

SENATE BILL NO. 477

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING IMMUNITY FOR EMPLOYERS FOR INJURIES OR DAMAGES SUSTAINED BY EMPLOYEES IN RIDESHARING ARRANGEMENTS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Ridesharing -- limits on employer liability. (1) ~~AN~~ EXCEPT AS PROVIDED ~~IN SUBSECTION (2), AN~~ employer is not liable for injuries or damages sustained by operators, passengers, or other persons:

(a) that result from operation of a motor vehicle that is being used in a VOLUNTARY ridesharing arrangement between a place of residence and a place of employment or near those places; or

(b) because the employer provides information to, provides incentives to, or otherwise encourages employees to participate in VOLUNTARY ridesharing arrangements.

(2) This section does not apply to:

(A) motor vehicles owned or leased, OR OTHERWISE PROVIDED by an employer or to;

(B) AN EMPLOYER THAT REIMBURSES AN EMPLOYEE FOR MILEAGE OR TRAVEL EXPENSES, OTHER THAN PARKING, FOR PARTICIPATION IN A RIDESHARING ARRANGEMENT;

(C) AN EMPLOYER THAT MAKES EMPLOYEE PARTICIPATION IN RIDESHARING PROGRAMS A REQUIREMENT OF EMPLOYMENT;

(D) acts by an employee within the scope of employment; OR TO

(E) VOLUNTARY RIDESHARING ARRANGEMENTS SUBSIDIZED BY AN EMPLOYER.

(3) For purposes of this section:

(a) "employment" commences when an employee arrives at the employer's place of employment to report for work and terminates when the employee leaves the employer's place of employment; and

(b) "within the scope of employment" means activity when the employee is engaged in the performance of duties assigned or directed by the employer or is acting in the furtherance of the business of the employer.

