



120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 474

H.P. 372

House of Representatives, February 1, 2001

An Act to Require Liability Insurance Carriers to Disclose Limits of Liability to Claimants.

Reference to the Committee on Banking and Insurance suggested and ordered printed.

Millicent M. Mac Jailand

MILLICENT M. MacFARLAND, Clerk

Presented by Representative SAVAGE of Buxton. Cosponsored by Representatives: DUDLEY of Portland, LaVERDIERE of Wilton, O'NEIL of Saco, PERRY of Bangor.

	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 24-A MRSA §14 is enacted to read:
4	
	§14. Liability insurance carrier of potential defendant required
б	to provide claimant with limitations of liability; penalty
8	1. Liability insurance carrier to provide claimant with
	limitations of liability. In a case in which a personal injury
0	<u>claimant has served a notice of claim against a potential</u>
_	defendant pursuant to Title 14, section 1602, subsection 1, the
2	liability insurance carrier for the potential defendant shall provide the claimant or the claimant's agent, no later than 14
	days after receipt of a written request by the claimant or the
	claimant's agent, with the limitations of liability in existence
	in the insurance agreement it has with the potential defendant.
	2. Penalty. If an insurance carrier that conducts business
	in this State fails to comply with the provisions of this
	section, the claimant or the claimant's agent may enforce this
	section by motion in a court of competent jurisdiction and may
	recover the claimant's reasonable attorney's fees and costs. In
	addition, the insurance carrier is liable for a civil penalty of
	\$100 for each day it fails to comply with this section.
	SUMMARY
	This bill requires a liability insurance carrier of a
	potential defendant to provide a claimant with the limitations of
	liability in the insurance agreement that the carrier has with
	the potential defendant and imposes a civil penalty of \$100 a day
	for each day an insurance carrier fails to provide the required
	information.

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