only to an operator of a vessel engaged in regular interstate commerce, providing overnight accommodations for passengers.

(b)

The holder of a Class GD license is permitted to keep for sale and to serve alcoholic beverages to passengers traveling on board the vessel while the vessel is docked at any port in this state.

(c)

The Class GD license is good throughout this state as a state license and no further license is required or tax imposed by any city or town upon this privilege.

(d)

All licenses issued shall include the name of the vessel licensed and shall be posted on board the vessel.

(e)

The fee for the Class GD license is the sum of one hundred dollars ($100) and the term is for one year.

(f)

The Class GD license shall not authorize the sale of alcoholic beverages on board the vessel for more than seventy-two (72) consecutive hours in any one port in this state and not more than one seventy-two (72) hour period within any calendar week in any one port in this state.

(g)

A Class G and GD liquor license may be issued for the same vessel, notwithstanding the provisions of § 3-5-9.

History of Section.

P.L. 1986, ch. 540, § 1; P.L. 1987, ch. 187, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-15. - Class G license.

§ 3-7-15. Class G license.

(a)

A Class G retailer's license shall be issued only to any dining car company, sleeping car company, parlor car company, and railroad company operating in this state, or any company operating passenger-carrying marine vessels in this state, or any airline operating in this state, and authorizes the holder of the license to keep for sale and to sell in its dining cars, sleeping cars, buffet cars, club cars, lounge cars and any other cars used for the transportation or accommodation of passengers, and in or on any passenger-carrying marine vessel, and in any airplane, beverages for consumption therein or thereon, but only when actually en route.

(b)

In addition, the holder of the Class G license for a passenger-carrying marine vessel may serve alcoholic beverages at retail aboard the vessel during the period thirty (30) minutes prior to the scheduled departure and until departure, provided that the local licensing board annually consents.

(c)

Each company or airline to which the license is issued shall pay to the department an annual fee of two hundred fifty dollars ($250) for the license, paid into the state treasury.

(d)

The license expires one year from its date and is good throughout the state as a state license, and only one license is required for all cars or airplanes, but a license issued to any company or person operating passenger-carrying marine vessels in this state shall

authorize the sale of beverages only in the passenger-carrying marine vessel designated and no further license shall be required or tax levied by any city or town for the privilege of selling beverages for consumption in those cars or on those vessels or in those airplanes. Each licensed dining car company, sleeping car company, and railroad car company shall keep a duplicate of the license posted in each car where beverages are sold. The department shall issue duplicates of the license from time to time upon the request of any licensed company.

(e)

In addition, the holder of the Class G license for a railroad company may serve alcoholic beverages at retail aboard its trains or in its controlled station premises, to ticket holding passengers, during the period sixty (60) minutes prior to the train's scheduled departure and until that departure, provided that the local licensing board annually consents.

History of Section.

P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; P.L. 1937, ch 2525, § 1; G.L. 1938, ch. 163, § 3; P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-7-15; P.L. 1960, ch. 75, § 2; P.L. 1986, ch. 535, § 2; P.L. 1994, ch. 39, § 1; P.L. 2004, ch. 595, art. 30, § 2; P.L. 2018, ch. 176, § 4; P.L. 2018, ch. 289, § 4; P.L. 2018, ch. 339, § 1; P.L. 2018, ch. 341, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-16.1. - Class L ancient underground comfort station license.

§ 3-7-16.1. Class L ancient underground comfort station license.

Notwithstanding any provision of this title to the contrary, the local licensing board has the power to grant and may grant on request an ancient underground comfort station license. The license may be granted to the owner, lessee or other person, firm or corporation in possession of an ancient underground comfort station which has been in existence since 1913. The underground comfort station must not have been in continuous operation as a comfort station since 1913. The Class L license grants the following privileges:

(1)

The right to keep for sale and to sell beverages at retail at the place described in the license and to deliver those beverages for consumption on the premises.

(2)

The annual fee for the license is the same as a Class B license in that city or town and is payable to the town or city where the licensed premises are located.

History of Section.

P.L. 1980, ch. 352, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-16.10. - Class SE license.

§ 3-7-16.10. Class SE license.

A city or town may issue a Special Events (SE) license that shall allow any retail business not otherwise licensed in this chapter or affiliated with any entity licensed in this chapter or nonprofit organization to offer alcoholic beverages for sale at retail at, or as part of the consideration for admission to, an event to be held at its premises. Such events shall not be held more often than one day in each calendar month. The alcoholic beverages for these events shall be purchased from a Class A licensee in the same city or town, notwithstanding any other provision of this chapter.

History of Section.

P.L. 2019, ch. 156, § 1; P.L. 2019, ch. 163, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-16.2. - Class K ancient tavern license.

§ 3-7-16.2. Class K ancient tavern license.

(a)

The local licensing board has the power to grant and may grant on request by the legal owners of any building which has had a public and continuous use and license as a tavern for ten (10) years or more prior to 1730 A.D. (and which building is located on the same spot where the license was then effective) an ancient tavern license, effective only for the premises described above, and the license grants the following privileges:

(1)

The right to sell for consumption on the premises alcoholic beverages of all kinds as adjuncts to meals to patrons sitting at tables.

(2)

The right to open at any time after eight in the morning (8:00 a.m.) and to remain open until the closing hours established by the local board of license commissioners for other licensed places or to close at any time earlier than that set time for closing, if the owners shall elect.

(b)

The holding of the ancient tavern license is subject, as to matters of order and police, to the same rules as prevail for other licensed places in that locality and as to matters of health and sanitation, is subject to the same rules and requirements as prevail for other licensed places in that locality.

(c)
The owners of any building described in subsection (a) receiving an ancient tavern license shall pay each year to the municipality in which it is located six hundred dollars ($600) for the license.
History of Section.
G.L. 1956, § 3-7-16.2; P.L. 1969, ch. 85, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-16.3. - Class T legitimate theater license.

§ 3-7-16.3. Class T legitimate theater license.
(a)
Legitimate theaters as defined in subsection (b) or subsection (c) may apply for a Class T license. The license authorizes the holder of the license to keep for sale and to sell beverages at retail in the place described in the license and to deliver those beverages for consumption on the premises where sold at the times when scheduled events relating to art, the legitimate theater or community artistic experiences may be held on those premises and for a period of one hour prior to those events and one hour subsequent thereto, provided those events begin subsequent to twelve o'clock (12:00) noon. The licensed premises may contain a bar. A Class T license authorizes entertainment only in conformity with ordinances of the city or town where the facility is located on the licensed premises. Class T licenses shall only be issued by the local licensing authority.
(b)
"Legitimate theaters," for the purposes of this section, includes nonprofit, cultural organizations and for-profit historic theaters located in the city of Newport or the town of Burrillville with a primary purpose of providing a support system to deliver and coordinate various arts activities for the benefit of the communities the theaters serve or that provide live, regularly scheduled theatrical productions on a regular basis throughout the year and all events contributing toward the goal of providing quality artistic experiences for the community.
(c)
For purposes of this section, "legitimate theaters" shall also include facility management corporations that are contractually authorized to manage buildings owned or under the authority of the Rhode Island Convention Center Authority with a primary purpose of providing a support system to deliver and coordinate various arts activities for the benefit of the communities the corporations serve or that provide live, regularly scheduled theatrical productions on a regular basis throughout the year and all events contributing toward the goal of providing quality artistic experiences for the community.
History of Section.
P.L. 1980, ch. 357, § 1; P.L. 1982, ch. 426, § 1; P.L. 2009, ch. 170, § 1; P.L. 2012, ch. 215, § 1; P.L. 2012, ch. 226, § 1; P.L. 2020, ch. 43, § 1; P.L. 2020, ch. 54, § 1; P.L. 2021, ch. 395, § 1, effective July 14, 2021.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-16.4. - Class ED license.

§ 3-7-16.4. Class ED license.
(a)
The holder of a retail Class ED license must be situated within a defined economic development zone within the city of Providence. The city may designate by ordinance an ED zone for the purpose of encouraging commercial and industrial investment. These zones or zone must consist of one or more contiguous census tract or tracts, or any portion thereof, and must represent substantial commercial or industrial activities within the tract or tracts. At least twenty-five percent (25%) of the developable land area must be zoned for commercial or industrial purposes within the designated zone. Plans for the revitalization of the area shall be adopted by the city council. Prior to any public body acting to create an ED zone, a public hearing must be held.
(b)
Class ED licenses are nontransferable and are site specific. The application for ED licenses shall consider the type of facility, location within the designated zone, and economic impact of the commercial activities. The local licensing authority may specifically restrict the level of retail alcoholic beverages sold as well as the hours of sale. The issuing authority shall not grant a Class ED license which would provide longer operating hours for the licensee than that which is provided through any other license the authority is empowered to grant.
(c)
The number of Class ED licenses the local licensing authority may grant shall be equal to an additional twenty percent (20%) of its total licensing authority for Class B and Class C licenses.
History of Section.
P.L. 1986, ch. 548, § 1; P.L. 1999, ch. 457, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-16.5. - Class M License.

§ 3-7-16.5. Class M License.
Notwithstanding any provision of this title to the contrary, the local licensing board of the Town of North Providence has the power

to grant and may grant on request, a license for the retail sale of alcoholic beverages at such location on Mineral Spring Avenue between Woodward Road and Terry Street which has been formally and most recently utilized as a restaurant. The license may be granted to the owner, lessee or to other person, firm, or corporation in possession of the aforesaid property. The class M license grants the following privileges:
(1)
The right to keep for sale and to sell beverages at retail at the place described in the license and to deliver those beverages for consumption on the premises.
(2)
The annual fee for the license is the same as a class B license in the town and is payable to the town where the licensed premises are located.
History of Section.
P.L. 1999, ch. 407, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-16.6. - Class N nightclub license.

§ 3-7-16.6. Class N nightclub license.
(a)
Notwithstanding any provision of this title to the contrary, any town or city council, by ordinance, may authorize the licensing authorities designated as having the right, power, and jurisdiction to issue licenses under this title pursuant to § 3-5-15 to designate and issue a special class of Class N nightclub licenses within its jurisdiction. In the city of Providence, the license authorizes the holder to keep for sale and sell beverages, including beer in cans, at retail at the place described and to deliver them for consumption on the premises or place where sold. It also authorizes the charging of a cover, minimum, or door charge. The amount of the cover, or minimum, or door charge is posted at the entrance of the establishments in a prominent place.
(b)
A Class N license, when so authorized, shall be required by each establishment within the jurisdiction that:
(1)
Has, as its primary source of revenue, the sale of alcoholic beverages and/or cover charges;
(2)
Holds a Class B or Class ED license, except in the city of Providence;
(3)
Has a fire department occupancy permit of no less than two hundred (200) persons and no greater than ten thousand (10,000) persons; or any establishment with a fire department occupancy permit of less than two hundred (200) persons that holds an entertainment license.
(c)
Any establishment with a Class N license that admits patrons under twenty-one (21) years of age on the premises of the establishment when alcoholic beverages are being sold, served, or permitted on the premises shall, during the time the patrons are permitted on the premises:
(1)
Require one form of identification. The identification shall contain the bearer’s photograph, and must be one of the following: state driver’s license, US military identification, state-issued identification card, or passport, from every person claiming to be twenty-one (21) years of age or older;
(2)
Identify patrons over twenty-one (21) years of age, with both an identifiable hand stamp and a bracelet, and shall require every patron to show both hand stamp and bracelet before purchasing an alcoholic beverage;
(3)
Sell not more than one alcoholic beverage to an eligible patron in a single transaction, and shall prohibit a patron from carrying more than one alcoholic beverage from a bar or drink-dispensing location;
(4)
Not permit any patron who leaves the premises to be readmitted prior to closing without payment of the same admission or cover charge required of patrons entering the premises initially.
(d)
The licensing authority of each town or city shall set the closing time for each establishment holding a Class N nightclub license within its jurisdiction pursuant to § 3-7-7(a)(1) and (a)(4), and notwithstanding other provisions of those subdivisions, an establishment holding a Class N nightclub license that is permitted to remain open until two o’clock (2:00) a.m. shall not admit patrons after one o’clock (1:00) a.m.
(e)
The licensing authority of each town or city will establish the cost and duration of all Class N nightclub licenses issued by that authority.
(f)

Notwithstanding the provisions of § 3-5-17, no licensing authority may issue a Class N nightclub license unless the following notice requirements have been met:
(1)
Any establishment applying for a Class N nightclub license, or the renewal of that license, or that is the subject of a hearing relating to its Class N nightclub license, must provide the general public with notice of its application by posting a twenty-four-inch (24) by thirty-six-inch (36) notice on its premises, in a manner clearly visible to the general public, at least thirty (30) days prior to the hearing date before the licensing authority for the license, and at least thirty (30) days prior to hearings related to the license on appeal to the director. If any hearing is scheduled to occur in less than thirty (30) days, the applicant or Class N nightclub license holder must post this notice within three (3) business days after its receipt of notification of that hearing from the licensing authority or the director.
(2)
The notice shall contain the name of the applicant and a description by street and number or other plain designation of the particular location for which the Class N nightclub license is requested. The notice shall state that remonstrants are entitled to be heard at the hearing on the Class N nightclub license and shall provide the time and place of that hearing.
(g)
Any establishment that holds a Class N nightclub license must:
(1)
Comply with local ordinances governing noise levels;
(2)
Cooperate with law-enforcement officials;
(3)
Provide private security for the safety of patrons, both inside and outside the establishment, which private security must be certified by TIPS or a similar agency approved by the licensing authority; and
(4)
Collect trash generated by the establishment every night that the establishment is open, in an area surrounding the premises that is reasonable and prudent, given the size of the establishment.
(h)
The licensing authority of each town or city will develop requirements for police details for the purposes of public safety and traffic control in and around the premise of each establishment holding a Class N nightclub license.
(i)(1)
The licensing authority that has issued a license under this section may ban the admittance of persons under the age of twenty-one (21) on the licensee’s premise:
(i)
On certain nights; or
(ii)
At certain times; or
(iii)
At all times.
(2)
Provided, however, any ban under this subsection herein shall be supported by a finding that:
(i)
The licensee has failed to implement measures designed to prevent underage drinking; and
(ii)
The licensee has multiple violations of the provisions of one or more of the following sections: 3-8-1, 3-8-4 and/or 3-8-10.
(j)
Upon the approval and designation of a district or districts by the board of licenses of the city of Providence, the board of licenses of the city of Providence may issue to any holder of a Class N license an extended-hours permit to extend closing hours on Thursdays, Fridays, and Saturdays, the night before a legal state holiday, or such other days as determined by the board of licenses of the city of Providence, for one hour past such license holder’s legal closing time as established by the license holder’s license or licenses including, but not limited to, those issued pursuant to subsection (d). The extended-hours permit shall not permit the sale of alcohol during the extended one-hour period and shall prohibit the admittance of new patrons in the establishment during the extended one-hour period. The designation of such district shall be for a duration of not less than six (6) months. Prior to designating any such district, the board of licenses of the city of Providence shall hold a hearing on the proposed designation. The proposed designation shall include the boundaries of the proposed district; the applicable days for the extended hours; and the duration of the designation and the conditions imposed. The proposed designation shall be advertised at least once per week for three (3) weeks prior to the hearing in a newspaper in general circulation in the city of Providence. The city of Providence shall establish an application process for an extended-hours permit for such license holder and may adopt rules and regulations to administer the permit.
History of Section.
P.L. 2002, ch. 106, § 1; P.L. 2002, ch. 148, § 1; P.L. 2003, ch. 435, § 1; P.L. 2011, ch. 200, § 2; P.L. 2011, ch. 309, § 2; P.L. 2016,

ch. 384, § 2; P.L. 2016, ch. 402, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-16.7. - Class AS license.

§ 3-7-16.7. Class AS license.
A retailer's Class AS license may be issued within the state by the local licensing authority and authorizes the licensee to sell at retail, wines purchased from a Rhode Island licensed wholesaler, to be used for sacramental purposes only, to any duly ordained priest, minister or rabbi or to any church or religious society. The label on the bottle shall designate "for sacramental or altar purposes only." The holder of a Class A license is also authorized to sell at retail, sacramental wines to be used for sacramental purposes. The annual fee for the Class AS license is fifty dollars ($50) prorated to the year ending December 1st of every calendar year. The holder of a Class AS license shall be authorized to sell no more than two hundred fifty (250) cases of sacramental wine per calendar year. The license is limited to the same days and hours of a Class A license within the city or town where the license is issued. The sale of wine for sacramental purposes is exempt pursuant to subdivision 3-10-1(b).
History of Section.
P.L. 2008, ch. 138, § 1; P.L. 2008, ch. 193, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-16.8. - Additional license — City of Providence.

§ 3-7-16.8. Additional license — City of Providence.
In addition to the licenses provided for in this chapter, the board of licenses of the city of Providence is authorized to establish and issue the following license. Before granting a license to any person under the provisions of § 3-7-16.8, the board of licenses of the city of Providence shall give notice by advertisement published once a week for at least two (2) weeks in a newspaper of general circulation published in the city of Providence. The advertisement shall contain the name of the applicant and a description by street and number or other plain designation of the particular location for which the license is requested. Notice of the application shall also be given, by mail, to all owners of property within two hundred feet (200′) of the place of business seeking the application. The cost of the application shall be borne by the applicant. The notices shall state that remonstrants are entitled to be heard before the granting of the license and shall name the time and place of the hearing. At the time and place, the remonstrants shall be granted a full opportunity to make their objections before the licensing board acts upon the application.
(1) Class S license
— Supper club — Food and Nightclub.
(i)
A retailer's Class S license is issued only to a licensed, bona fide tavern keeper or victualer whose tavern or victualing house may be open for business and regularly patronized at least from nine o'clock (9:00) a.m. to seven o'clock (7:00) p.m. provided no beverage is sold or served after one o'clock (1:00) a.m., nor before six o'clock (6:00) a.m. The licensing board may fix an earlier closing time, at its discretion. The annual license fee for a Class S license shall be four hundred dollars ($400) to two thousand five hundred dollars ($2,500).
(ii)
The license authorizes the holder to keep for sale and sell beverages, including beer in cans, at retail at the place described and to deliver them for consumption on the premises or place where sold, but only at tables or a lunch bar where food is served. It also authorizes the charging of a cover, minimum, or door charge. The amount of the cover, or minimum, or door charge is posted at the entrance of the establishments in a prominent place.
(iii)
Any holder of a Class S license may file an application with the licensing board to open for business and serve or sell beverages until two o'clock (2:00) a.m. on Fridays and Saturdays and the night before legal state holidays. The fee for such application shall be between two hundred dollars ($200) and one thousand dollars ($1,000). All requests for a two o'clock (2:00) a.m. license shall be advertised by the board of licenses in a newspaper of general circulation published in the city of Providence.
(iv)
Subject to the provisions of the Providence zoning ordinance, a holder of a retailer's Class S license is allowed to erect signs advertising their business and products sold on the premises, including neon signs, and is allowed to light those signs during all lawful business hours, including Sundays and holidays.
(v)
The holder of a Class S license may convert their establishment from a supper club to a nightclub between designated hours, upon approval by the board of licenses at the time of the original application. The applicant shall provide to the board the designated hours it will operate as a nightclub, and all other information as required by the board of licenses for approval of a Class N license. Upon approval of such application, the licensee shall adhere to all conditions required for a Class N license holder. Provided a Class S license holder has applied for and been approved for this additional nightclub format and a violation subsequently occurs, the board may choose to impose a penalty on the supper club operation or the nightclub operation, or both, as determined by the format in operation at the time of the violation.
History of Section.

