

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
109TH LEGISLATURE  
FIRST REGULAR SESSION

(Filing No. S-297)

COMMITTEE AMENDMENT "A" to S.P. 544, L.D. 1610, Bill, "AN ACT to Indemnify Motor Vehicle Dealers for Legal Expenses Against the Manufacturer."

Amend the bill by striking out all of section 2 and inserting in its place the following:

'Sec. 2. 10 MRSA §1175, as enacted by PL 1975, c. 573 is amended by adding at the end the following new paragraphs:

In any action or claim brought against the dealer on a product liability complaint in which it is later determined that the manufacturer is liable, the dealer shall be entitled, from the manufacturer, to receive its reasonable costs and attorney's fees incurred in defending the claim or action.

The Court shall consider the dealer's share in the responsibility for the damages in awarding costs and attorney's fees.'

Statement of Fact

The purpose of this amendment is to require the court to consider any dealer liability in awarding the costs of defending a consumer's complaint.

Reported by the Committee on Legal Affairs.

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June 4, 1979

(Filing No. S-297)