

§2509. Limit on awards

1. Limitation on damages for losses other than expenses for medical care and treatment. In actions for damages permitted by this Act, the claim for and award of damages for all losses, except expenses for medical care and treatment, including devices or aids, against both a server and the server's employees and agents, may not exceed \$350,000 for any and all claims arising out of a single accident or occurrence.

[PL 2009, c. 247, §1 (AMD).]

2. Multiple claimants. When the amount for all losses, except expenses for medical care and treatment, including devices and aids, awarded to or settled for multiple claimants, exceeds the limit imposed by this section, any party may apply to the Superior Court for the county where the server is located to allocate each claimant an equitable share of the total, limited as required by this section.

A. Any award by the court in excess of the maximum liability limit specified by subsection 1 must be automatically abated by operation of this section to the maximum limit of liability. [PL 2021, c. 658, §282 (AMD).]

[PL 2021, c. 658, §282 (AMD).]

SECTION HISTORY

PL 1987, c. 45, §A4 (NEW). PL 2009, c. 247, §1 (AMD). PL 2021, c. 658, §282 (AMD).

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