

MAINE STATE LEGISLATURE

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(New Title)
New Draft of S. P. 312, L. D. 978

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1963

S. P. 631

In Senate, May 23, 1973

Reported by Senator Tanous of Penobscot from Committee on Judiciary
and printed under Joint Rules No. 18.

HARRY N. STARBRANCH, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

**AN ACT Relating to Liability for Physical Harm to Users, Consumers or
Bystanders from Defective Goods or Products.**

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

Sec. 1. R. S., T. 14, c. 10, additional. Title 14 of the Revised Statutes is amended by adding a new chapter 10 to read as follows:

CHAPTER 10

LIABILITY

§ 221. Defective or unreasonably dangerous goods

One who sells any goods or products in a defective condition unreasonably dangerous to the user or consumer or to his property is subject to liability for physical harm thereby caused to a person whom the manufacturer, seller or supplier might reasonably have expected to use, consume or be affected by the goods, or to his property, if the seller is engaged in the business of selling such a product and it is expected to and does reach the user or consumer without significant change in the condition in which it is sold. This section applies although the seller has exercised all possible care in the preparation and sale of his product and the user or consumer has not bought the product from or entered into any contractual relation with the seller.

Sec. 2. Application. This Act shall not be construed to affect any cause of action arising prior to the effective date of this Act.

STATEMENT OF FACT

This section creates a cause of action on behalf of the person injured or damaged as a result of exposure to defective and unreasonably dangerous goods or products.