P.L. 2016, ch. 384, § 3; P.L. 2016, ch. 402, § 3.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-16.9. - Class WB license.

§ 3-7-16.9. Class WB license.
(a)
A retailer's Class WB license authorizes the holder of the license to purchase from a licensed wholesaler a minimum of five hundred (500) gallons of wine, up to a maximum of two thousand (2,000) gallons of wine per year, for use in the wholesale manufacture of wine biscuits.
(b)
This license is subject to all the provisions of this title and the wine purchased pursuant to this license may only be used for the wholesale manufacture of wine biscuits.
(c)
Provided, that as a further condition of holding a license under this section, the holder of said license shall annually, no later than thirty (30) days after the expiration of the twelve-month (12) period after the date the license was acquired, provide the department of business regulation, on a form prescribed by the department, the actual amount of wine purchased during the reporting period. In addition to any other information the department may require, the form shall be signed and dated by the individual or representative of the entity whose name appears on the license, along with the name and address of the wholesaler(s) where the wine was purchased. The department shall promulgate any additional rules or regulations necessary to enforce the provisions of this section.
History of Section.
P.L. 2016, ch. 46, § 1; P.L. 2016, ch. 57, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-16. - Class J convention hall license.

§ 3-7-16. Class J convention hall license.
(a)
A retailer's Class J license authorizes the holder of the license to keep for sale and to sell beverages at retail in the place described in the license and to deliver the beverages for consumption on the premises where sold at the times when conventions as defined in subsection (b) may be held on those premises. The licensed premises may be open for business on convention days between the hours of eleven o'clock (11:00) a.m. and one o'clock (1:00) a.m. The licensed premises may contain a bar. No Class J license shall be issued or held unless the licensee has adequate facilities to accommodate five hundred (500) or more persons, at tables, at one time. Part of the licensed premises may be set apart as a kitchen and food may be served if the licensee is the holder of a victualing license from the town or city in which the licensed premises are situated. The Class J license authorizes entertainment only in conformity with ordinances of the city or town where the facility is located on the licensed premises. Class J licenses shall only be issued by the local licensing authority. The annual fee for a Class J license is the same as a Class B license in that city or town and is payable to the town or city where the licensed premises are located.
(b)
The word "convention" is defined to include conventions, banquets, political rallies, trade shows, exhibitions, charity balls and other similar gatherings in conformity with ordinances of the city or town where the facility is located, which are held primarily for persons over eighteen (18) years of age.
(c)
A Class F and F1 liquor license may be issued on a Class J premises, notwithstanding the provisions of § 3-5-9.
History of Section.
G.L., ch. 163, § 3; P.L. 1940, ch. 814, § 2; P.L. 1976, ch. 241, § 2; P.L. 1983, ch. 323, § 1; P.L. 1985, ch. 23, § 1; P.L. 1987, ch. 274, § 1; P.L. 1990, ch. 39, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-17. - Discretionary fees.

§ 3-7-17. Discretionary fees.
Where it is provided that a license fee shall be from a minimum to a maximum sum, the amount within those limits shall be fixed in the discretion of the issuing body, but in any city or town the fee for retailers' licenses shall be uniform in every class.
History of Section.
P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; G.L. 1956, § 3-7-17.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-18. - Licensed retailers to purchase from licensed wholesalers only.

§ 3-7-18. Licensed retailers to purchase from licensed wholesalers only.
All holders of retail licenses except retail Class G licenses shall purchase beverages for sale under their licenses only from the holder

or holders of wholesale licenses under this title.
History of Section.
P.L. 1933, ch. 2013, § 5; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; P.L. 1976, ch. 245, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-19. - Objection by adjoining property owners — Proximity to schools and churches.

§ 3-7-19. Objection by adjoining property owners — Proximity to schools and churches.
(a)
Retailers' Class B, C, N and I licenses, and any license provided for in § 3-7-16.8, shall not be issued to authorize the sale of beverages in any building where the owner of the greater part of the land within two hundred feet (200′) of any point of the building files with the body or official having jurisdiction to grant licenses his or her objection to the granting of the license, nor in any building within two hundred feet (200′) of the premises of any public, private, or parochial school or a place of public worship. In the city of East Providence, retailer's Class A licenses shall not be issued to authorize the sale of beverages in any building within five hundred feet (500′) of the premises of any public, private, or parochial school, or a place of public worship.
(b)
As used in this section, "private school" means any nonpublic institution of elementary or secondary (K-12th grade) education, accredited or recognized as a private school by the department of elementary and secondary education or the school committee of the city or town having jurisdiction over private schools.
(c)
This section shall not apply to any Class B or C license holder whose license was issued prior to January 1, 1978, nor shall this section apply to, or constitute the basis of, an objection to, or disapproval of, the transfer of a Class B or C license where the location of the licensed establishment predates the location of the public, private, or parochial school, or place of public worship.
(d)(1)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class B, C, or I license intended to be located within the following described area(s) in the city of Providence:
(A)
Beginning at a point, that point being the intersection of the southerly line of Smith Street and the easterly taking line of Interstate Route 95;
Thence running in a general southwesterly direction along the easterly taking line of Interstate Route 95 to the center line of Kingsley Avenue;
Thence turning and running northwesterly in part along the southerly line of Kingsley Avenue to its intersection with the southerly line of Harris Avenue;
Thence turning and running westerly along the southerly line of Harris Avenue to its intersection with the southerly line of Atwells Avenue;
Thence turning and running easterly along the southerly line of Atwells Avenue to the easterly taking line of Interstate Route 95;
Thence turning and running in a general southerly and southeasterly direction along the easterly taking line of Interstate Route 95 to the center line of Pine Street;
Thence turning and running northeasterly along the northerly taking line of I-195 to its intersection with the northerly taking line of I-195;
Thence turning and running northeasterly along the northerly taking line of I-195 to its intersection with the westerly shore line of the Providence River;
Thence turning and running northerly along the westerly shore line of the Providence River to its intersection with the southerly line of Crawford Street;
Thence running northwesterly across Dyer Street to the intersection of the westerly line of Dyer Street to the southerly line of Custom House Street;
Thence running northerly in part along the southerly line of Dyer Street and in part along the westerly line of Market Square to its intersection with the westerly line of Canal Street;
Thence turning and running northerly along the westerly line of Canal Street to its intersection with the southerly line of Smith Street;
Thence turning and running westerly along the southerly line of Smith Street to the point and place of beginning.
(B)
Beginning at a point, that point being the intersection of the westerly line of Brook Street and the northerly line of Wickenden Street;
Thence running in a general westerly direction along the northerly line of Wickenden Street to the intersection of Wickenden Street and Benefit Street;
Thence running in a general northerly direction along the easterly line of Benefit Street to the intersection of Benefit Street and Sheldon Street;
Thence turning and running in an easterly direction along the southerly line of Sheldon Street to the intersection of Sheldon Street

and Brook Street;
Thence turning and running in a general southerly line to the intersection of Brook Street and Wickenden Street that being the point of beginning.
(2)
Notwithstanding the provisions of this section, the board of licenses of the city of Newport shall, after application, have authority to exempt from the provisions of this section any proposed retailer Class B license intended to be located within the following described area in the city of Newport:
Beginning at a point, that point being the intersection of the southerly line of Broadway and the easterly line of Courthouse Square;
Thence running in a general northeasterly direction along the southerly line of Broadway a distance of one hundred and two feet (102′) to a point at the southeasterly corner of land now or formerly owned by the Newport Historical Society;
Thence turning and running in a southeasterly direction ninety-eight and nine-tenths feet (98.9′) along the southwesterly border of land now or formerly owned by the Newport Historical Society;
Thence turning and running in a southwesterly direction one hundred and twelve feet (112′) to Courthouse Street; and
Thence turning and running in a generally northwesterly direction along Courthouse Street for a distance of ninety feet (90′) to the point and place of beginning.
(3)
Notwithstanding the provisions of this section, the board of licenses of the town of Warren shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class B, C, or I license intended to be located within any zoning district in the town of Warren which is designated as a limited business district or as a general business district pursuant to the zoning ordinance of the town of Warren.
(4)
Notwithstanding the provisions of this section, the board of licenses of the town of Bristol shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class B license intended to be located on lot 34 of tax assessors plat 10 of the Bristol tax assessors map as of December 31, 1999, including that portion of the public sidewalk contiguous to said lot.
(5)
Notwithstanding the provisions of this section, the board of licenses for the city of Newport shall, after application, have the authority to exempt from the provisions of this section as to places of public worship any proposed sidewalk cafe as defined in the Codified Ordinance of the city of Newport, provided that the applicant be an existing holder of a Retailers' Class B license.
(6)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class B license intended to be located on lot 131 of tax assessors plat 68 of the Providence tax assessors map as of December 31, 1999, and any proposed retailer Class B license intended to be located on lot 21 of the tax assessors map plat 49 and any proposed retailer class BV license intended to be located on lots 3 and 5 of tax assessors map plat 35 of the Providence tax assessors map as of December 31, 2003.
(7)
Notwithstanding the provisions of this section, the board of licenses of the city of Cranston shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class B license intended to be located on either lot 160 of tax assessor's plat 9, and/or on lot 152 of tax assessor's plat 9, of the Cranston tax assessor's map as of December 31, 2002; provided, however, as to the subsequent transfer of said Class B license issued by the city of Cranston under this exemption, whether said transfer is attributable to the holder's death or otherwise, any person desiring to become the potential transferee of said Class B license shall comply with those restrictions as to its use (and shall refrain from those activities which result in its reversion) set forth in the city of Cranston Memorandum of Understanding dated May 13, 2003, and, in addition, those requirements applicable to anyone who desires to become a transferee of a validly issued and outstanding Class B license designated for use in any location in the state of Rhode Island. Neither the exemption granted herein nor any future exemption granted hereafter shall be effective until the proposed Class B license and the underlying property owner is certified to be current in the payment of any and all local and state taxes.
(8)
Notwithstanding the provisions of this section, the board of licenses of the city of Pawtucket shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class B, C, or I license intended to be located within the following described area in the city of Pawtucket:
Beginning at the point of intersection of Dexter Street and the Central Falls line, then east along the Central Falls line to the Blackstone River, then north along the city boundary on the Blackstone River to the Cumberland line, then west along the Pawtucket city boundary line to I-95, then south along I-95 to Pine Street, then north on Pine Street to AMTRAK Right of Way, then northwest along the AMTRAK Right of Way to Dexter Street, then north on Dexter Street to the Central Falls line.
(9)
Notwithstanding the provisions of this section, the town council of the town of Little Compton, after application, is authorized to exempt from the provisions of this section relating to places of worship any class B license limited to malt and vinous beverages intended to be located on Plat 30, Lot 33 of the town of Little Compton tax assessment map existing as of December 31, 2004.

(10)
Notwithstanding the provisions of this section, the board of licenses of the town of Bristol shall, after application, have the authority to exempt from the provisions of this section any proposed retailers' Class B license intended to be located on lots 3, 18, and 19 of tax assessors plat 10 of the Bristol tax assessors map as of December 31, 2007.
(11)
Notwithstanding the provisions of this section, the town council of the town of Smithfield, after application, is authorized to exempt from the provisions of this section, any class B, C, or I license intended to be located on Plat 45, Lot 042 of the town of Smithfield, tax assessment map existing as of December 31, 2007; provided, however, said exemption shall apply only to any renewal of any class B, C, or I license issued for use at the said premises located on plat 45, lot 042 as of December 31, 2011. In the event said license is not renewed, then this exemption is hereby repealed in its entirety.
(12)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class B license intended to be located on plat 13, lots 31 and 32 of the applicable city of Providence tax assessment map.
(13)
Notwithstanding the provisions of this section, the board of licenses of the town of Tiverton shall, after the application, have the authority to exempt from the provisions of this section a proposed retailer's Class BV license for a restaurant located on tax assessor's plat 181, lot 1A.
(14)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located on tax assessor's plat 68, lot 732.
(15)
Notwithstanding the provisions of this section, the board of licenses in the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located on plat 105, lot 489, plat 105, lot 12 and plat 32, lot 232 of the applicable city of Providence tax assessment map.
(16)
Notwithstanding the provisions of this section, the city council of the city of Central Falls, shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located on plat 5, lot 188 of the applicable city of Central Falls tax assessment map.
(17)
Notwithstanding the provisions of this section, the board of licenses of the town of Portsmouth shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located on plat 37, lot 69 of the applicable town of Portsmouth tax assessment map.
(18)
Notwithstanding the provisions of this section, the board of licenses of the town of North Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located on plat 23A, lot 98 of the applicable town of North Providence tax assessment map.
(19)
Notwithstanding the provisions of this section, the board of licenses of the city of Cranston shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located on Plat 11, lot 3558 of the applicable city of Cranston tax assessment map.
(20)
Notwithstanding the provisions of this section, the town council of the town of Smithfield, after application, is authorized to exempt from the provisions of this section, any Class B or C license intended to be located on Plat 6, Lot 54 of the town of Smithfield tax assessors map as of December 31, 2012.
(21)
Notwithstanding the provisions of this section, the board of licenses of the city of Cranston shall, after application, have the authority to exempt from the provisions of this section any proposed retailers class B license intended to be located on tax assessors plat 1, lot 2170 of the applicable city of Cranston tax assessment map as of December 31, 2012.
(22)
Notwithstanding the provisions of this section, the board of licenses in the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located on tax assessor's plat 43, lot 211.
(23)
Notwithstanding the provisions of this section, the board of licenses of the town of North Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located on Plat 22A, Lot 336, of the applicable town of North Providence tax assessment map.
(24)

Notwithstanding the provisions of this section, the city council of the city of Central Falls shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located on plat 1, lot 164 of the applicable city of Central Falls tax assessment map.

(25)

Notwithstanding the provisions of this section, the board of licenses in the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located at 1948-1950 Westminster Street on plat 35, lot 359 of the applicable city of Providence tax assessment map.

(26)

Notwithstanding the provisions of this section, the town council of the town of Middletown, after application, is authorized to exempt from the provisions of this section, any proposed retailer's Class BV license intended to be located on Plat 107 NW, Lot 55 of the town of Middletown's tax assessor's maps as of December 31, 2014.

(27)

Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any retailer Class B, C or I license intended to be located on Plat 109, Lot 289, of the applicable city of Providence tax assessor's map.

(28)

Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class BV license intended to be located at 226 and 230 Dean Street on plat 25, lot 44 of the applicable city of Providence tax assessment map.

(29)

Notwithstanding the provisions of this section, the board of licenses of the town of East Greenwich shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located at 219 Main Street on map/lot 085 001 212 0000 of the applicable town of East Greenwich tax assessment map.

(30)

Notwithstanding the provisions of this section, the board of licenses of the town of East Greenwich shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located at 137 Main Street on map/lot 085-001-412; 59 Main Street on map/lot 085-001-236; 555 Main Street on map/lot 075-003-084; 74 Cliff Street on map/lot 075-003-040; 609 Main Street on map/lot 075-003-080; 241 Main Street on map/lot 085-001-208; 155 Main Street on map/lot 085-001-222; 149 Main Street on map/lot 085-001-223; and 2 Academy Court on map/lot 085-001-211 of the applicable Town of East Greenwich tax assessment map.

(31)

Notwithstanding the provisions of this section, the board of licenses of the town of Lincoln shall, after application, have the authority to exempt from the provisions of this section any proposed retailers' Class B license intended to be located on tax assessor's plat 10, lot 108, of the Lincoln tax assessor's map as of December 31, 2015.

(32)

Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class C license intended to be located at 215 Dean Street on plat 28, lot 961 of the applicable city of Providence tax assessment map.

(33)

Notwithstanding the provisions of this section, the board of licenses in the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located at 100-102 Hope Street on plat 16, lot 263 of the applicable city of Providence tax assessment map.

(34)

Notwithstanding the provisions of this section, the board of licenses in the town of Cumberland shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located at 88 Broad Street on Lots 32, 51, and 52 of Plat 2 Cumberland tax assessor's map as of December 31, 2016.

(35)

Notwithstanding the provisions of this section, the board of licenses in the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located at 11 Lowell Avenue, 191 Pocasset Avenue and 187 Pocasset Avenue on Lots 22, 23, and 24 of Plat 108 Providence tax assessor's map as of December 31, 2017.

(36)

Notwithstanding the provisions of this section, the city council in the city of Central Falls shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located on Plat 1, of Lot 171 of the applicable city of Central Falls tax assessment map.

(37)

Notwithstanding the provisions of this section, the board of licenses in the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class BV and Class BX license intended to be located at 161 Douglas Avenue on plat 68, lot 201 of the applicable city of Providence tax assessment map.

