

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 454

H.P. 334

House of Representatives, February 9, 1995

An Act to Codify the Common Law Negligence Standard.

Received by the Clerk of the House on February 7, 1995. Referred to the Committee on Judiciary and ordered printed pursuant to Joint Rule 14.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative PLOWMAN of Hampden.
Cosponsored by Representatives: DiPIETRO of South Portland, DUNN of Gray,
LaFOUNTAIN of Biddeford, REED of Dexter, YACKOBITZ of Hermon, Senator:
BUTLAND of Cumberland.

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

2

Sec. 1. 14 MRSA §165, first ¶, as enacted by PL 1975, c. 186,
4 is amended to read:

6

A natural gas company or natural gas pipeline company which
7 ~~that~~ distributes natural gas shall-be-held-strictly is liable for
8 negligent acts or omissions of its servants or agents that result
9 in the death or injury to persons or damage to property,
10 resulting from explosions or fire occasioned by natural gas
11 escaping from any portion of the natural gas distribution system
12 under its control. ~~There shall be a rebuttable presumption that~~
13 ~~the natural gas which occasioned said explosion or fire escaped~~
14 ~~from the portion of said system under its control.~~

16

Sec. 2. 14 MRSA §165, last ¶, as enacted by PL 1975, c. 186, is
17 repealed.

18

20

STATEMENT OF FACT

22

Maine is the only state in the United States where natural
23 gas companies are automatically liable for any damage caused by
24 the operation of natural gas pipelines. In all other states
25 natural gas companies are held liable for damage that they may
26 have caused by their negligence.

28

Maine does not impose the same strict liability requirements
29 on other fuel companies, such as oil, electric or propane
30 companies, each of which is held generally liable only for damage
31 caused by their negligence.

32

This bill amends the law dealing with the negligence
33 standards of gas pipeline companies so that the standards are the
34 same as the standards that are applied to oil, electric and
35 propane companies.

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