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HOUSE BILL NO. 555

Offered January 8, 2020

Prefiled January 6, 2020

A *BILL to amend the Code of Virginia by adding a section numbered 11-4.6, relating to snow removal and ice control contracts.*

Patron—Knight

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

- 1. That the Code of Virginia is amended by adding a section numbered 11-4.6 as follows:**
§ 11-4.6. Snow removal and ice control services contracts; certain provisions declared void.

A. As used in this section:

"Service provider" means a person providing services under a snow removal and ice control services contract.

"Service receiver" means a person receiving services under a snow removal and ice control services contract.

"Snow removal and ice control services contract" means a contract or agreement for the performance of (i) plowing, shoveling, or removal of snow or ice; (ii) de-icing services; or (iii) a service incidental to clause (i) or (ii), including operating or moving snow removal or de-icing equipment or materials.

B. A provision, clause, covenant, or agreement contained in, collateral to, or affecting a snow removal and ice control services contract is against public policy and void and unenforceable if it requires, or has the effect of requiring, (i) a service provider to indemnify a service receiver for damages resulting from the acts or omissions of the service receiver or the service receiver's agents or employees, (ii) a service receiver to indemnify a service provider for damages resulting from the acts or omissions of the service provider or the service provider's agents or employees, (iii) a service provider to hold a service receiver harmless from any tort liability for damages resulting from the acts or omissions of the service receiver or the service receiver's agents or employees, (iv) a service receiver to hold a service provider harmless from any tort liability for damages resulting from the acts or omissions of the service provider or the service provider's agents or employees, (v) a service provider to defend a service receiver against any tort liability for damages resulting from the acts or omissions of the service receiver or the service receiver's agents or employees, or (vi) a service receiver to defend a service provider against any tort liability for damages resulting from the acts or omissions of the service provider or the service provider's agents or employees.

C. The provisions of this section shall not apply to snow removal and ice control services contracts to be performed on county, city, town, or state-owned roadways or property.

INTRODUCED

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