



State of Rhode Island and Providence Plantations  
**Department of State | Office of the Secretary of State**  
 Nellie M. Gorbea, *Secretary of State*

**Rules and Regulations Filing Form**

**1. Agency Name and Address**

Transportation, Department of  
 2 Capitol Hill Providence

**2. Title of Rule**

Rules and Regulations for Pothole Claims

**3. Statutory Source of Authority**

RI General Laws, Sections 24-8-35; 42-13-1(b); 42-35-1, et seq.

**4. Concise Explanatory Statement - §42-35-2.6**

The purpose of these Rules and Regulations is to amend the procedure implementing Section 24-8-35 of the Rhode Island General Laws of 1956, as amended, which allows recovery for damage incurred to motor vehicles by reason of a pothole on any state highway, causeway, or bridge, up to and not exceeding three hundred dollars (\$300.00).

**5. Type of Filing**

**Emergency Rules**

A1. Emergency 120-day initial - §42-35-2.10

- Adoption
- Amendment of ERLID:
- Repeal of ERLID:

A2. Emergency 60-day renewal - §42-35-2.10

- Adoption
- Amendment
- Repeal

Indicate ERLID of 120-day initial:

Brief Statement of Reason for Finding Imminent Peril §42-35-2.10:

**Final Rules**

B1. Amendment - §42-35-3(a)

B2. Adoption - §42-35-3(a)

B3. Repeal - §42-35-3(a)

C. Technical Revision

D. Direct Final Rule - §42-35-2.11

Supersedes ERLID:

If B1 or C, please indicate new, amended, deleted, or revised sections:

To correct typographical error in Section 4(c), subparagraph 7. Supercedes ERLID 3668 Filed 09/12/2005

**6. Notice and Hearing Information**

Date of Public Notice - §42-35-2.8:07/21/2005

Date of Public Hearing - §42-35-2.8:Hearing Not Required

End of Comment Period - §42-35-2.8 :

**7. Agency Additional Information - Web Page**

http://

**8. Certification**

*I hereby certify that the attached rules and regulations were adopted in accordance with the Administrative Procedures Act (42-35) and that they are true copies of this Department, attest,*

\_\_\_\_\_  
 Name

\_\_\_\_\_  
 Notary Public

\_\_\_\_\_  
 Title

Subscribed and sworn before me  
 this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_