

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1267

S. P. 419

In Senate, March 27, 1975

Reported by the Majority from the 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-FIVE

AN ACT Relating to Liability of Natural Gas Distributors.

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

14 MRSA § 165 is enacted to read:

§ 165. Liability of natural gas distributors

A natural gas company or natural gas pipeline company which distributes natural gas shall be held strictly liable for death or injury to persons or damage to property, resulting from explosions or fire occasioned by natural gas escaping from any portion of the natural gas distribution system under its control. There shall be a rebuttable presumption that the natural gas which occasioned said explosion or fire escaped from the portion of said system under its control.

The damages recoverable in such an action shall be reduced to such an extent as the fact finder thinks just and equitable, having regard to the extent that such natural gas company or natural gas pipeline company shows the escape or the explosion or fire was caused by the negligent, reckless, wanton, willful or intentional conduct of the claimant, claimant's decedent or a 3rd party.

STATEMENT OF FACT

The purpose of this bill is to provide strict liability on the part of natural gas companies or natural gas pipeline companies for death, injury or damage resulting from an explosion or fire occasioned by natural gas escaping from any portion of the natural gas distribution system under its control and to further provide that damages recoverable from such companies shall be reduced to such extent as it is found that the explosion or fire was caused by the negligent, reckless, wanton or intentional conduct of the claimant or some 3rd party.