(38)
Notwithstanding the provisions of this section, the board of licenses in the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailers' Class B license intended to be located at 1007 Broad Street, Plat 53, Lot 192 of the applicable city of Providence tax assessment map and 1017 Broad Street Plat 53, Lot 582 of the applicable city of Providence tax assessment map.
(39)
Notwithstanding the provisions of this section, the city council in the city of Woonsocket shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located at 122 North Main Street, Map/Lot 130-125-005 of the applicable city of Woonsocket tax assessment map.
(40)
Notwithstanding the provisions of this section, the city council of the city of Woonsocket, after application, is authorized to exempt from the provisions of this section, any proposed retailers' license of any class intended to be located within the Downtown Overlay District.
(41)
Notwithstanding the provisions of this section, the board of licenses in the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailers' Class B license intended to be located at 375 Smith Street, Plat 68, Lot 132 of the applicable city of Providence tax assessment map.
(42)
Notwithstanding the provisions of this section, the board of licenses in the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailers' Class B license intended to be located at 671 Broadway Street, Plat 35, Lot 566 of the applicable city of Providence tax assessment map.
(43)
Notwithstanding the provisions of this section, the board of licenses in the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailers' Class B license intended to be located at 464-468 Wickenden Street, also identified as 8 Governor Street, Plat 17, Lot 179 of the applicable city of Providence tax assessment map.
(44)
Notwithstanding the provisions of this section, the town council of the town of Westerly shall, after application, have the authority to exempt from the provisions of this section any proposed retailers' Class B license intended to be located at 114 Granite Street, Westerly, RI 02891, Plat 67, Lot 278 of the applicable town of Westerly tax assessment map.
(45)
Notwithstanding the provisions of this section, the board of licenses in the city of Woonsocket shall, after application, have the authority to exempt from the provisions of this section any proposed retailers' Class B license intended to be located at 43 Railroad Street, Plat 14R, Lot 205 of the applicable city of Woonsocket tax assessment map.
(46)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class BL license or Class BV license intended to be located at 601 Hartford Avenue, Plat 113, Lot 50 of the applicable city of Providence tax assessment map.
(47)
Notwithstanding the provisions of this section, the town council of the town of Westerly shall, after application, have the authority to exempt from the provisions of this section any proposed retailers' Class B license intended to be located at 169 and 177 Main Street, Westerly, RI 02891, Map 66, Lots 8 and 9 of the applicable town of Westerly tax assessment map.
(48)
Notwithstanding the provisions of this section, the city council of the city of East Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailers' Class B license intended to be located at 332 Bullock Point Avenue, East Providence, RI 02915, Map 312, Block 12, Parcel 018.00 of the applicable city of East Providence tax assessment map.
(49)
Notwithstanding the provisions of this section, the board of license commissioners of the city of Pawtucket shall, after application, have the authority to exempt from the provisions of this section any proposed retailers Class B, C, or N license intended to be located on Plat 54B, Lots 826 and 827; Plat 65B, Lot 662; and Plat 23A, Lots 599, 672, and 673 of the city of Pawtucket tax assessment map existing as of March 1, 2021.
(50)
Notwithstanding the provisions of this section, the board of licenses in the town of Jamestown, after application, has the authority to exempt from the provisions of this section any proposed retailer Class BVL license intended to be located at 53 Narragansett Avenue, Plat 9, Lot 207 of the applicable town of Jamestown tax assessment map.
(51)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence, shall after application, have the authority to exempt from the provisions of this section any proposed retailer Class BV and Class P license intended to be located at 203-209 Douglas Avenue, Plat 68, Lots 83 and 646 of the applicable city of Providence tax assessment map.

(52)
Notwithstanding the provisions of this section, the board of licenses of the city of East Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located at 130 Taunton Avenue, Map 106, Block 6, Parcel 15 of the applicable city of East Providence tax assessment map.
(53)
Notwithstanding the provisions of this section, the town council of the town of Barrington shall, after application, have the authority to exempt from the provisions of this section any proposed retailers' Class B license intended to be located at 305 Sowams Road, Barrington, R.I. 02806, Plat 30, Lot 141 of the applicable town of Barrington tax assessment map.
(54)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class B license intended to be located at 737 Hope Street, Plat 6, Lot 595 of the applicable city of Providence tax assessment map.
(55)
Notwithstanding the provisions of this section, the board of licenses of the town of Warren shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class B license intended to be located at 4 Market Street, Plat 3, Lot 74 of the applicable town of Warren tax assessment map.
(56)
Notwithstanding the provisions of this section, the town council of the town of Westerly shall, after application, have the authority to exempt from the provisions of this section any proposed retailers' Class B license intended to be located at 163 Main Street, Westerly, RI 02891, Map 66, Lot 11 of the applicable town of Westerly tax assessment map.
(57)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class BL license intended to be located at 777 Elmwood Avenue, Plat 60, Lot 1 of the applicable city of Providence tax assessment map.
(58)
Notwithstanding the provisions of this section, the board of licenses of the town of North Providence shall, after application, have the authority to exempt from the provisions of this section, any proposed retailer's Class B license intended to be located on tax assessor's Plat 19, Lot 617.
(59)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class B license intended to be located at 12 Governor Street, Plat 17, Lot 180 of the applicable city of Providence tax assessment map.
(60)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class B or Class BV licenses intended to be located at 371 Smith Street, Plat 68, Lot 2 of the applicable city of Providence tax assessment map.
(61)
Notwithstanding the provisions of this section, the board of licenses of the town of Bristol shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class B or Class BV licenses intended to be located at 499 Hope Street, Map 9, Lot 75 of the applicable town of Bristol tax assessment map.
(62)
Notwithstanding the provisions of this section, the board of licenses of the town of South Kingstown shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class BV license intended to be located at 357 Main Street, a/k/a 359 Main Street, Plat 56-3, Lot 50, of the applicable town of South Kingstown tax assessment map.
(63)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class B or Class BV licenses intended to be located at 225 Waterman Street, Plat 14, Lot 508 of the applicable city of Providence tax assessment map.
(64)
Notwithstanding the provisions of this section, the board of licenses of the city of East Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer's Class B license intended to be located at 136 Taunton Avenue, Map 106, Block 6, Parcel 15 of the applicable city of East Providence tax assessment map.
(65)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class BL license or Class BV license intended to be located at 566 Plainfield Street, Plat 108, Lot 55 of the applicable city of Providence tax assessment map.
(66)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class BL license or Class BV license intended to be

located at 777 Elmwood Avenue, Plat 060, Lot 0001 of the applicable city of Providence tax assessment map.
(67)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class BV license intended to be located at 94 Carpenter Street on Plat 29, lot 278 of the applicable city of Providence tax assessment map.
(68)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class B or Class BV license intended to be located at 79 Ives Street, Plat 017, Lot 487 of the applicable city of Providence tax assessment map.
(69)
Notwithstanding the provisions of this section, the board of licenses of the city of Providence shall, after application, have the authority to exempt from the provisions of this section any proposed retailer Class BV license intended to be located at 1230 Elmwood Avenue, Plat 089, Lot 210 of the applicable city of Providence tax assessment map.
History of Section.
P.L. 1933, ch. 2013, § 21; P.L. 1934, ch. 2088, § 5½; P.L. 1936, ch. 2338, § 4; P.L. 1937, ch. 2522, § 2; G.L. 1938, ch. 163, § 7; P.L. 1940, ch. 814, § 5; P.L. 1941, ch. 1038, § 1; P.L. 1946, ch. 1708, § 1; impl. am. P.L. 1952, ch. 3004, § 1; G.L. 1956, § 3-7-19; P.L. 1962, ch. 237, § 1; P.L. 1974, ch. 149, § 1; P.L. 1978, ch. 237, § 1; P.L. 1982, ch. 443, § 1; P.L. 1983, ch. 277, § 1; P.L. 1988, ch. 156, § 1; P.L. 1990, ch. 269, § 1; P.L. 1994, ch. 71, § 1; P.L. 1994, ch. 161, § 1; P.L. 1995, ch. 41, § 1; P.L. 2000, ch. 21, § 1; P.L. 2002, ch. 120, § 1; P.L. 2002, ch. 122, § 1; P.L. 2002, ch. 131, § 1; P.L. 2002, ch. 338, § 1; P.L. 2002, ch. 375, § 1; P.L. 2003, ch. 215, § 1; P.L. 2003, ch. 265, § 1; P.L. 2004, ch. 116, § 1; P.L. 2004, ch. 141, § 1; P.L. 2005, ch. 376, § 1; P.L. 2005, ch. 437, § 1; P.L. 2006, ch. 619, § 1; P.L. 2008, ch. 109, § 1; P.L. 2008, ch. 209, § 1; P.L. 2008, ch. 259, § 1; P.L. 2008, ch. 273, § 1; P.L. 2008, ch. 367, § 1; P.L. 2010, ch. 11, § 1; P.L. 2010, ch. 12, § 1; P.L. 2010, ch. 198, § 1; P.L. 2010, ch. 218, § 1; P.L. 2011, ch. 289, § 1; P.L. 2011, ch. 317, § 1; P.L. 2012, ch. 55, § 1; P.L. 2012, ch. 56, § 1; P.L. 2012, ch. 138, § 1; P.L. 2012, ch. 139, § 1; P.L. 2012, ch. 140, § 1; P.L. 2012, ch. 141, § 1; P.L. 2012, ch. 399, § 1; P.L. 2012, ch. 457, § 1; P.L. 2012, ch. 460, § 1; P.L. 2013, ch. 79, § 1; P.L. 2013, ch. 139, § 1; P.L. 2013, ch. 204, § 1; P.L. 2013, ch. 514, § 1; P.L. 2013, ch. 526, § 1; P.L. 2014, ch. 160, § 1; P.L. 2014, ch. 173, § 1; P.L. 2014, ch. 507, § 1; P.L. 2014, ch. 534, § 1; P.L. 2015, ch. 8, § 1; P.L. 2015, ch. 9, § 1; P.L. 2015, ch. 68, § 1; P.L. 2015, ch. 71, § 1; P.L. 2015, ch. 124, § 1; P.L. 2015, ch. 145, § 1; P.L. 2016, ch. 33, § 1; P.L. 2016, ch. 34, § 1; P.L. 2016, ch. 83, § 1; P.L. 2016, ch. 87, § 1; P.L. 2016, ch. 116, § 1; P.L. 2016, ch. 120, § 1; P.L. 2016, ch. 384, § 2; P.L. 2016, ch. 402, § 2; P.L. 2016, ch. 508, § 1; P.L. 2017, ch. 3, § 1; P.L. 2017, ch. 4, § 1; P.L. 2017, ch. 41, § 1; P.L. 2017, ch. 76, § 1; P.L. 2017, ch. 446, § 1; P.L. 2017, ch. 463, § 1; P.L. 2018, ch. 66, § 1; P.L. 2018, ch. 67, § 1; P.L. 2018, ch. 301, § 1; P.L. 2018, ch. 303, § 1; P.L. 2018, ch. 304, § 1; P.L. 2018, ch. 326, § 1; P.L. 2018, ch. 327, § 1; P.L. 2018, ch. 328, § 1; P.L. 2019, ch. 13, § 1; P.L. 2019, ch. 14, § 1; P.L. 2019, ch. 119, § 1; P.L. 2019, ch. 153, § 1; P.L. 2019, ch. 162, § 1; P.L. 2019, ch. 169, § 1; P.L. 2019, ch. 292, § 1; P.L. 2019, ch. 306, § 1; P.L. 2019, ch. 310, § 1; P.L. 2020, ch. 24, § 1; P.L. 2020, ch. 25, § 1; P.L. 2020, ch. 33, § 1; P.L. 2020, ch. 34, § 1; P.L. 2020, ch. 40, § 1; P.L. 2020, ch. 52, § 1; P.L. 2021, ch. 10, § 1, effective May 6, 2021; P.L. 2021, ch. 11, § 1, effective May 5, 2021; P.L. 2021, ch. 64, § 1, effective June 25, 2021; P.L. 2021, ch. 71, § 1, effective June 23, 2021; P.L. 2021, ch. 72, § 1, effective June 23, 2021; P.L. 2021, ch. 79, § 1, effective June 25, 2021; P.L. 2021, ch. 241, § 1, effective July 14, 2021; P.L. 2021, ch. 242, § 1, effective July 14, 2021; P.L. 2021, ch. 243, § 1, effective July 14, 2021; P.L. 2021, ch. 244, § 1, effective July 14, 2021; P.L. 2021, ch. 245, § 1, effective July 14, 2021; P.L. 2021, ch. 248, § 1, effective July 14, 2021; P.L. 2021, ch. 249, § 1, effective July 14, 2021; P.L. 2021, ch. 250, § 1, effective July 14, 2021; P.L. 2021, ch. 251, § 1, effective July 14, 2021; P.L. 2022, ch. 11, § 1, effective April 20, 2022; P.L. 2022, ch. 13, § 1, effective April 20, 2022; P.L. 2022, ch. 16, § 1, effective May 4, 2022; P.L. 2022, ch. 17, § 1, effective May 4, 2022; P.L. 2022, ch. 221, § 1, effective June 30, 2022; P.L. 2022, ch. 273, § 1, effective July 2, 2022; P.L. 2022, ch. 311, § 1, effective July 5, 2022; P.L. 2022, ch. 332, § 1, effective July 6, 2022; P.L. 2022, ch. 406, § 1, effective June 30, 2022; P.L. 2023, ch. 41, § 1, effective June 7, 2023; P.L. 2023, ch. 42, § 1, effective June 7, 2023; P.L. 2023, ch. 188, § 1, effective June 23, 2023; P.L. 2023, ch. 189, § 1, effective June 23, 2023; P.L. 2023, ch. 387, § 1, effective June 27, 2023; P.L. 2023, ch. 388, § 1, effective June 27, 2023; P.L. 2023, ch. 391, § 1, effective June 27, 2023; P.L. 2023, ch. 392, § 1, effective June 27, 2023; P.L. 2023, ch. 393, § 1, effective June 27, 2023; P.L. 2023, ch. 394, § 1, effective June 27, 2023; P.L. 2024, ch. 57, § 1, effective June 7, 2024; P.L. 2024, ch. 58, § 1, effective June 7, 2024; P.L. 2024, ch. 184, § 1, effective June 20, 2024; P.L. 2024, ch. 422, § 1, effective June 28, 2024; P.L. 2024, ch. 426, § 1, effective June 28, 2024; P.L. 2024, ch. 444, § 1, effective June 29, 2024; P.L. 2024, ch. 448, § 1, effective June 29, 2024.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-21. - Appeals from the local boards to director.

§ 3-7-21. Appeals from the local boards to director.
(a)
Upon the application of any petitioner for a license, or of any person authorized to protest against the granting of a license, including those persons granted standing pursuant to § 3-5-19, or upon the application of any licensee whose license has been revoked or suspended by any local board or authority, the director has the right to review the decision of any local board, and after hearing, to confirm or reverse the decision of the local board in whole or in part, and to make any decision or order he or she considers proper, but the application shall be made within ten (10) days after the making of the decision or order sought to be reviewed. Notice of the

decision or order shall be given by the local or licensing board to the applicant within twenty-four (24) hours after the making of its decision or order and the decision or order shall not be suspended except by the order of the director.
(b)
Any appeal or appeals from a decision of any boards located in the towns of Jamestown, Little Compton, Middletown, Portsmouth or Tiverton, or in the city of Newport shall be heard by the director or the director's designee within Newport County. The petitioner shall provide a stenographer and shall bear the cost to have a transcript made of the proceedings. A free copy of the transcript shall be provided by the petitioner to the director upon receipt of the transcript.
(c)
The director may accept into evidence a stenographic transcript of a witness's sworn testimony presented before the local board that was subject to cross examination. This testimony may be rebutted by competent testimony presented at the hearing held by the director.
History of Section.
P.L. 1933, ch. 2013, § 14; P.L. 1934, ch. 2088, § 4; G.L. 1938, ch. 164, § 9; P.L. 1948, ch. 2124, § 2; G.L. 1956, § 3-7-21; P.L. 1981, ch. 396, § 1; P.L. 1992, ch. 183, § 1; P.L. 1993, ch. 367, § 1; P.L. 1994, ch. 337, § 1; P.L. 1996, ch. 100, art. 36, § 10.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-22. - Manufacturer's or wholesaler's interest in retailer.

§ 3-7-22. Manufacturer's or wholesaler's interest in retailer.
(a)
Except as otherwise provided, it shall be unlawful for any holder of a manufacturer's or wholesaler's license to have any direct or indirect interest in any retailer's license or in the business carried on under a retailer's license. If by operation of law the holder of a manufacturer's or wholesaler's license acquires an interest in a retailer's license, or in the business carried on under a retailer's license, he or she shall within thirty (30) days after acquiring that interest report the interest to the department and shall dispose of that interest in accordance with the directions of the department. Any person willfully violating the provisions of this section shall forfeit his or her manufacturer's license and his or her interest in the retailer's license.
(b)
The holder of a license issued pursuant to § 3-6-1.1, et seq., located at 162 West Main Road, Little Compton, Rhode Island may have a direct or indirect interest in a Class B license, provided, that the holder shall remain obligated to comply with § 3-7-18 and § 3-5-11.1.
History of Section.
P.L. 1933, ch. 2013, § 48; G.L. 1938, ch. 163, § 17; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-7-22; P.L. 2013, ch. 519, § 1; P.L. 2013, ch. 530, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-23. - Closing hours for Class A licenses.

§ 3-7-23. Closing hours for Class A licenses.
The following closing hours shall be observed by all Class A license holders:
(1) November 1 to May 31.
No holder of a Class A license shall sell or deliver beverage under that license between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. (local time), except on legal holiday eves at which time the closing hour shall be eleven o'clock (11:00) p.m. In the city of Providence, no holder of a Class A license shall sell or deliver beverages under that license between the hours of ten o'clock (10:00) p.m. and nine o'clock (9:00) a.m. (local time), except on legal holiday eves at which time the closing hour shall be eleven o'clock (11:00) p.m. In the city of Central Falls, no holder of a Class A license shall sell or deliver beverages under that license between the hours of ten o'clock (10:00) p.m. and nine o'clock (9:00) a.m. local time. In the city of Pawtucket, no holder of a Class A license shall sell or deliver beverages under that license between the hours of ten o'clock (10:00) p.m. and nine o'clock (9:00) a.m. (local time), except on legal holiday eves at which time the closing hour shall be eleven o'clock (11:00) p.m. When a legal holiday is celebrated on a Monday, the preceding Saturday shall be considered the holiday eve.
(2) June 1 to October 31.
No holder of a class A license shall sell or deliver beverages under this license between the hours of eleven o'clock (11:00) p.m. and seven o'clock (7:00) a.m. (local time). In the cities of Providence, Central Falls, and Pawtucket, no holder of a Class A license shall sell or deliver beverages under that license between the hours of eleven o'clock (11:00) p.m. and nine o'clock (9:00) a.m. (local time).
History of Section.
G.L. 1956, § 3-7-23; P.L. 1968, ch. 16, § 1; P.L. 2017, ch. 272, § 1; P.L. 2017, ch. 291, § 1; P.L. 2018, ch. 49, § 1; P.L. 2018, ch. 51, § 1; P.L. 2022, ch. 55, § 1, effective September 1, 2022; P.L. 2022, ch. 56, § 1, effective September 1, 2022.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-24. - Certificate of payment of state taxes.

