

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 206

H. P. 167

House of Representatives, January 16, 1969

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Richardson of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Relating to Lack of Privity as a Defense in Action Against Manufacturer or Seller of Goods Under the Uniform Commercial Code.

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

Sec. 1. R. S., T. 11, § 2-318-A, additional. Title 11 of the Revised Statutes is amended by adding a new section 2-318-A to read as follows:

§ 2-318-A. When lack of privity no defense in action against manufacturer or seller of goods

Lack of privity between plaintiff and defendant shall be no defense in any action brought against the manufacturer or seller of goods to recover damages for breach of warranty, express or implied, or for negligence, although the plaintiff did not purchase the goods from the defendant, if the plaintiff was a person whom the manufacturer or seller might reasonably have expected to use, consume, or be affected by the goods.

Sec. 2. Application. This Act shall not be construed to affect any transaction occurring prior to the effective date of this Act.