

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 346

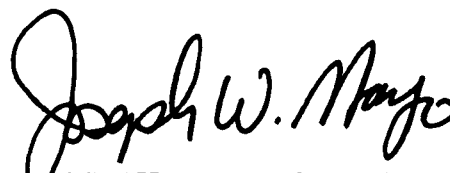
H.P. 244

House of Representatives, January 31, 1995

**An Act to Change the Maine Rule of Evidence That Currently Allows  
the Admission of Subsequent Remedial Measures as Evidence of  
Negligence.**

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Reference to the Committee on Judiciary suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative RICHARDSON of Portland.

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

4 **Sec. 1. 14 MRSA §1403** is enacted to read:

6 **§1403. Admission of evidence**

8 Notwithstanding the Maine Rules of Evidence, Rule 407 or any  
10 other rule or provision of law, when measures are taken after an  
12 event that, if taken prior to the event, would have made the  
14 event less likely to occur, evidence of those measures is not  
16 admissible to prove negligence or culpable conduct in connection  
18 with the event.

20 **STATEMENT OF FACT**

22 This bill reverses current practice in the State and makes  
24 the Maine rule compatible with the federal rule by prohibiting  
the introduction of evidence in court when the evidence is  
related to steps taken after an accident to correct a condition  
that may have contributed to the accident. The purpose of this  
bill is to promote public safety by allowing the correction of  
unsafe conditions without prejudice to a person's legal situation.