§ 3-7-24. Certificate of payment of state taxes.

Every licensee under this chapter, upon filing an application for renewal or transfer of a license, shall submit with the application a certificate executed by the tax administrator, or some employee designated by the tax administrator, that taxes due the state have been paid. For the purposes of this section, “taxes due the state” shall include contributions due including taxes, interest and penalties due to the department of labor and training pursuant to the employment security act, chapters 42-44 of title 28, and temporary disability insurance act, chapters 39-41 of title 28. No license under this chapter shall be renewed or transferred without that certificate.
History of Section.
P.L. 1972, ch. 155, art. 6, § 1; P.L. 1985, ch. 278, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-25. - Sanitary conditions for dispensing of malt beverages or wine.

§ 3-7-25. Sanitary conditions for dispensing of malt beverages or wine.
(a)
Beer or wine pipe lines, faucets and barrel-tapping devices used for the dispensing of malt beverages or wine in places where the dispensing is carried on by licensees under this chapter shall be cleaned at least once every four (4) weeks by the use of a hydraulic pressure mechanism, hand-pump suction or a force cleaner or other system approved by the department or shall be permanently kept clean by a device approved by the department. After cleaning, the lines shall be rinsed with clear water until all chemicals, if any have been used, are removed. The cleaning equipment must be operated in conformance with the manufacturer’s recommendations.
(b)
A record, the form of which shall be approved by the department, shall be used to record the dates and the methods used in cleaning of beer or wine pipe lines, coils, tubes and appurtenances. This record shall be signed by the person who performs the cleaning operation and countersigned by the licensee. The records shall be kept on the licensed premises for a period of one year from the date of the last entry and made available at all times for inspection by health enforcement and law enforcement officers.
(c)
[Deleted by P.L. 2015, ch. 141, art. 20, § 1].
History of Section.
P.L. 1985, ch. 76, § 1; P.L. 1992, ch. 183, § 1; P.L. 1996, ch. 100, art. 36, § 10; P.L. 2004, ch. 595, art. 30, § 2; P.L. 2015, ch. 141, art. 20, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-26. - Certain practices prohibited.

§ 3-7-26. Certain practices prohibited.
(a)
No licensee, employee or agent of any licensee who operates under a license to sell alcoholic beverages shall:
(1)
Cause or require any person or persons to buy more than one drink at a time by reducing the price of that drink;
(2)
Increase the volume of alcohol contained in any alcoholic beverage without proportionately increasing the price;
(3)
Sell, propose to sell or deliver to any person or persons an unlimited number of drinks during a certain period of time for a fixed price; or
(4)
Allow or encourage any game or promotion on the premises which involves the drinking of alcoholic beverages or the awarding of alcoholic beverages as prizes for consumption on the premises.
(b)(1)
No licensee shall advertise or promote in any manner, or in any medium, happy hours, open bars, two-for-one nights and/or free drink specials.
(2)
Any licensee is prohibited from knowingly allowing the use of its premises as part of an organized pub crawl, so-called. A pub crawl shall be defined as an organized event intended to promote the organized, commercial travel of significantly large groups of individuals between licensed premises for the primary purpose of consuming alcoholic beverages at more than one premise. Evidence of a pub crawl shall include, but not be limited by:
(i)
The existence of advertising, flyers, tickets or other printed or electronic material promoting or describing a planned pub crawl;
(ii)
Organized, commercial transportation intended to move a total of fifty (50) or more individuals from one premise to another in an organized fashion; and
(iii)
Evidence of compensation paid to an organizer by participants in a pub crawl. The department of business regulation is authorized to

promulgate rules and regulations consistent with this section.
(c)
Nothing in this section shall be construed to prohibit a licensee from offering free food or entertainment at any time; or to prohibit licensees from including an alcoholic beverage as part of a meal package; or to prohibit the sale or delivery of wine by the bottle or carafe when sold with meals or to more than one person; or to prohibit free wine tastings. Except as otherwise limited by this section, nothing contained in this section shall limit or may restrict the price which may be charged by any licensee for any size alcoholic beverage to be consumed on the licensed premises.
(d)
Adherence to this section is deemed to be a condition attached to the issuance and/or continuation of every license to sell alcoholic beverages for consumption on the licensed premises, and this section shall be enforced by the applicable local licensing authority, its agents, and the department.
(e)
The provisions of this section are deemed to be severable and any final decision by a court of competent jurisdiction holding that any provision of this section is void, shall not make void nor affect any of the remaining provisions of this section.
History of Section.
P.L. 1985, ch. 345, § 1; P.L. 1996, ch. 100, art. 36, § 10; P.L. 2004, ch. 508, § 1; P.L. 2009, ch. 135, § 1; P.L. 2009, ch. 149, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-27. - Insurance requirements.

§ 3-7-27. Insurance requirements.
(a)
In the town of Burrillville, an applicant for a license under this chapter shall file with the application a certificate of insurance evidencing commercial, general-liability and property-damage coverage in the minimum amount of three hundred thousand dollars ($300,000); or for a minimum amount to be set by ordinance. The certificate shall provide that the insurance shall not be modified or cancelled unless prior, advance notice is given to the town of Burrillville and that the town of Burrillville is named as an additional insured. A licensee must be insured by a carrier licensed in this state.
(b)
In the town of North Providence, an applicant for a license under this chapter shall file with the application a certificate of insurance evidencing commercial, general-liability, and property-damage coverage in the minimum amount of three hundred thousand dollars ($300,000); or for a minimum amount to be set by ordinance. The certificate shall provide that the insurance shall not be modified or cancelled unless prior, advance notice is given to the town of North Providence, according to the terms of the insurance policy, and that the town of North Providence is named as an additional insured. A licensee must be insured by a carrier licensed in this state.
History of Section.
P.L. 2005, ch. 359, § 1; P.L. 2005, ch. 420, § 1; P.L. 2014, ch. 58, § 1; P.L. 2014, ch. 144, § 1; P.L. 2017, ch. 182, § 2; P.L. 2017, ch. 364, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-28. - Time for licensee to produce receipts and invoices to inspector.

§ 3-7-28. Time for licensee to produce receipts and invoices to inspector.
(a)
Holders of Class A licenses issued under title 3 of the general laws shall be required to maintain on the premises, and to produce upon demand by an inspector authorized to demand, any and all records of receipts and invoices for the purchase of alcoholic beverages.
(b)
Holders of licenses other than Class A issued under title 3 of the general laws shall have not more than one business day to produce receipts and invoices for the purchase of alcoholic beverages when demanded by an inspector authorized to demand records of receipts and invoices. Nothing herein shall require such licensee to produce invoices and receipts upon demand.
History of Section.
P.L. 2008, ch. 263, § 1; P.L. 2008, ch. 316, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-29. - Liquor liability insurance.

§ 3-7-29. Liquor liability insurance.
Any applicant or holder of any retail license for the sale of alcoholic beverages issued pursuant to this chapter, except those applicants for or holders of class F liquor licenses or class AS liquor licenses and except as provided in § 3-7-27, shall file with the application a certificate of insurance evidencing commercial, general-liability, and liquor-liability and property-damage coverage in the minimum amount of three hundred thousand dollars ($300,000). Failure to maintain insurance as required by this section shall result in a revocation of the retail license unless the holder of the license reinstates insurance coverage within forty-eight (48) hours of notice of revocation. The certificate of insurance shall provide that the insurance shall not be modified or cancelled unless prior,

advance notice is given to the licensing authority.
History of Section.
P.L. 2017, ch. 182, § 1; P.L. 2017, ch. 364, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-3.1. - Class AT license.

§ 3-7-3.1. Class AT license.
One retailer's Class AT license may be issued within the state, by the local licensing authority of the city of Warwick to one person. This person shall be a lessee of retail space at the state airport found within the city of Warwick and this license authorizes the holder to keep for sale and to sell at retail, at the place described, beverages produced in this state and to deliver the beverages at room temperature in a sealed package or container, which package or container shall not be opened nor its contents consumed on the premises where sold. The person to whom the license is issued shall pay to the city of Warwick an annual fee of one hundred dollars ($100) for the license. The license expires one year from its date. No further license shall be required or tax levied by the city for the privilege of selling these beverages pursuant to a license issued under this section. The license is limited to the same days and hours of operation as the holder of a Class A license within the city of Warwick.
History of Section.
P.L. 1997, ch. 147, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-3. - Class A license — Towns and cities of 10,000 or more.

§ 3-7-3. Class A license — Towns and cities of 10,000 or more.
(a)
In cities and towns having a population of ten thousand (10,000) or more inhabitants, a retailer's Class A license authorizes the holder to keep for sale and to sell, at the place described, beverages at retail and to deliver the beverages in a sealed package or container, which package or container shall not be opened nor its contents consumed on the premises where sold. The holder of a Class A license, if other than a person entitled to retail, compound, and dispense medicines and poisons, shall not on the licensed premises engage in any other business, keep for sale or sell any goods, wares, merchandise or any other article or thing except the beverages authorized under this license and nonalcoholic beverages. This provision shall not apply to the sale or selling of cigarettes, newspapers, cigars, cigarette lighters, gift bags, prepackaged peanuts, pretzels, chips, olives, onions, cherries, hot stuffed cherry peppers, Slim Jims and similar pre-packaged dried meat products, pickled eggs, popcorn, pre-packaged candy, styrofoam cooler, lemons, limes, and ice, nor to home bar accessories such as pourers, glasses, cork screws, stirrers, flasks, jiggers, wine racks, ice crushers, bottle openers, can openers and any other items of like nature which may, by suitable regulation of the director of business regulation, be authorized to be sold. A holder of a Class A license will not be prohibited from providing ATM machines to the general public for use on its licensed premises. This section shall not apply to promotional free goods which are subject to approval by the director. In the city of Newport this license may be issued to any person, firm or corporation who are owners of bona fide markets for the sale of alcoholic beverages in conjunction with and in addition to the sale of meats or groceries in those bona fide markets. A person, firm or corporation in that city may obtain a limited Class A license to sell beer, lager and ale on the same premises as other goods, wares, merchandise and articles are sold. No Class A license is granted for any premises unless the premises constitute a separate store, the entrance or entrances to which shall be exclusively from the street or streets or arcade. This provision shall not apply to any person, firm or corporation in the city of Newport who are owners of bona fide markets for the sale of alcoholic beverages in conjunction with and in addition to the sale of meats or groceries in those bona fide markets and as long as the market is owned and operated by the mother, father, son, daughter, brother or sister of the original licensee, but not otherwise.
(b)
The premises shall have opaque walls which shall completely partition and sever the premises from any adjoining market, concession or business. This provision shall not be construed to limit the powers of the department to issue licenses on condition nor to make rules and regulations as provided. The annual fee for a Class A license is five hundred dollars ($500) to one thousand dollars ($1,000) prorated to the year ending December 1st in every calendar year.
(c)
Any licenses issued under the provisions of this section prior to May 8, 1964 remains in full force and effect.
History of Section.
P.L. 1933, ch. 2013, § 5B; P.L. 1936, ch. 2338, § 1; P.L. 1937, ch. 2522, § 1; G.L. 1938, ch. 163, § 3; P.L. 1939, ch. 728, § 1; G.L. 1956, § 3-7-3; P.L. 1962, ch. 252, § 1; P.L. 1963, ch. 149, § 1; P.L. 1964, ch. 234, § 1; P.L. 1969, ch. 247, § 1; P.L. 1996, ch. 364, § 1; P.L. 2002, ch. 139, § 1; P.L. 2002, ch. 249, § 1; P.L. 2002, ch. 313, § 1; P.L. 2003, ch. 376, art. 7, § 11; P.L. 2004, ch. 237, § 1; P.L. 2004, ch. 410, § 1; P.L. 2005, ch. 416, § 1; P.L. 2006, ch. 624, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-4.1. - Holders of retail Class A licenses permitted to conduct wine, beer, and distilled spirit samplings inside licensed premises.

§ 3-7-4.1. Holders of retail Class A licenses permitted to conduct wine, beer, and distilled spirit samplings inside licensed premises.
Any holder of a Class A retail license shall be permitted to conduct at no charge to the consumer, inside the premises of the licensee,

sample tastings of wine (under 13% alcohol by volume), beer (under 5.5% alcohol by volume), and distilled spirits available for purchase from the licensee's outlet. These samples shall not exceed one-ounce servings of each wine, the number of wines being limited to no more than four (4) products at any one tasting; and one-ounce servings of each beer, with the number of beer samplings being limited to two (2) products at any one tasting; and one-quarter-ounce servings (¼ oz.) of each distilled spirit, the number of distilled spirits being limited to no more than two (2) products at any one tasting. Furthermore, wine, beer, and distilled spirits samplings may not be conducted simultaneously on the same Class A licensed premise. Each consumer shall be limited to no more than one sample tasting of each product. The licensee may elect, once during the month of March, once during the month of August, and once during the month of November only, to serve unlimited samples of wine products available for purchase from the licensee's outlet.

It shall be required that the licensee provide, at no charge to the consumer, food samplings to be included with the tasting of all wine and beer. Those food samplings not consumed during the tasting shall not thereafter be offered for sale.

The licensee shall control, without wholesaler or supplier participation, the dispensing of all samples to prospective customers. The licensee may not hold more than ten (10) tasting events in any thirty-day (30) period. It shall be required that the licensee provide to the dispenser(s) of said wine and beer samples, training in the service of alcoholic beverages by a recognized training provider of alcoholic beverage service.

Sampling events may not be promoted except on the licensed premises. It shall be unlawful for any wholesaler, manufacturer, supplier, or any other person or entity to participate or provide anything or any service of value on account of or in conjunction with any such sampling. It shall be unlawful for any tasting, or combination of tastings, to exceed more than four (4) hours from start to finish and must be conducted during the normal hours of business.

History of Section.

P.L. 2003, ch. 224, § 1; P.L. 2003, ch. 384, § 1; P.L. 2006, ch. 367, § 1; P.L. 2006, ch. 467, § 1; P.L. 2013, ch. 460, § 1; P.L. 2013, ch. 466, § 1; P.L. 2016, ch. 20, § 1; P.L. 2016, ch. 22, § 1; P.L. 2017, ch. 177, § 1; P.L. 2017, ch. 384, § 1; P.L. 2024, ch. 132, § 1, effective June 17, 2024; P.L. 2024, ch. 133, § 1, effective June 17, 2024.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-4. - Proximity of Class A licenses.

§ 3-7-4. Proximity of Class A licenses.

(a)

Retailer's Class A licenses under this chapter shall not be issued to authorize the sale of beverages in any store or place within two hundred feet (200′) measured by any public way of another premises holding a Class A license. Licenses presently issued to premises within two hundred feet (200′) of the premises where another Class A license is presently issued, may continue to be issued to those premises so long as those premises are in continuous operation under the license. Any transfer or removal from those premises of the license is subject to the provisions of this section. Where a proposed licensed place is upon the opposite side of the street from an existing license, the width of the street is to be disregarded in measuring the distance so as to ascertain if it is two hundred feet (200′) away from the premises.

(b)

In the event that the building or land occupied by the holder of a retailer's Class A license is taken in whole or in part by eminent domain or by other public authority, the board, body or official who issued the license may permit the license to be transferred to a store or place no closer than one hundred fifty feet (150′) measured by any public way of other premises holding a Class A license. A retailer's Class A license may be issued to the premises so long as the premises are in continuous operation under the license. Where a proposed licensed place is upon the opposite side of the street from an existing license, the width of the street is to be disregarded in measuring the distance to ascertain if it is one hundred fifty feet (150′) away from those premises.

History of Section.

P.L. 1933, ch. 2013, § 21; P.L. 1936, ch. 2338, § 4; P.L. 1937, ch. 2522, § 2; G.L. 1938, ch. 163, § 7; P.L. 1941, ch. 1038, § 1; P.L. 1946, ch. 1708, § 1; G.L. 1956, § 3-7-4; P.L. 1964, ch. 231, § 2; P.L. 1965, ch. 130, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-5. - Class A license issued to Class E licensee.

§ 3-7-5. Class A license issued to Class E licensee.

It is permissible for the holder of a retailer's Class E license to hold a retailer's Class A license. No Class A license shall be granted to a holder of a Class E license unless the holder of a Class E license maintains, operates, manages, or conducts a drugstore. The drugstore shall be operated as a self-contained and independent establishment and shall not be located in, or be operated as, a part of any market, department store, or hardware store. For a Class A license as described, the holder of a Class E license shall pay the regular annual license fee and have the full privilege of a Class A license. Provided, however, the licensing authority for the city of Providence may relieve the holder of a Class E license from the requirement to maintain, operate, manage, or conduct a drugstore as a condition of the continued holding of a Class A license, issued to or renewed by said licensee.

History of Section.

P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; P.L. 1949, ch. 2373, § 2; G.L. 1956, § 3-7-5; P.L. 2014, ch. 17, § 1; P.L. 2014, ch. 18, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-6.1. - Renewal of Class B, Class C, Class D, Class J, Class N and Class P licenses.

§ 3-7-6.1. Renewal of Class B, Class C, Class D, Class J, Class N and Class P licenses.

(a)

The holder of a Class B, Class C, Class D, Class J, Class N or Class P license who applies before October 1, in any licensing period, for a license of the same class for the next succeeding licensing period shall, prior to filing said application, demonstrate that he or she has complied with the alcohol server training regulations, as promulgated by the department of business regulation, as set forth in subsection (b) of this section.

(b)

The department of business regulation shall promulgate rules and regulations requiring that all licenses issued pursuant to this section meet the following minimum alcohol server training regulations, requirements:

(1)

All persons who sell or serve alcoholic beverages; anyone serving in a supervisory capacity over those who sell or serve alcoholic beverages; anyone whose job description entails the checking of identification for the purchase of alcoholic beverages; and valet parking staff shall receive alcohol server training regulations, as set forth herein;

(2)

Any eligible employee of a licensee shall be required to complete certified training within sixty (60) days of the commencement of his or her employment and must attain a minimum score of seventy-five percent (75%). Provided, however, that the city of Pawtucket and the town of Smithfield may require eligible employees to complete the certified training program, prior to employment within the city or town. Individuals certified by an alcohol server training program prior to December 31, 2005, are exempt from the certification requirements herein, not to exceed three (3) years;

(3)

Licensees shall require servers to be recertified every three (3) years;

(4)

As a condition of license renewal, and as part of the license renewal application, each licensee must submit to their municipality information verifying that all persons listed under subsection (b)(1) of this section and employed by the licensee for more than sixty (60) days in the past year have completed a certified program within the last three (3) years;

(5)

All persons identified under subsection (b) of this section must have their valid server permits on the premises when engaged in the sale or service of alcoholic beverages; and

(6)

Individuals who have been issued a server permit in another jurisdiction by an approved Rhode Island alcohol server training program shall be determined to be in compliance with this section subject to the three-year (3) limitation contained herein.

