

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1180

H.P. 879 House of Representatives, April 9, 1987
Reference to the Committee on Judiciary suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative WARREN of Scarborough.
Cosponsored by Representative MURPHY of Berwick.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Allow Drunk Drivers to be Sued for
Punitive Damages.

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

14 MRSA §1455 is enacted to read:

§1455. Punitive damages in civil actions arising out
of the operation of motor vehicles

In a civil action for damages arising out of the
operation of a motor vehicle, the plaintiff may be
awarded punitive damages if the defendant is found to
have been operating the motor vehicle while under the
influence of intoxicating liquor or drugs or a combi-
nation of liquor and drugs within the meaning of Ti-
tle 29, chapter 11, subchapter V.

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STATEMENT OF FACT

2 The purpose of this bill is to further discourage
3 the operation of motor vehicles by persons under the
4 influence of intoxicating liquor or drugs by autho-
5 rizing the award of punitive damages in civil actions
6 when the plaintiff is claiming damages for an acci-
7 dent caused by the operation of a motor vehicle and
8 when the defendant has been found to have been oper-
9 ating the vehicle under the influence of intoxicating
10 liquor or drugs. At present, punitive damages are
11 generally not available in those actions unless the
12 defendant is shown to have acted intentionally. This
13 bill makes clear that drunk driving is the type of
14 conduct that the Legislature considers the proper
15 subject for a punitive damages' award to punish the
16 drunk driver.

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