

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend the Laws Governing Liquor Liability and Licensing

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 28-A MRSA §1051, sub-§7 is enacted to read:

7. Liability insurance. A licensee holding a license for the sale of liquor to be consumed on the premises where sold shall maintain liability insurance in an amount no less than \$400,000 at all times.

Sec. 2. 28-A MRSA §2508, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

§ 2508.Damages

1. Damages. Damages may be awarded for ~~property damage, bodily injury or death proximately caused by the consumption of the liquor served by the serveras~~ in other tort actions.

2. Damages under wrongful death and survival laws. Except as otherwise provided in this Act, damages may be recovered under Title 18-A, sections 2-804 and 3-817, as in other tort actions; ~~subject to the damage limit of section 2509.~~

Sec. 3. 28-A MRSA §2509, as enacted by PL 1987, c. 45, Pt. A, §4, is repealed.

Sec. 4. 28-A MRSA §2513, as enacted by PL 1987, c. 45, Pt. A, §4, is repealed.

Sec. 5. 28-A MRSA §2514, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

§ 2514.Statute of limitations

Any action under this Act against a server alleging negligent or reckless conduct must be brought within 26 years after the cause of action accrues.

SUMMARY

This bill amends the laws governing liquor liability and licensing.

1. It requires that a licensee that holds a license for the sale of liquor to be consumed on the premises where sold to maintain liability insurance of no less than \$400,000;
2. It repeals the limitation on awards for damages under the Maine Liquor Liability Act;
3. It repeals the written notice requirement to defendants under the Maine Liquor Liability Act; and
4. It extends from 2 to 6 years the statute of limitations for bringing an action under the Maine Liquor Liability Act.