



Mayor of Providence

Brett P. Smiley

March 11, 2025

Representative Robert Craven
House Judiciary Committee
Rhode Island State House
82 Smith Street
Providence RI, 20903

Dear Chairman Craven and honorable members of the committee:

I am writing in support of House Bills 5911, 5914, and 5915, which pertain to civil procedure, municipal actions, and roadway defect claims. If passed, these bills will help municipalities better predict and manage legal costs associated with roadway defect claims, while also clarifying important provisions within state statutes.

House Bill 5911 addresses the proprietary function exemption, which has long posed a significant financial risk to municipal budgets. This bill seeks to mitigate that risk by applying a standard of liability that holds municipalities accountable only in cases of extreme recklessness. Additionally, by capping tort damages at \$100,000, municipalities will be better positioned to forecast their financial exposure in litigation.

House Bill 5914 aims to align Rhode Island law with federal guidelines regarding evidence in roadway and highway defect cases by prohibiting the use of subsequent remedial measures. The bill also reduces the maximum amount a plaintiff can recover in a personal injury claim against a municipality from \$100,000 to \$3,000. This change will help cities and towns better predict potential legal costs while ensuring claimants are fairly compensated for their injuries.

Lastly, House Bill 5915 seeks to clarify the application of laws regarding tort claims specific to road defects. Currently, courts reference multiple statutes, which has led to confusion for many municipalities. This bill would establish a uniform legal framework, providing much-needed clarity and consistency for cities and towns managing roadway defect claims.

I want to thank Representative Felix for introducing these pieces of Legislation and I urge the committee to vote yes on all three.

Sincerely,

Brett P Smiley

Brett P Smiley,

Mayor