(c)

Only alcohol server training programs that meet the following criteria as determined by the department of business regulation may be eligible for certification:

(1)

Training is provided in all basic information relevant to servers, including, but not limited to:

(i)

The physiological effects of alcohol;

(ii)

Alcohol’s association with social problems;

(iii)

Coverage of legal requirements related to alcohol service;

(iv)

How to identify patrons who are impaired; and

(v)

Techniques in refusing service to intoxicated patrons.

(2)

Training is provided in more than one medium including, but not limited to, video, training manual, and/or role playing related to refusal of service to intoxicated drinkers;

(3)

Training in preventing sales to underage drinkers, including training in detection of fraudulent identification; and

(4)

Training shall entail no less than two (2) hours, and no greater than four (4) hours in duration, with no absentee certification.

(d)

Notwithstanding the criteria established under subsection (c) of this section, an internet- or computer-based alcohol server training program shall be eligible for certification if the following criteria are met:

(1)

Training in all basic information, as outlined in subsection (c)(1) of this section, is included in the program;
(2)
Training in preventing sales to underage drinkers, including training in detection of fraudulent identification, is included in the program; and
(3)
Training program is designed to periodically verify that a trainee has reviewed and obtained a working knowledge of information presented through the internet or computer training program.
(e)(1)
Testing procedures, test content, and grading procedures shall be approved by the department of business regulation to ensure testing integrity and consistency with program requirements contained in subsection (c) herein. The department of business regulation is authorized to audit, in a method it shall determine, any approved server training program;
(2)
Training programs, pursuant to rules and regulations promulgated by the department of business regulation, shall be recertified every three (3) years; and
(3)
Server permits shall be issued by the server training programs in a form approved by the department of business regulation. Said permits shall include, at a minimum, the name of the server, the date of issuance, and the name of the server training program.
(f)
The department of business regulation shall promulgate and enforce rules and regulations for noncompliance as follows:
(1)
Graduated penalties for licensees for violations within a three-year (3) period beginning with an initial written warning for violations within a three-year (3) period for a first violation; a written warning for a second violation; a fine not to exceed two hundred fifty dollars ($250) for a third violation or noncompliance; and a license suspension for subsequent violations;
(2)
For violations within a three-year (3) period, graduated penalties for training programs beginning with an initial written warning, a written warning for a second (2nd) violation, and a suspension and/or decertification for a third (3rd) violation or for repeated noncompliance;
(3)
For violations within a three-year (3) period, graduated penalties for servers beginning with an initial written warning; a written warning for a second violation, and a loss of server training certification for a third violation or noncompliance; and
(4)
Failure to have a valid server permit on their person shall not constitute a violation, provided, proof of a valid permit is provided within ten (10) days thereof.
(g)
In order to provide for uniformity, any enactment by any government body relating to alcohol server training programs pertaining to Class B, Class C, Class D, Class J, Class N, and Class P licenses, as provided for herein shall be by statute as enacted by the general assembly.
(h)
The respective departments shall promulgate said regulations no later than October 1, 2005. The department of business regulation shall review and certify eligible alcohol server training programs no later than January 1, 2006. The department of business regulation shall notify applicants of any deficiencies not later than December 1, 2005. All licensees shall be in compliance with said regulations within ninety (90) days of January 1, 2006, or be subject to the penalties set forth herein.
History of Section.
P.L. 2004, ch. 187, § 1; P.L. 2004, ch. 272, § 1; P.L. 2005, ch. 6, § 1; P.L. 2005, ch. 87, § 1; P.L. 2005, ch. 183, § 1; P.L. 2005, ch. 215, § 1; P.L. 2008, ch. 379, § 1; P.L. 2008, ch. 385, § 1; P.L. 2008, ch. 386, § 1; P.L. 2008, ch. 392, § 1; P.L. 2010, ch. 310, § 1; P.L. 2010, ch. 315, § 1; P.L. 2015, ch. 256, § 1; P.L. 2015, ch. 280, § 1; P.L. 2017, ch. 43, § 1; P.L. 2017, ch. 63, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-6. - Renewal of Class A, Class B, Class C, Class D, Class E, and Class J licenses.

§ 3-7-6. Renewal of Class A, Class B, Class C, Class D, Class E, and Class J licenses.
The holder of a Class A, Class B, Class C, Class D, Class E, or Class J license who applies before October 1 in any licensing period for a license of the same class for the next succeeding licensing period is prima facie entitled to renewal to the extent that the license is issuable under § 3-5-16. This application may be rejected for cause, subject to appeal as provided in § 3-7-21. A person whose application has been rejected by the local licensing authorities shall, for the purpose of license quotas under § 3-5-16, be deemed to have been granted a license until the period for an appeal has expired or until his or her appeal has been dismissed. The license holder may be required to pay a twenty-five dollar ($25.00) fee upon application of renewal, at the option of local licensing authorities. This fee shall be used by the local licensing authority for advertising and administrative costs related to processing the renewal application.
History of Section.

G.L., ch. 164, § 10; P.L. 1941, ch. 1038, § 3; P.L. 1961, ch. 164, § 1; P.L. 1976, ch. 240, § 1; P.L. 1985, ch. 178, § 1; P.L. 1987, ch. 274, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-7.1. - Class B-H license.

§ 3-7-7.1. Class B-H license.

(a)

A retailer's Class B-H license shall be issued only to a licensed hotel. The license authorizes the holder to keep for sale and sell beverages in containers of a minimum capacity of fifty milliliters (50 ml.) or one and seven tenths ounces (1.7 oz). The beverages shall be sold and served only in the room of a registered hotel guest. The beverages may be served in the hotel room at least from nine o'clock (9:00) a.m. to seven o'clock (7:00) p.m. No beverages shall be served in the hotel room after one o'clock (1:00) a.m., nor before six o'clock (6:00) a.m. The beverages may be sold only in the room of the registered hotel guest at any time.

(b)

A Class B and B-H liquor license may be issued for the same licensed hotel, notwithstanding the provisions of § 3-5-9.

(c)

The annual fee for this license shall be one hundred dollars ($100) to five hundred dollars ($500.00).

History of Section.

P.L. 1986, ch. 535, § 3; P.L. 1987, ch. 188, § 1; P.L. 1988, ch. 189, § 1; P.L. 2003, ch. 376, art. 7, § 11; P.L. 2004, ch. 237, § 1; P.L. 2004, ch. 410, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-7.2. - Manufacturer's brewpub license — Class B-M.

§ 3-7-7.2. Manufacturer's brewpub license — Class B-M.

(a)

A manufacturer's brewpub Class B-M license shall be issued only to a holder of a manufacturer's license as described in § 3-6-1. The license shall not authorize the retail sale of beverages from any location other than at the location stated in the manufacturer's license for the manufacture of beverages.

(b)

The license shall not authorize the retail sale of beverages from any location other than as provided in § 3-6-1.2.

(c)

The holder of a license issued pursuant to the provisions of this section shall not be otherwise barred from application for a Class B license, where permitted by local licensing authorities.

History of Section.

P.L. 1992, ch. 472, § 2; P.L. 1997, ch. 347, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-7.3. - Class B licenses — Restriction on entertainment.

§ 3-7-7.3. Class B licenses — Restriction on entertainment.

(a)

Notwithstanding any provision of this chapter or in the Rhode Island general laws to the contrary, in the case of any city or town that issues any retailer's Class B license, this city or town may restrict or prohibit entertainment at these licensed facilities, in accordance with objective standards adopted by the municipality and approved by the department of business regulation, provided that any standard shall be applied uniformly to all of these licensed facilities.

(b)

The licensing board for the city of Providence is authorized to immediately suspend or revoke the license or exercise other remedies, in accordance with proper due process owed to the licensee, with respect to:

(1)

Any Class B licensee that provides entertainment without an entertainment license issued by the city of Providence pursuant to its authority under chapter 22 of title 5; and/or

(2)

Any Class B licensee that engages in activities exceeding those permitted by a Class B license, unless such licensee has obtained any additional license permitting such activities, including, but not limited to, a Class N license.

History of Section.

P.L. 1993, ch. 374, § 1; P.L. 1997, ch. 9, § 1; P.L. 2002, ch. 211, § 1; P.L. 2016, ch. 384, § 2; P.L. 2016, ch. 402, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-7.4. - Brew on premises license.

§ 3-7-7.4. Brew on premises license.

(a)
A brew on premises license (BOP) authorizes the holder to provide brewing supplies and facilities to the public for the private manufacture of malt beverages on the licensed premises. The BOP license shall not authorize the sale of malt beverage to the general public on the premises nor the consumption of alcoholic beverages on the premises. The annual fee for the license shall be one thousand dollars ($1,000) for producing more than fifty thousand (50,000) gallons per year and one hundred dollars ($100) per year for producing less than fifty thousand (50,000) gallons per year, prorated to the year ending December 1 in every calendar year and paid to the director of the department of business regulation.
(b)
The director of the department of business regulation, the director of the department of health, and the director of the department of environmental management may promulgate rules and regulations, not inconsistent with the purpose of this section, if in the interest of health and safety they are deemed necessary. The director of the department of business regulation shall limit to seven (7) the maximum number of operating facilities issued licenses by the department pursuant to this section.
(c)
Any operating facility issued a license pursuant to this section and any individuals using the premises are subject to federal regulations including, but not limited to, 27 CFR 24.75 and 27 CFR 25.205-25.206.
(d)
Any facility issued a license pursuant to this section shall, in addition to any federal regulations, comply with the following conditions:
(1)
The proprietor of the facility must provide a written notice to the director of the department of business regulation before beginning business. The notice must contain the name and address of the brew on premises facility and the hours when it is open for business. The maximum hours of operation shall be Monday through Saturday, eight o’clock (8:00) a.m. through eleven o’clock (11:00) p.m. and Sunday twelve o’clock (12:00) noon through six o’clock (6:00) p.m., provided, however, bottled beer shall not be removed from the facility on Sundays, and except on Christmas, New Year’s, and Thanksgiving when the facility shall not be open. The notice must be updated in the event of any change in name, address or hours of operation;
(2)
The proprietor of the brew on premises facility must keep records relating to all individuals using the facility. Information in these records must include the name, address, age, number of adults residing in the individual’s household, and the quantity of beer produced by each individual during a calendar year. These records may consist of commercial records or invoices, and must be available for inspection by any authorized investigator of this department during the business hours of the facility;
(3)
The brew on premises facility shall not provide physical assistance to, or on behalf of, customers in the production or bottling of beer, but may provide advice.
(i)
The following activities are examples of providing physical assistance in the production of beer:
(A)
Filling of vessels with brewing ingredients;
(B)
Mixing of ingredients;
(C)
Movement of beer from one vessel or container to another container; and
(D)
Filtering and bottling of the final product;
(ii)
The following activities do not constitute providing physical assistance in the production of beer:
(A)
Cleaning, maintenance, and repair of brewing and bottling equipment;
(B)
Maintenance of climate and temperature control;
(C)
Disposal of spent grains and wastes;
(D)
Quality control (including laboratory examination) of beer; and
(E)
Preheating of vessels;
(4)(i)
The same individual is responsible for brewing, handling or transporting the beer produced and must be at least twenty-one (21) years of age. This individual may produce beer within the prescribed quantity of limitations, shall not transport in excess of twenty (20) gallons of beer produced, and may not sell beer produced. Production of beer for personal use may not be in violation of federal

law or regulation or state law or regulation. Beer produced at a brew on premises facility may be removed only for the personal use of the brewer.
(ii)
The production of beer per household for personal or family use may not exceed:
(A)
Two hundred (200) gallons per calendar year if there are two (2) or more adults residing in the household; or
(B)
One hundred (100) gallons per calendar year if there is only one adult residing in the household;
(iii)
Partnerships, corporations, or associations may not use the brew on premises facility and may not produce beer for personal or family use; and
(iv)
Transportation of brewed beer shall be at the time of bottling. The brew on premises facility shall not allow more than twenty (20) cases (twenty-four (24) twelve (12) ounce bottles) to remain on the premises at any given time.
(e)
Any violation of the provisions of this section shall be enforced in accordance with any of the appropriate enforcement provisions contained in this title.
History of Section.
P.L. 1997, ch. 367, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-7.5. - Class B license — The Weekapaug Inn.

§ 3-7-7.5. Class B license — The Weekapaug Inn.
Notwithstanding the provisions to the contrary of § 3-7-7 or any other statute, rule, or regulation, the Westerly town council and/or the Westerly licensing board may continue to issue a Class B tavern license to “The Weekapaug Inn” during the period of its renovation when such license might otherwise lapse.
History of Section.
P.L. 2009, ch. 308, § 1; P.L. 2009, ch. 309, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-7.6. - Casino license — Class B-C.

§ 3-7-7.6. Casino license — Class B-C.
(a)
A Class B-C license shall be issued only to a holder of a gaming and entertainment license that is authorized to operate twenty-four (24) hours a day.
(b)
The license authorizes the holder to keep for sale and sell beverages, including beer in cans, at retail at the place described and to deliver them for consumption on the premises or place where sold. It also authorizes the charging of an admission to events at the gaming and entertainment facility.
(c)
The license authorizes the holder to sell and serve alcoholic beverages between the hours of six o’clock (6:00) a.m. and two o’clock (2:00) a.m. on Fridays, Saturdays, and nights before federal and state legally recognized holidays. The fee for a Class B-C license shall be two thousand five hundred dollars ($2,500).
(d)
The applicant for a Class B-C license shall submit the following to its host municipality:
(1)
The applicant holds a valid and enforceable Class B-V license that is in good standing.
(2)
The applicant is a licensed gaming and entertainment establishment that is authorized to operate twenty-four (24) hours a day.
(3)
The applicant provides a twenty-four-hour (24) security plan to the chief of police or other appropriate law enforcement official for the host municipality.
(4)
The security plan shall set forth a protocol for communication with the host municipality’s police department and for updating the plan, as necessary.
(e)
In the event that the host municipality grants a Class B-C license, the licensee shall exchange its existing Class B-V license for the Class B-C license.
(f)

Upon receipt of the proper permits from the local licensing board, holders of Class B-C licenses are permitted to have dances, entertainment, and food service within the licensed premises to be conducted during the hours permitted for sale and service of alcoholic beverages.
(g)
A holder of a Class B-C license, upon approval of the department of business regulations and the local licensing board, may serve alcoholic beverages as part of an event that may not be specifically set forth in § 3-7-26(c). The holder of the Class B-C license must secure approval for any such promotional event first from the department of business regulation liquor control administration and then from the local licensing board upon establishing a specific security protocol for the event.
(h)
Notwithstanding any provisions in the department of business regulation liquor control administration regulations, rule 18, it shall be lawful for the holder of a Class B-C license to permit the consumption of alcoholic beverages at any time as long as the subject alcoholic beverage was purchased during legal service hours.
(i)
To the extent that there is no conflict with the provisions of § 3-7-7.6, the provisions of § 3-7-7 shall apply to a holder of a Class B-C license.
History of Section.
P.L. 2014, ch. 501, § 1; P.L. 2014, ch. 535, § 1; P.L. 2016, ch. 512, art. 2, § 44.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-7.7. - Class B license — Smithfield.

§ 3-7-7.7. Class B license — Smithfield.
Notwithstanding the provisions to the contrary of § 3-7-7 or any other statute, rule, or regulation, the Smithfield town council and/or the Smithfield licensing board may issue a Class B tavern license for the premises shown on the maps of the tax assessor of the town of Smithfield as Lot 7 on Plat 17.
History of Section.
P.L. 2015, ch. 261, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-7. - Class B license.

§ 3-7-7. Class B license.
(a)(1)
A retailer’s Class B license is issued only to a licensed bona fide tavern keeper or victualer whose tavern or victualing house may be open for business and regularly patronized at least from nine o’clock (9:00) a.m. to seven o’clock (7:00) p.m. provided no beverage is sold or served after one o’clock (1:00) a.m., nor before six o’clock (6:00) a.m. Local licensing boards may fix an earlier closing time within their jurisdiction, at their discretion. The East Greenwich town council may, in its discretion, issue full and limited Class B licenses which may not be transferred, but which shall revert to the town of East Greenwich if not renewed by the holder. The Cumberland town council may, in its discretion, issue full and limited Class B licenses which may not be transferred to another person or entity, or to another location, but which shall revert to the town of Cumberland if not renewed by the holder.
The Pawtucket city council may, in its discretion, issue full and limited Class B licenses which may not be transferred to another person or entity, or to another location, but which shall revert to the city of Pawtucket if not renewed by the holder. This legislation shall not affect any Class B license holders whose licenses were issued by the Pawtucket city council with the right to transfer.
(2)
The license authorizes the holder to keep for sale and sell beverages including beer in cans, at retail at the place described and to deliver them for consumption on the premises or place where sold, but only at tables or a lunch bar where food is served. It also authorizes the charging of a cover, minimum, or door charge. The amount of the cover, or minimum, or door charge shall be posted at the entrance of the establishments in a prominent place.
(i)
A holder of a Class B license will be permitted to sell, with take-out food orders, up to two (2) seven hundred fifty millimeter (750 ml) bottles of wine or the equivalent volume of wine in smaller factory sealed containers, or seventy-two ounces (72 oz.) of mixed wine-based drinks or single-serving wine in containers sealed in such a way as to prevent re-opening without obvious evidence that the seal was removed or broken, one hundred forty-four ounces (144 oz.) of beer or mixed beverages in original factory sealed containers, and one hundred forty-four ounces (144 oz.) of draft beer or seventy-two ounces (72 oz.) of mixed beverages containing not more than nine ounces (9 oz.) of distilled spirits in growlers, bottles, or other containers sealed in such a way as to prevent re-opening without obvious evidence that the seal was removed or broken, provided such sales shall be made in accordance with § 1.4.10 of the department of business regulation (DBR) liquor control administration regulations, 230-RICR-30-10-1, and any other DBR regulations. A Class B license holder shall not sell alcoholic beverages under the provisions of this subsection for a lower price than what is charged for the same beverage for consumption on the premises.
(ii)
Delivery of alcoholic beverages with food from a Class B licensee is prohibited.
(iii)

The provisions of subsections (a)(2)(i) and (a)(2)(ii) of this section shall remain permanent and any sunset provision pursuant to P.L. 2021, ch. 129, § 3 or P.L. 2021, ch. 130, § 3 shall be void.

