
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1672 Session of
2015

INTRODUCED BY MURT, DRISCOLL, ROZZI, COHEN, McNEILL AND
ZIMMERMAN, OCTOBER 29, 2015

REFERRED TO COMMITTEE ON TRANSPORTATION, OCTOBER 29, 2015

AN ACT

1 Providing for enforceability of certain indemnity provisions in
2 snow plow and de-icing services contracts.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Snow Plow and
7 De-icing Services Contract Liability Limitation Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Promisee." A person and an agent, employee, servant or
13 independent contractor who is directly responsible to a person.

14 "Snow plow and de-icing services contract." A contract in
15 which a promisee agrees to perform any of the following
16 activities:

17 (1) plowing, shoveling or other removal of snow or other
18 mixed precipitation from a surface;

1 (2) de-icing services; or

2 (3) a service incidental to an activity described in
3 paragraph (1) or (2), including, but not limited to, driving
4 or otherwise moving snow plow equipment or de-icing equipment
5 and materials.

6 Section 3. Certain indemnity agreements void.

7 Notwithstanding any provision of law to the contrary, a
8 provision, clause, covenant or agreement contained in,
9 collateral to or affecting a snow plow and de-icing services
10 contract that purports to indemnify, defend or hold harmless, or
11 has the effect of indemnifying, defending or holding harmless,
12 the promisee from or against any liability for loss or damage
13 resulting from the negligence or omissions of the promisee is
14 against the public policy of this Commonwealth and is void and
15 unenforceable.

16 Section 4. Applicability.

17 This act shall apply to contracts entered into on or after
18 the effective date of this section.

19 Section 5. Effective date.

20 This act shall take effect in 60 days.