(3)

Holders of licenses are not permitted to hold dances within the licensed premises, unless proper permits have been properly obtained from the local licensing authorities.

(4)

Any holder of a Class B license may, upon the approval of the local licensing board and for the additional payment of two hundred dollars ($200) to five hundred dollars ($500), open for business at twelve o'clock (12:00) p.m. and on Fridays and Saturdays and the night before legal state holidays may close at two o'clock (2:00) a.m. All requests for a two o'clock (2:00) a.m. license shall be advertised by the local licensing board in a newspaper having a circulation in the county where the establishment applying for the license is located.

(5)

A holder of a retailer's Class B license is allowed to erect signs advertising his or her business and products sold on the premises, including neon signs, and is allowed to light those signs during all lawful business hours, including Sundays and holidays.

(6)

Notwithstanding the provisions of subsection (a) and/or § 3-7-16.4, a holder of a retail class B and/or class ED license may apply to the municipality in which the licensee is located for a permit to conduct a so-called "Lock-In Event", under the following conditions:

(i)

A "Lock-In Event" is defined as an event where a specified group of individuals are permitted to remain in a licensed premises after closing hours including, but not limited to, the hours of 1:00 a.m. to 6:00 a.m.

(ii)

A Lock-In Event must have the approval of the municipal licensing authority pursuant to a permit issued for each such event, subject to such conditions as may attach to the permit. The fee for the permit shall be not less than fifty dollars ($50.00) nor more than one hundred dollars ($100). The granting or denial of a Lock-In Event permit shall be in the sole discretion of the municipal licensing authority and there shall be no appeal from the denial of such a permit.

(iii)

During the entire period of any Lock-In Event, all alcoholic beverages must be secured in place or removed from the public portion of the premises and secured to the satisfaction of the municipality issuing the Lock-In Event permit.

(iv)

During the Lock-In Event, the establishment shall be exclusively occupied by the Lock-In Event participants and no other patrons shall be admitted to the premises who are not participants. It shall be a condition of the permit that participants shall not be admitted more than thirty (30) minutes after the permitted start time of the Lock-In Event, except in the event of unforeseen travel delays, nor permitted to re-enter the event if they leave the licensed premises.

(v)

As part of the Lock-In Event, food shall be served.

(vi)

The municipal licensing authority may, in its sole discretion, require the presence of a police detail, for some or all of the event, and the number of officers required, if any, shall be determined by the municipality as part of the process of issuing the Lock-In Event permit. The licensee shall be solely responsible for the cost of any such required police detail.

(b)

The annual license fee for a tavern keeper shall be four hundred dollars ($400) to two thousand dollars ($2,000), and for a victualer the license fee shall be four hundred dollars ($400) to two thousand dollars ($2,000). In towns with a population of less than two thousand five hundred (2,500) inhabitants, as determined by the last census taken under the authority of the United States or the state, the fee for each retailer's Class B license shall be determined by the town council, but shall in no case be less than three hundred dollars ($300) annually. If the applicant requests it in his or her application, any retailer's Class B license may be issued limiting the sale of beverages on the licensed premises to malt and vinous beverages containing not more than twenty percent (20%) alcohol by volume, and the fee for that limited Class B license shall be two hundred dollars ($200) to one thousand five hundred dollars ($1,500) annually. The fee for any Class B license shall in each case be prorated to the year ending December 1 in every calendar year.

(1)

Upon the approval and designation of a district or districts within its city or town by the local licensing board, the local licensing board may issue to any holder of a Class B license or a Class ED license, an extended hours permit to extend closing hours on Thursdays, Fridays and Saturdays, the night before a legal state holiday or such other days as determined by the local board, for one hour past such license holder's legal closing time as established by the license holder's license or licenses including, but not limited to, those issued pursuant to subsection (a)(4) of this section. The extended hours permit shall not permit the sale of alcohol during the extended one-hour period and shall prohibit the admittance of new patrons in the establishment during the extended one-hour period. The designation of such district(s) shall be for a duration of not less than six (6) months. Prior to designating any such district, the local licensing authority shall hold a hearing on the proposed designation. The proposed designation shall include the

boundaries of the proposed district, the applicable days for the extended hours, and the duration of the designation and the conditions imposed. The proposed designation shall be advertised at least once per week for three (3) weeks prior to the hearing in a newspaper in general circulation in the city or town. The city or town will establish an application process for an extended hours permit for such license holder and may adopt rules and regulations to administer the permit.

(c)

The licensee shall offer to the public, in conjunction with the sale of alcoholic beverages, the opportunity to purchase and consume food to be served on the premises in the same area designated for the sale and consumption of alcoholic beverages. These foods shall be offered for sale during all times that alcoholic beverages are sold and consumed on the licensed premises, unless the local licensing board grants permission to the licensee to stop the sale of food after ten o'clock (10:00) p.m., with such permission subject to revocation by the local licensing board at any time for any cause.

History of Section.

P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; G.L. 1938, ch. 163, § 3; P.L. 1939, ch. 659, § 2; P.L. 1940, ch. 814, § 1; P.L. 1941, ch. 1037, § 1; P.L. 1970, ch. 197, § 1; P.L. 1971, ch. 153, § 1; P.L. 1975, ch. 71, § 1; P.L. 1976, ch. 22, § 1; P.L. 1977, ch. 225, § 1; P.L. 1978, ch. 338, § 1; P.L. 1981, ch. 408, § 1; P.L. 1982, ch. 257, § 1; P.L. 1995, ch. 244, § 1; P.L. 1995, ch. 301, § 1; P.L. 2003, ch. 376, art. 7, § 11; P.L. 2004, ch. 237, § 1; P.L. 2004, ch. 410, § 1; P.L. 2008, ch. 17, § 1; P.L. 2008, ch. 82, § 1; P.L. 2008, ch. 269, § 1; P.L. 2008, ch. 318, § 1; P.L. 2009, ch. 357, § 1; P.L. 2014, ch. 158, § 1; P.L. 2014, ch. 171, § 1; P.L. 2021, ch. 129, § 1, effective July 2, 2021; P.L. 2021, ch. 130, § 1, effective July 2, 2021; P.L. 2022, ch. 3, § 2, effective February 16, 2022; P.L. 2022, ch. 4, § 2, effective February 16, 2022; P.L. 2022, ch. 33, § 1, effective December 1, 2022; P.L. 2022, ch. 34, § 1, effective December 1, 2022.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-7 - Retail LicensesSection 3-7-8. - Class C license.

§ 3-7-8. Class C license.

(a)

A retailer's Class C license authorizes the holder of the license to keep for sale and to sell beverages at retail at the place described in the license and to deliver those beverages for consumption on the premises where sold. No beverages shall be sold or served after twelve o'clock (12:00) midnight nor before six o'clock (6:00) a.m., except as provided in subsection (e) herein. Local license boards in the several cities and towns may fix an earlier closing time within their discretion. The license authorizes the holder to keep for sale and sell beverages, including beer in cans, at retail at the place described in the license and to deliver those beverages for consumption on the premises.

(b)

The license authorizes the holder to sell pre-packaged foods prepared off the premises with beverages but prohibits the preparation and serving of foods cooked on the premises. The holder of the license may serve with beverages, and without charge, popcorn, crackers, bread, pretzels, sausage of any type, pickles, sardines, smoked herring, lupino beans, and potato chips. No food shall be cooked on the premises but pre-packaged foods prepared and cooked off the premises and purchased by the holder from a supplier may be warmed and sold on the premises in their original packaging, and all foods shall be covered in accordance with the regulations of the state department of health. The annual fee for the license is four hundred dollars ($400) to eight hundred dollars ($800), prorated to the year ending December 1 in every calendar year.

(c)

The town councils of the towns of Coventry, Scituate, and South Kingstown are authorized to prohibit by ordinance the issuance of Class C licenses. Upon prohibiting Class C licenses, the license board of the towns of Coventry, Scituate and South Kingstown shall issue Class B licenses to the holder of all Class C licenses in those towns. The Class B licenses may be issued to the holders of Class C licenses notwithstanding any requirements of § 3-7-7. The holders of Class C licenses shall have the full privileges of a Class B license and shall pay the annual fee provided for Class B licenses.

(d)

Notwithstanding any prohibitions on the preparation and serving of foods cooked on the premises contained in paragraph (b) herein, the holders of Class C licenses in the city of Newport are authorized to prepare and serve foods cooked on the premises. The holders of Class C licenses in the city of Newport shall be deemed to be victualling houses for purposes of § 3-8-1.

(e)

Any holder of a Class C license may, upon the approval of the local licensing board and for the additional payment of two hundred dollars ($200), sell or serve beverages on Fridays and Saturdays and the night before legal state holidays until one o'clock (1:00) a.m. All requests for a one o'clock (1:00) a.m. license shall be advertised, at the applicant's expense, by the local licensing board in a newspaper with a general statewide circulation or having a general circulation in the city or town where the establishment applying for the license is located.

(f)

The licensing board for the city of Providence is authorized to immediately suspend or revoke the license or exercise other remedies, in accordance with proper due process owed to the licensee, with respect to:

(1)

Any Class C licensee that provides entertainment without an entertainment license issued by the city of Providence pursuant to its authority under chapter 22 of title 5; and/or

(2)
Any Class C licensee that engages in activities exceeding those permitted by a Class C license, unless such licensee has obtained any additional license permitting such activities, including, but not limited to, a Class N license.
History of Section.
P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; P.L. 1936, ch. 2315, § 1; G.L. 1938, ch. 163, § 3; impl. am. P.L. 1939, ch. 660, § 180; P.L. 1955, ch. 3454, § 1; G.L. 1956, § 3-7-8; P.L. 1969, ch. 46, § 1; P.L. 1970, ch. 197, § 1; P.L. 1977, ch. 225, § 1; P.L. 1978, ch. 338, § 1; P.L. 1985, ch. 140, § 1; P.L. 1986, ch. 144, § 1; P.L. 1999, ch. 257, § 1; P.L. 1999, ch. 400, § 1; P.L. 1999, ch. 404, § 1; P.L. 1999, ch. 429, § 1; P.L. 2003, ch. 376, art. 7, § 11; P.L. 2006, ch. 15, § 1; P.L. 2013, ch. 470, § 1; P.L. 2016, ch. 384, § 2; P.L. 2016, ch. 402, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-1. - Sales on Sundays and holidays — Sales to underage persons, intoxicated persons, and persons of intemperate habits.

§ 3-8-1. Sales on Sundays and holidays — Sales to underage persons, intoxicated persons, and persons of intemperate habits.
Licenses issued under this title shall not authorize the sale or service of beverages on Sunday, nor on Christmas day excepting licensed taverns, clubs, victualing houses, and retail Class F licensed places when served with food to guests, and except in places operated under a retail Class E license described in this title, and excepting the sale of wine or winery products at retail pursuant to § 3-6-1.1(e)(4) by holders of farmer-winery licenses and the serving of complimentary samples pursuant to § 3-6-1.1(g) by holders of farmer-winery licenses, except in cars or on passenger-carrying marine vessels operated by holders of Class G licenses, and except as otherwise provided herein. The department may limit the sale of beverages on passenger-carrying marine vessels to the hours from twelve o'clock (12:00) p.m. to six o'clock (6:00) p.m. on those days; nor shall they authorize the sale or delivery to any underaged person as defined in this title for purposes of sale, possession, and consumption of alcoholic beverages, either for his or her own use or for the use of his or her parents, or of any other person; or the sale of beverages to any intoxicated persons or to any person of notoriously intemperate habits. Places operating under a retail Class C license are authorized to be open for the sale of alcoholic beverages upon Columbus day, Armistice day, and Victory day, provided however, that a local board of license may authorize places operating under a Class C license to be open on New Year's day. A Class C licensee may serve beverages on Sunday with the written approval of the local board of license, subject to the notice provisions of § 3-5-17. Places operating under a retail Class A license are not authorized to be open for the sale of alcoholic beverages upon Thanksgiving day. Provided, however, that holders of Class A licenses may open from no earlier than ten o'clock (10:00) a.m. to no later than six o'clock (6:00) p.m. on Sundays, unless the following Monday is a holiday, in which event the holders may remain open no later than nine o'clock (9:00) p.m. the prior Sunday.
History of Section.
P.L. 1933, ch. 2013, § 18; P.L. 1934, ch. 2088, § 5; P.L. 1936, ch. 2338, § 3; G.L. 1938, ch. 165, § 1; impl. am. P.L. 1939, ch. 660, § 120; P.L. 1953, ch. 3229, § 1; G.L. 1956, § 3-8-1; P.L. 1958, ch. 108, § 1; P.L. 1966, ch. 280, § 1; P.L. 1968, ch. 18, § 1; P.L. 1971, ch. 241, § 1; P.L. 1975, ch. 109, § 1; P.L. 1979, ch. 326, § 1; P.L. 1979, ch. 401, § 1; P.L. 1980, ch. 406, § 1; P.L. 1984, ch. 136, § 1; P.L. 1986, ch. 80, § 1; P.L. 1995, ch. 401, § 1; P.L. 1996, ch. 11, § 1; P.L. 1996, ch. 404, § 3; P.L. 2000, ch. 350, § 1; P.L. 2000, ch. 485, § 1; P.L. 2003, ch. 273, § 1; P.L. 2003, ch. 320, § 1; P.L. 2004, ch. 195, § 1; P.L. 2004, ch. 197, § 1; P.L. 2006, ch. 17, § 2; P.L. 2012, ch. 104, § 1; P.L. 2012, ch. 109, § 1; P.L. 2013, ch. 193, § 1; P.L. 2013, ch. 371, § 1; P.L. 2021, ch. 13, § 1, effective May 19, 2021; P.L. 2021, ch. 14, § 1, effective May 19, 2021.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-10. - Possession of beverage by underage persons.

§ 3-8-10. Possession of beverage by underage persons.
Any person who has not reached his or her twenty-first (21st) birthday and has in his or her possession any beverage as defined in this title shall be fined one hundred fifty dollars ($150) to seven hundred fifty dollars ($750) for the first offense, three hundred dollars ($300) to seven hundred fifty dollars ($750) for the second offense, and four hundred fifty dollars ($450) to nine hundred fifty dollars ($950) for the third or subsequent offense. In addition, any person who violates this section shall be required to perform thirty (30) hours of community service and shall be subject to a minimum sixty (60) day suspension of his or her driver's license, and upon a second offense may be ordered to undergo a substance abuse assessment by a licensed substance abuse professional.
History of Section.
G.L. 1938, § 3-8-10; P.L. 1962, ch. 199, § 1; P.L. 1980, ch. 142, § 3; P.L. 1984, ch. 191, § 1; P.L. 1984, ch. 280, § 1; P.L. 1986, ch. 364, § 2; P.L. 1988, ch. 181, § 1; P.L. 1993, ch. 261, § 1; P.L. 2004, ch. 340, § 1; P.L. 2008, ch. 129, § 1; P.L. 2008, ch. 200, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-11.1. - Furnishing or procurement of alcoholic beverages for underage persons.

§ 3-8-11.1. Furnishing or procurement of alcoholic beverages for underage persons.
(a)
As used in this section: (1) "furnish" means to provide with, supply, give or purchase; (2) "procure" means to get possession of, obtain by particular care and effort; and (3) "permit" means to give permission for, or approval of, the possession or consumption of an alcoholic beverage by any form of conduct, that would cause a reasonable person to believe that permission or approval has been

given.
(b)
Except as otherwise provided in subsection (d) of this section it is unlawful for any person twenty-one (21) years of age or older:
(1)
to purchase from any licensee or any employee of a licensee any alcoholic beverage for the sale, delivery, service of or giving away to, any person who has not reached his or her twenty-first (21st) birthday;
(2)
to purchase from any licensee or any employee of any licensee any alcoholic beverage with the intent to cause or permit said alcoholic beverage to be sold, or given to any person who has not reached his or her twenty-first (21st) birthday;
(3)
to knowingly furnish any alcoholic beverage for the sale, delivery, service of or giving to any person who has not reached his or her twenty-first (21st) birthday;
(4)
to procure alcoholic beverages for the sale, delivery, service of or giving to any person who has not reached his or her twenty-first (21st) birthday; or
(5)
to otherwise permit the consumption of alcohol by underaged persons in his or her residence or on his or her real property.
(c)
Any person, between the ages of eighteen (18) and twenty-one (21) years of age, who violates subsection (b) herein, may, upon conviction, be subject to a civil penalty of not more than five hundred dollars ($500). In addition, any person convicted may be required to attend an educational program approved by the department of health designed to recognize the dangers of underaged drinking, and may be subject to up to thirty (30) hours of community service.
(d)
This section does not apply to use, consumption or possession of alcoholic beverages by a minor for religious purposes; or to a parent or legal guardian procuring or furnishing alcohol to, or permitting the consumption of alcohol by, his or her minor child or ward.
(e)
Any person who violates this section will be subject to the penalties provided in § 3-8-11.2.
History of Section.
G.L. 1938, § 3-8-11.1; P.L. 1963, ch. 147, § 1; P.L. 1980, ch. 142, § 3; P.L. 1984, ch. 191, § 1; P.L. 2006, ch. 230, § 1; P.L. 2006, ch. 272, § 1; P.L. 2008, ch. 129, § 1; P.L. 2008, ch. 200, § 1; P.L. 2010, ch. 144, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-11.2. - Penalty for violation of § 3-8-11.1.

§ 3-8-11.2. Penalty for violation of § 3-8-11.1.
(a)
Any person who violates § 3-8-11.1 and either pleads nolo contendere or is convicted of a first misdemeanor violation shall be punished by a fine of not less than three hundred fifty dollars ($350.00) nor more than one thousand dollars ($1,000.00) and/or imprisoned for a period not exceeding six (6) months, or both.
(b)
Any person who violates § 3-8-11.1 and either pleads nolo contendre or is convicted of a second misdemeanor violation shall be punished by a fine of not less than seven hundred fifty dollars ($750.00) nor more than one thousand dollars ($1,000.00) and/or imprisoned for a period not exceeding one year, or both.
(c)
Any person who violates § 3-8-11.1 and either pleads nolo contendre or is convicted of a third or subsequent violation shall be guilty of a felony and shall be punished by a fine not less than one thousand dollars ($1,000) nor more than two thousand five hundred dollars ($2,500) and/or imprisonment not exceeding three (3) years. Any person convicted of a second or subsequent offense under of this section shall not have any fine suspended.
History of Section.
G.L. 1938, § 3-8-11.2; P.L. 1963, ch. 147, § 1; P.L. 1983, ch. 247, § 1; P.L. 1985, ch. 266, § 1; P.L. 1987, ch. 78, § 12; P.L. 1988, ch. 214, § 1; P.L. 2006, ch. 230, § 1; P.L. 2006, ch. 272, § 1; P.L. 2008, ch. 129, § 1; P.L. 2008, ch. 200, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-11.3. - Agency or misrepresentation no defense.

§ 3-8-11.3. Agency or misrepresentation no defense.
It is no defense to a prosecution for a violation of § 3-8-11.2, that in the transaction upon which the prosecution is based, any person who has not reached his or her twenty-first (21st) birthday acted as the agent or representative of another, or that the defendant dealt with any person who has not reached his or her twenty-first (21st) birthday as the agent or representative of another, or that any person who has not reached his or her twenty-first (21st) birthday misrepresented or misstated his or her age, or the age of any other

person or misrepresented his or her age through the presentation of any of the documents set forth in of § 3-8-6(a)(3).
History of Section.
G.L. 1938, § 3-8-11.2; P.L. 1963, ch. 147, § 1; P.L. 1980, ch. 142, § 3; P.L. 1984, ch. 191, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-11.4. - Report of convictions involving altered or fraudulent driver's license.

§ 3-8-11.4. Report of convictions involving altered or fraudulent driver's license.
Upon final conviction of any person who has not reached his or her twenty-first (21st) birthday of having used an altered or fraudulent driver's license for the purposes of causing the sale to him, her, or another of alcoholic beverages, the clerk of the court having jurisdiction of the cause shall, within ten (10) days of the time when the case is disposed of, cause to be sent to the administrator of the division of motor vehicles an abstract of the record of disposition of the case.
History of Section.
G.L. 1938, § 3-8-11.4; P.L. 1965, ch. 180, § 2; P.L. 1980, ch. 142, § 3; P.L. 1984, ch. 191, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-11. - [Reserved.]

§ 3-8-11. [Reserved.]

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-12. - Expungement of certain criminal records.

§ 3-8-12. Expungement of certain criminal records.
The court records of conviction of any person convicted of a violation of § 3-8-6, 3-8-9, or 3-8-10, while between the age of eighteen (18) to twenty-one (21) shall be expunged without the requirement of filing a motion pursuant to chapter 1.3 of title 12; provided, that all outstanding court-imposed or court-related fees, fines, costs, assessments, charges and/or any other obligations imposed by the court have been paid and/or satisfied, or are reduced or waived by order of the court. The defendant shall be advised that any and all bail money relating to a case that remains on deposit and is not claimed at the time of expungement shall be escheated to the state's general treasury in accordance with chapter 12 of title 8.
History of Section.
G.L. 1938, § 3-8-12, as assigned, P.L. 1972, ch. 60, § 1; P.L. 2015, ch. 97, § 1; P.L. 2015, ch. 109, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-13. - Use of alcoholic beverages in a licensed curriculum.

§ 3-8-13. Use of alcoholic beverages in a licensed curriculum.
This chapter does not apply to a person who gives or causes to be given any alcoholic beverage to a student under the age of twenty-one (21) years, nor does this chapter apply to any of these students who receives any alcoholic beverage, if the beverage is delivered in a curriculum at an accredited college in which the student is required to taste or imbibe alcoholic beverages in courses which are part of the required curriculum, provided these alcoholic beverages are used only for instructional purposes during classes conducted pursuant to this curriculum.
History of Section.
P.L. 1987, ch. 115, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-14. - Sale of beverages by bottle.

§ 3-8-14. Sale of beverages by bottle.
The department of business regulation shall adopt rules and regulations authorizing the holders of Class B-V licenses issued pursuant to this title to sell aquardiente by the bottle, for consumption on the premises of the license holder because this beverage is generally purchased by the bottle by ethnic tradition.
History of Section.
P.L. 1997, ch. 202, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-15. - Sales of kegs of beer — Restrictions.

§ 3-8-15. Sales of kegs of beer — Restrictions.
(a)
Every retailer of kegs of beer shall affix a removable label to each keg of beer sold which shall contain the name, address, date of birth, type of identification document used to verify the date, and the last four (4) digits of the identification number of the document, of the person purchasing the keg and the following language: "Rhode Island law prohibits and imposes penalties for the sale, delivery, service of or giving away to, or causing, or permitting or procuring to be sold, delivered, served, or given away any alcoholic beverage to any person who has not reached his or her twenty-first (21st) birthday. A violation of this statute is an offense

punishable by a fine of up to one thousand dollars ($1,000) and six (6) months imprisonment. Minimum fine for first offense is three hundred fifty dollars ($350). The purchaser shall not remove, deface or obliterate the keg label." A keg without a label attached shall be subject to confiscation by the police. Removing or defacing a keg label shall be punishable by a fine not to exceed five hundred dollars ($500).

(b)

The retailer shall maintain a copy of the keg label in a keg sales book and shall note on that copy whether the keg was returned with the keg label or not returned at all. The director of the department of business regulation shall develop regulations for the design and production of the keg labels. The director shall produce and issue uniform keg labels and keg sales books that shall be made available to the retailer at cost.

(c)

The provisions of this section shall not apply to those classes of licensed beverage retailers which are prohibited by law from making off premises sales.

(d)

The director of business regulation shall design a uniform keg label which fulfills the provisions of this section.

History of Section.

P.L. 2002, ch. 115, § 1; P.L. 2004, ch. 142, § 1; P.L. 2004, ch. 147, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-16. - Restaurants: Off premise transportation of wine.

§ 3-8-16. Restaurants: Off premise transportation of wine.

(1)

Notwithstanding any provision of this chapter or in the Rhode Island general laws to the contrary, a holder of a retailer's Class B license shall be permitted to provide to a patron, and the patron shall be allowed to retain and remove from the premises and transport the remains of any bottle of wine purchased by said patron in conjunction with a meal, subject to the following limitations and conditions:

(a)

The patron purchased said wine in conjunction with the consumption of a full-course meal, defined herein as to include no less than an entrée meal, which shall be consumed on the premises;

(b)

The license holder shall re-cork or seal said bottle of wine;

(c)

The license holder shall place the bottle of wine in a container which shall be sealed in such a way as to prevent re-opening without obvious evidence that the seal was removed or broken;

(d)

The license holder shall note the date of the meal on the container; and

(e)

No more than one bottle may be removed at any one time.

(2)

A patron who transports the remains of a bottle of wine, as provided herein, shall not be subject to the provisions of § 31-22-21.1, provided, the patron places the container in the trunk area of a vehicle, or if the vehicle does not have a trunk, then the container shall be placed behind the last upright seat in the rear of the vehicle. While transporting said wine bottle the patron shall not cause the seal on said container to be removed or broken, and should such seal be so removed or broken as to allow access to the wine bottle, and/or if the bottle of wine is not placed in the area of a vehicle as required herein, then the patron shall be subject to the provisions and penalties of § 31-22-21.1.

History of Section.

P.L. 2006, ch. 199, § 1; P.L. 2006, ch. 331, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-17. - Possession or sale of powdered alcohol prohibited.

§ 3-8-17. Possession or sale of powdered alcohol prohibited.

(a)

It is unlawful for a person, firm, or corporation to use, offer for use, purchase, offer to purchase, sell, offer to sell, or possess powdered alcohol, subject to the provisions of § 3-11-5.

(b)

This section shall not apply to the use of powdered alcohol for bona fide research purposes by: a health care provider that operates primarily for the purpose of conducting scientific research; a state institution; a private college or university; or a pharmaceutical or biotechnology company.

History of Section.

P.L. 2016, ch. 11, § 2; P.L. 2016, ch. 12, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-18. - Possession or sale of alcohol without liquid device prohibited.

§ 3-8-18. Possession or sale of alcohol without liquid device prohibited.

(a)

It is unlawful for a person to use, offer for use, purchase, offer to purchase, sell, offer to sell, or possess an alcohol-without-liquid device as defined in § 3-1-1.

(b)

This section shall not apply to a healthcare provider that operates primarily for the purpose of conducting scientific research, a state institution conducting bona fide research, a private college or university conducting bona fide research, or to a pharmaceutical company or biotechnology company conducting bona fide research.

History of Section.

P.L. 2016, ch. 437, § 2; P.L. 2016, ch. 438, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-2. - Age restriction for bartenders.

§ 3-8-2. Age restriction for bartenders.

No person under the age of eighteen (18) may act as a bartender for the purposes of mixing, preparing, serving, or selling from a bar used for the purpose of dispensing beverages in any licensed establishment operating under a Class B-C-D-F or F1-G-J or K license.

History of Section.

G.L. 1938, ch. 165, § 4; P.L. 1955, ch. 3614, § 1; P.L. 1962, ch. 209, § 1; P.L. 1976, ch. 239, § 2; P.L. 1980, ch. 142, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-3. - Suspension of license for employment of underage bartender.

§ 3-8-3. Suspension of license for employment of underage bartender.

Any licensee who violates, or permits to be violated, the provisions of § 3-8-2 is subject to the suspension of license for a period of at least three (3) calendar days for the first offense. If additional violations occur, the number of calendar days of suspension shall be determined by the department.

History of Section.

G.L. 1938, ch. 165, § 5; P.L. 1955, ch. 3614, § 1; P.L. 1976, ch. 239, § 2; P.L. 1996, ch. 100, art. 36, § 11.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-4. - Drinking by or hiring of underage persons.

§ 3-8-4. Drinking by or hiring of underage persons.

(a)

Use of a credit card for the purchase of beverages may be permitted by all classes of license holders and, notwithstanding the purchase of alcoholic beverages by credit card, license holders shall not sell or furnish beverages to any person who has not reached his or her twenty-first (21st) birthday to drink any beverage upon any licensed premises.

(b)

Licensees shall not hire any persons who have not reached their eighteenth (18th) birthday to sell or serve beverages in any place where those beverages may be consumed on the premises where sold.

(c)

License holders may enforce a prohibition against any patron who has not reached his or her twenty-first birthday from entering the licensed establishment after ten o’clock (10:00) p.m..

History of Section.

P.L. 1933, ch. 2013, § 19; P.L. 1934, ch. 2088, § 5; G.L. 1938, ch. 165, § 2; G.L. 1956, § 3-8-4; P.L. 1980, ch. 142, § 2; P.L. 1984, ch. 191, § 1; P.L. 1988, ch. 155, § 1; P.L. 1988, ch. 614, § 1; P.L. 2019, ch. 61, § 1; P.L. 2019, ch. 71, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-5.1. - Compliance check.

§ 3-8-5.1. Compliance check.

(a)

As used in this section the term “compliance check” means the sending of a minor into a retail outlet to see if that minor could purchase alcohol. As used in this section the term “purchase survey” refers to compliance checks that are a part of a statewide survey.

(b)

Underage individuals acting as agents for the state or municipal police department may purchase, with impunity from prosecution, alcohol for the purposes of law enforcement, provided that the underage individuals are supervised by an adult law enforcement official. Any individual participating in an unannounced compliance check and/or purchase survey must state his/her accurate age if

asked by the employee of the licensed establishment being checked.
(c)
If the compliance check is a part of a general enforcement operation and results in the sale of alcohol to the minor, the manager of the retail outlet shall be notified within 48 hours of the violation. If the compliance check is a part of a purchase survey and results in the sale of alcohol to the minor, the manager of the retail outlet shall be notified of the violation upon completion of the purchase survey in that community.
History of Section.
P.L. 2003, ch. 205, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-5. - Penalty for violations relating to underage persons.

§ 3-8-5. Penalty for violations relating to underage persons.
Any person who sells or suffers to be sold or delivered any beverage to a person who has not reached his or her twenty-first (21st) birthday either for his or her own use or the use of his or her parents or any other person, or allows any person who has not reached his or her twenty-first (21st) birthday to drink beverages on premises licensed under this title or suffers or allows any persons who have not reached their eighteenth (18th) birthday to sell or serve any beverage on the premises shall for the first offense be subject to a fine of two hundred fifty dollars ($250); for the second offense, be subject to a fine of five hundred dollars ($500), and for the third and any subsequent offense, be subject to a fine of seven hundred fifty dollars ($750). In the event that there are no offenses in three (3) successive years from the date of the last offense, then the next offense shall be treated as a first offense. Nothing in this chapter shall be construed to prevent licensees from hiring any person who has reached his or her eighteenth birthday.
History of Section.
P.L. 1933, ch. 2013, § 31; P.L. 1934, ch. 2088, § 8; G.L. 1938, ch. 165, § 3; P.L. 1949, ch. 2177, § 1; G.L. 1956, § 3-8-5; P.L. 1975, ch. 189, § 1; P.L. 1979, ch. 326, § 1; P.L. 1980, ch. 142, § 2; 1981, ch. 118, § 1; P.L. 1984, ch. 191, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-6.1. - Identification cards for persons under the age of 21.

§ 3-8-6.1. Identification cards for persons under the age of 21.
(a)(1)
The administrator of the division of motor vehicles shall issue to any person upon request, who is under twenty-one (21) years of age, an identification card upon payment of a fee of twenty-five dollars ($25.00), and, upon presentation of a certified birth or baptismal certificate, or U.S. or foreign passport, or U.S. naturalization certificate, or a valid immigrant or refugee document issued by the United States Citizenship and Immigration Services including, but not limited to, any one of the following: Form I-551, Form I-94, Form I-688A, Form I-688, and a form evidencing that the applicant is a current or past recipient of a grant of deferred action under the Deferred Action for Childhood Arrivals program, together with a document bearing the applicant's signature. No person who holds an operator's license or a driver privilege card, issued by this state or any other state, shall be issued an identification card.
(2)
The identification card shall be subject to renewal every five (5) years upon the payment of a fee of twenty-five dollars ($25.00).
(3)
The identification card shall be signed by the administrator of the division of motor vehicles and also by the applicant, and his or her picture shall appear on the card along with the required information and the card shall be encased in laminated plastic. The card shall be two inches (2″) in height and four inches (4″) in length and shall be printed in the following form:
IDENTIFICATION CARD
Date Issued ..... No. ....
First Name Middle Name Last Name
.....
Address
.....
BIRTH RECORD
Month ..... Day ..... Year .....
Secure
Color of
Color of
Sex
Ht.
Wt.
Photo
hair
eyes

by Pasting
here
.....
.....
.....
.....
.....
Issued by
Administrator of the Division of Motor Vehicles
.....
.....
.....
Administrator
(4)
The identification cards shall be produced at the adult correctional institution if they have facilities to do so; if the adult correctional institutions have no facilities to do so, then all cards shall be manufactured by the lowest responsible bidder following advertisement for the solicitation of bids.
(5)
The identification cards shall be clearly distinguishable from those issued pursuant to § 3-8-6 and operators' and chauffeurs' licenses issued pursuant to title 31.
(b)
The identification card may be withdrawn at any time for just cause, at the discretion of the administrator of the division of motor vehicles. The administrator of the division of motor vehicles shall keep a record of the cards issued and each card shall contain an identification number specifically assigned to the person to whom the card was issued.
(c)
The administrator of the division of motor vehicles shall, upon presentation of a United States Department of Defense (DD) FORM 214 or other acceptable documentation of military service and verification of an honorable discharge, issue an identification card to the presenter that is clearly marked "veteran," at no additional cost.
(d)
Issuance of a Rhode Island identification card under this section to a current or past recipient of a grant of deferred action under the Deferred Action for Childhood Arrivals (DACA) program shall not confer the right to vote in the state of Rhode Island.
History of Section.
P.L. 1986, ch. 202, § 1; P.L. 1988, ch. 534, § 1; P.L. 1989, ch. 134, § 1; P.L. 1990, ch. 65, art. 16, § 1; P.L. 1998, ch. 343, § 1; P.L. 2010, ch. 23, art. 9, § 1; P.L. 2012, ch. 164, § 1; P.L. 2012, ch. 249, § 1; P.L. 2018, ch. 35, § 2; P.L. 2018, ch. 36, § 2; P.L. 2022, ch. 241, § 2, effective July 1, 2023; P.L. 2022, ch. 242, § 2, effective July 1, 2023.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-6.2. - Unlawful use of identification cards.

§ 3-8-6.2. Unlawful use of identification cards.
(a)
It shall be unlawful for any person:
(1)
To display or cause or permit to be displayed or have in his or her possession any cancelled, revoked, suspended, fictitious, or fraudulently altered official Rhode Island identification card;
(2)
To lend his or her Rhode Island identification card to any other person or knowingly permit the use of the card by another person;
(3)
To display or represent as one's own the Rhode Island identification card of another;
(4)
To fail or refuse to surrender to the division of motor vehicles upon lawful demand any Rhode Island identification card which has been suspended, revoked, or cancelled;
(5)
To use a false or fictitious name in any application for a Rhode Island identification card or to knowingly make a false statement or to knowingly conceal a material fact or otherwise commit a fraud in any such application;
(6)
To knowingly permit any unlawful use of his or her Rhode Island identification card; and
(7)
To aid or assist another to fraudulently obtain a Rhode Island identification card.
(b)

Any violation of subdivisions (a)(1) through (a)(7) of this section is punishable as a misdemeanor.
History of Section.
P.L. 1989, ch. 233, § 1; P.L. 1991, ch. 283, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-6.3. - Manufacture or distribution of fraudulent identification cards or licenses to operate a motor vehicle.

§ 3-8-6.3. Manufacture or distribution of fraudulent identification cards or licenses to operate a motor vehicle.
(a)
It shall be unlawful for any person to manufacture or distribute a fraudulent identification card, as defined in §§ 11-18-20.1 and 3-8-6, or a fraudulent license to operate a motor vehicle.
(b)
Each incident of manufacturing or distributing a fraudulent identification card or a fraudulent license to operate a motor vehicle shall be considered a separate and distinct offense.
(c)
Any person who violates subsection (a) of this section shall be guilty of a criminal violation and shall be subject to the following:
(1)
For a first offense, a fine of not more than five hundred dollars ($500);
(2)
For a second offense, a fine of not more than one thousand dollars ($1000);
(3)
For a third or subsequent offense, a fine of not more than two thousand dollars ($2000).
History of Section.
P.L. 2008, ch. 129, § 2; P.L. 2008, ch. 200, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-6. - Unlawful drinking and misrepresentation by underage persons — Identification cards for persons twenty-one and older.

§ 3-8-6. Unlawful drinking and misrepresentation by underage persons — Identification cards for persons twenty-one and older.
(a)
It is unlawful for:
(1)
A person who has not reached his or her twenty-first (21st) birthday to enter any premises licensed for the retail sale of alcoholic beverages for the purpose of purchasing or having served or delivered to him or her alcoholic beverages; or
(2)
A person who has not reached his or her twenty-first (21st) birthday to consume any alcoholic beverage on premises licensed for the retail sale of alcoholic beverages or to purchase, attempt to purchase, or have another purchase for him or her any alcoholic beverage; or
(3)
A person to misrepresent or misstate his or her age, or the age of any other persons, or to misrepresent his or her age through the presentation of any of the following documents:
(i)
An armed service identification card, valid passport, the identification card license, or any other documentation used for identification purposes that may belong to any other person who is twenty-one (21) years or older;
(ii)
A motor vehicle operator's license or a driver privilege card issued pursuant to § 31-10.4-2 that bears the date of birth of the licensee and that is issued by this state or any other state;
(iii)
A Rhode Island identification card, as defined in subsection (b), for the purpose of inducing any licensee, or any employee of any licensee, to sell, serve, or deliver any alcoholic beverage to a minor.
(b)(1)
The administrator of the division of motor vehicles shall issue to any person who has reached his or her twenty-first (21st) birthday a Rhode Island identification card upon payment of a fee of twenty-five dollars ($25), and, upon presentation of a certified birth or baptismal certificate, or U.S. or foreign passport, or U.S. naturalization certificate or a valid immigrant or refugee document issued by the United States Citizenship and Immigration Services, including, but not limited to, any one of the following: Form I-551, Form I-94, Form I-688A, Form I-688, and a form evidencing that the applicant is a current or past recipient of a grant of deferred action under the Deferred Action for Childhood Arrivals program, together with a document bearing the applicant's signature.
(2)
A person who has reached his or her fifty-ninth (59th) birthday is not required to pay the fee.
(3)
Each registration card shall be subject to renewal every five (5) years upon payment of a fee of twenty-five dollars ($25).

(4)
No person who holds an operator's license or a driver privilege card issued by this state or any other state shall be issued a Rhode Island identification card.
(5)
The identification card shall be signed by the administrator of the division of motor vehicles and by the applicant and his or her picture shall appear on the card along with the required information and the card shall be encased in laminated plastic. The card shall be two inches (2″) in height and four inches (4″) in length and shall be printed in the following form:
RHODE ISLAND IDENTIFICATION CARD
Date Issued ..... No. ....
First Name Middle Name Last Name
.....
Address
.....
BIRTH RECORD
Month ..... Day ..... Year .....
Secure
Color of
Color of
Sex
Ht.
Wt.
Photo
hair
eyes
by Pasting
here
.....
.....
.....
.....
.....
Issued by
Administrator of the Division of Motor Vehicles
.....
.....
.....
Administrator
(6)
The identification cards shall be produced at the adult correctional institutions if they have facilities to do so; if the adult correctional institutions have no facilities to do so, then all cards shall be manufactured by the lowest responsible bidder following advertisement for the solicitation of bids.
(7)
The identification cards shall be clearly distinguishable from those issued pursuant to § 3-8-6.1 and operators' and chauffeurs' licenses issued pursuant to title 31.
(8)
Any person who has been designated as permanently and totally disabled by the social security administration or who upon certification by an optometrist, ophthalmologist, or physician that a holder of a valid and current motor vehicle operator's license is no longer able to operate a motor vehicle, the administrator of the division of motor vehicles shall issue to such person, upon request, a Rhode Island identification card for the unexpired term of the person's motor vehicle operator's license at no additional cost. Thereafter, a renewal of such card shall be subject to the standard renewal charge of twenty-five dollars ($25) until the person shall reach his or her fifty-ninth (59th) birthday.
(9)
The administrator of the division of motor vehicles shall, upon presentation of a United States Department of Defense (DD) FORM 214 or other acceptable documentation of military service and verification of an honorable discharge, issue an identification card to the presenter that is clearly marked "veteran," at no additional cost.
(c)(1)
Every retail Class A, B, C, and D licensee shall cause to be kept a book or photographic reproduction equipment that provides the same information as required by the book. That licensee or the licensee's employee shall require any person who has shown a document as set forth in this section substantiating his or her age to sign that book or to permit the taking of his or her photograph

and indicate what document was presented. Use of the photographic reproduction equipment is voluntary for every Class A, B, C, and D licensee.
(2)
The sign-in-as-minor book and photographic reproduction equipment shall be prescribed, published, and approved at the direction and control of the division. The book shall contain at least four hundred (400) pages; shall be uniform throughout the state; and shall be distributed at a cost not to exceed seven dollars ($7.00).
(3)
If a person whose age is in question signs the sign-in-as-minor book or has a photograph taken before he or she is sold any alcoholic beverage and it is later determined that the person had not reached his or her twenty-first (21st) birthday at the time of sale, it is considered prima facie evidence that the licensee and/or the licensee's agent or servant acted in good faith in selling any alcoholic beverage to the person producing the document as set forth in this section misrepresenting his or her age.
(4)
Proof of good-faith reliance on any misrepresentation is a defense to the prosecution of the licensee and/or the licensee's agent or servant for an alleged violation of this section.
(d)(1)
Any person who violates this section shall be punished for the first offense by a mandatory fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) and shall be further punished by thirty (30) hours of community service and shall be further punished by a suspension of his or her motor vehicle operator's license or driving privileges for a period of thirty (30) days; for the second offense by a mandatory fine of not less than five hundred dollars ($500) nor more than seven hundred fifty dollars ($750) and shall be further punished by forty (40) hours of community service and will be further punished by a suspension of his or her motor vehicle operator's license or driving privileges for a period of three (3) months; and for the third and subsequent offenses by a mandatory fine for each offense of not less than seven hundred fifty dollars ($750) nor more than one thousand dollars ($1,000) and shall be further punished by fifty (50) hours of community service and will be further punished by a suspension of his or her motor vehicle operator's license or driving privileges for a period of one year.
(2)
Any suspension of an operator's license or driving privilege pursuant to this section shall not operate to affect the insurance rating of the offender and any operator's license or driving privilege suspended pursuant to this section shall be reinstated without further expense upon application.
(e)
Within thirty (30) days after this incident the police chief of the city or town where the incident took place is directed to inform, in writing, the department of business regulation whether or not charges in accordance with this section have been preferred against a person who has not reached his or her twenty-first (21st) birthday and has violated this section. If no charge is brought against any person who has not reached his or her twenty-first (21st) birthday and has violated the provisions of this section, then the police chief of the city or town where the incident took place will state the reason for his or her failure to charge the person who has not reached his or her twenty-first (21st) birthday.
(f)
The Rhode Island identification card may be withdrawn at any time for just cause, at the discretion of the administrator of the division of motor vehicles. The administrator of the division of motor vehicles shall keep a record of the cards issued and each card shall contain an identification number specifically assigned to the person to whom the card was issued.
(g)
Issuance of a Rhode Island identification card under this section to a current or past recipient of a grant of deferred action under the Deferred Action for Childhood Arrivals (DACA) program shall not confer the right to vote in the state of Rhode Island.
History of Section.
G.L. 1938, ch. 165, § 3; P.L. 1949, ch. 2177, § 1; R.P.L. 1957, ch. 144, § 1; P.L. 1958, ch. 66, § 1; P.L. 1966, ch. 124, § 1; P.L. 1969, ch. 225, § 1; P.L. 1973, ch. 218, § 1; P.L. 1976, ch. 239, § 2; P.L. 1980, ch. 142, § 2; P.L. 1983, ch. 44, § 1; P.L. 1984, ch. 191, § 1; P.L. 1985, ch. 67, § 1; P.L. 1985, ch. 68, § 1; P.L. 1986, ch. 140, § 1; P.L. 1987, ch. 64, § 1; P.L. 1988, ch. 335, § 1; P.L. 1988, ch. 498, § 1; P.L. 1988, ch. 590, § 1; P.L. 1989, ch. 134, § 1; P.L. 1990, ch. 65, art. 16, § 1; P.L. 1992, ch. 192, § 1; P.L. 1995, ch. 227, § 1; P.L. 1996, ch. 100, art. 36, § 11; P.L. 1998, ch. 343, § 1; P.L. 1998, ch. 395, § 1; P.L. 2003, ch. 387, § 1; P.L. 2003, ch. 391, § 1; P.L. 2004, ch. 307, § 1; P.L. 2007, ch. 122, § 1; P.L. 2007, ch. 191, § 1; P.L. 2008, ch. 129, § 1; P.L. 2008, ch. 200, § 1; P.L. 2010, ch. 23, art. 9, § 1; P.L. 2012, ch. 164, § 1; P.L. 2012, ch. 249, § 1; P.L. 2018, ch. 35, § 2; P.L. 2018, ch. 36, § 2; P.L. 2022, ch. 241, § 2, effective July 1, 2023; P.L. 2022, ch. 242, § 2, effective July 1, 2023.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-8 - Regulation of SalesSection 3-8-9. - Transportation of alcoholic beverages by underage persons.

§ 3-8-9. Transportation of alcoholic beverages by underage persons.
(a)
Any person who has not reached his or her twenty-first (21st) birthday and who operates a motor vehicle upon the public highways, except when accompanied by a parent, legal guardian, or another adult who is over the age of twenty-one (21) years and related, whether by blood, adoption or marriage, to the operator within the following degree of sanguinity: brother, sister, grandfather,

grandmother, father-in-law, mother-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepbrother, stepsister, half-brother, half-sister, uncle, aunt, great uncle or great aunt and, knowingly having liquor or intoxicating beverages in any form in containers, opened or unopened, in any part of the vehicle shall be guilty of a criminal violation. The words liquor and intoxicating beverages, as used in this section, have the same meaning as defined in chapter 1 of this title. This section does not apply to persons between the ages of sixteen (16) and twenty-one (21) who are transporting unopened alcoholic beverages in the course of their employment.
(b)
Any person who violates subsection (a) of this section shall be subject to the following:
(1)
For a first offense, a fine of not more than two hundred fifty dollars ($250) and have his or her license to operate a motor vehicle suspended for not more than thirty (30) days;
(2)
For a second offense, a fine of not more than five hundred dollars ($500) and have his or her license to operate a motor vehicle suspended for not more than ninety (90) days;
(3)
For a third or subsequent offense, a fine of no less than five hundred dollars ($500) nor more than nine hundred and fifty dollars ($950) and have his or her license to operate a motor vehicle suspended for one year.
History of Section.
P.L. 1962, ch. 199, § 1; P.L. 1976, ch. 239, § 2; P.L. 1980, ch. 142, § 2; P.L. 1984, ch. 191, § 1; P.L. 2008, ch. 129, § 1; P.L. 2008, ch. 200, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-9 - Adulterated LiquorsSection 3-9-1. - Appointment of assayer.

§ 3-9-1. Appointment of assayer.
The director of business regulation may appoint an assayer of liquors, who shall perform the duties required by this chapter.
History of Section.
G.L. 1896, ch. 151, § 1; P.L. 1901, ch. 809, § 33; G.L. 1909, ch. 177, § 1; G.L. 1923, ch. 208, § 1; P.L. 1935, ch. 2250, § 74; G.L. 1938, ch. 173, § 1; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-9-1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-9 - Adulterated LiquorsSection 3-9-10. - Acceptance of gifts by assayers.

§ 3-9-10. Acceptance of gifts by assayers.
No assayer appointed under this chapter shall accept any reward or gratuity from any person in any way engaged in the sale of liquors, and every assayer receiving a reward or gratuity shall be fined one hundred dollars ($100) or be imprisoned not exceeding three (3) months.
History of Section.
G.L. 1896, ch. 151, § 10; G.L. 1909, ch. 177, § 10; G.L. 1923, ch. 208, § 10; G.L. 1938, ch. 173, § 10; G.L. 1956, § 3-9-10.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-9 - Adulterated LiquorsSection 3-9-11. - Civil liability for adulteration — Unlawful homicide.

§ 3-9-11. Civil liability for adulteration — Unlawful homicide.
Any person who, by the use of wood alcohol or other similar substance, adulterates any liquid intended to be used as a drink by a human being, is liable in treble damages to any person who consumes that adulterated preparation which the party consuming that adulterated preparation suffers. If the party consuming that adulterated preparation dies within one year after consuming that adulterated preparation, as a result of the consumption, the party guilty of the adulteration is deemed guilty of unlawful homicide in any degree in which the jury trying the case finds.
History of Section.
P.L. 1933, ch. 2013, § 78; G.L. 1938, ch. 170, § 1; G.L. 1956, § 3-9-11.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-9 - Adulterated LiquorsSection 3-9-2. - Analysis of liquors on request.

§ 3-9-2. Analysis of liquors on request.
The assayer shall analyze all spirituous and intoxicating liquors when required by the attorney general or by the sheriff of any county or by the chief of police of any town or city or by the department of business regulation.
History of Section.
G.L. 1896, ch. 151, § 2; G.L. 1909, ch. 177, § 2; G.L. 1923, ch. 208, § 2; G.L. 1938, ch. 173, § 2; impl. am. P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-9-2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-9 - Adulterated LiquorsSection 3-9-3. - Analysis fee.

§ 3-9-3. Analysis fee.
For each analysis and certificate the sum of ten dollars ($10.00) shall be taxed as a part of the costs to be paid by the defendant in any criminal case when the analysis and certificate have been made.
History of Section.
G.L. 1896, ch. 151, § 3; G.L. 1909, ch. 177, § 3; G.L. 1923, ch. 208, § 3; P.L. 1925, ch. 584, § 1; G.L. 1938, ch. 173, § 3; P.L. 1976, ch. 243, § 1.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-9 - Adulterated LiquorsSection 3-9-4. - Sale of impure or adulterated liquors — Misrepresentation of quality.

§ 3-9-4. Sale of impure or adulterated liquors — Misrepresentation of quality.
No person shall sell, keep for sale or offer to sell any impure or adulterated spirituous or intoxicating liquors, nor shall any person sell or keep for sale or offer for sale any liquors of quality inferior to what the liquors are represented to be.
History of Section.
G.L. 1896, ch. 151, § 4; G.L. 1909, ch. 177, § 4; G.L. 1923, ch. 208, § 4; G.L. 1938, ch. 173, § 4; G.L. 1956, § 3-9-4.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-9 - Adulterated LiquorsSection 3-9-5. - Penalty for violations of § 3-9-4.

§ 3-9-5. Penalty for violations of § 3-9-4.
Any person keeping for sale or offering to sell or selling any liquors in violation of § 3-9-4 shall be fined not less than one hundred dollars ($100) nor more than three hundred dollars ($300) or be imprisoned in an adult correctional institution for a period not exceeding three (3) months.
History of Section.
G.L. 1896, ch. 151, § 5; G.L. 1909, ch. 177, § 5; G.L. 1923, ch. 208, § 5; G.L. 1938, ch. 173, § 5; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 3-9-5.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-9 - Adulterated LiquorsSection 3-9-6. - Sale of liquor with injurious ingredients.

§ 3-9-6. Sale of liquor with injurious ingredients.
Any person keeping for sale or offering to sell or selling any spirituous or intoxicating liquors which are adulterated with any poison or deleterious ingredients injurious to health, shall be fined not less than three hundred dollars ($300) nor more than five hundred dollars ($500) or be imprisoned in the adult correctional institution for not less than three (3) months nor more than six (6) months; and upon the second conviction of a violation of this or of any preceding section of this chapter, the person convicted shall be sentenced to be both fined and imprisoned.
History of Section.
G.L. 1896, ch. 151, § 6; G.L. 1909, ch. 177, § 6; G.L. 1923, ch. 208, § 6; G.L. 1938, ch. 173, § 6; impl. am. P.L. 1956, ch. 3721, § 1; G.L. 1956, § 3-9-6.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-9 - Adulterated LiquorsSection 3-9-7. - Forfeiture of impure or adulterated liquors.

§ 3-9-7. Forfeiture of impure or adulterated liquors.
In addition to the penalties provided for keeping or for offering for sale, or for selling impure or adulterated liquors, all those impure or adulterated liquors and the casks, barrels, or other vessels containing those impure or adulterated liquors, are forfeited to the state, and the provisions of §§ 3-12-9 — 3-12-15 are made applicable as to authorize forfeitures of those impure or adulterated liquors and casks, barrels and other vessels containing those impure or adulterated liquors unlawfully possessed in the same manner as if those impure or adulterated liquors were mentioned in those sections.
History of Section.
G.L. 1896, ch. 151, § 7; G.L. 1909, ch. 177, § 7; G.L. 1923, ch. 208, § 7; G.L. 1938, ch. 173, § 7; G.L. 1956, § 3-9-7; P.L. 1965, ch. 168, § 2.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-9 - Adulterated LiquorsSection 3-9-8. - Possession of impure or adulterated liquors as evidence of keeping for sale.

§ 3-9-8. Possession of impure or adulterated liquors as evidence of keeping for sale.
Having in possession, in a place of business or in any place, building, or dwelling where liquors are sold, of one gallon or upwards of impure or adulterated liquors is evidence that those impure or adulterated liquors are kept for sale by the person in whose possession those impure or adulterated liquors may be found.
History of Section.
G.L. 1896, ch. 151, § 8; G.L. 1909, ch. 177, § 8; G.L. 1923, ch. 208, § 8; G.L. 1938, ch. 173, § 8; G.L. 1956, § 3-9-8.

2024 Rhode Island General LawsTitle 3 - Alcoholic BeveragesChapter 3-9 - Adulterated LiquorsSection 3-9-9. - False assays.

§ 3-9-9. False assays.

Every assayer who gives any false certificate of the quality of liquors assayed under of this chapter shall be imprisoned three (3) months.

History of Section.

G.L. 1896, ch. 151, § 9; G.L. 1909, ch. 177, § 9; G.L. 1923, ch. 208, § 9; G.L. 1938, ch. 173, § 9; G.L. 1956, § 3-9-9.