

MAINE STATE LEGISLATURE

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FILE

L.D. 385

DATE: 5/26/15

(Filing No. H-543)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT 'A' to H.P. 287, L.D. 385, Bill, "An Act To Limit the Liability of Ambulance Services in Maine"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 32 MRSA §93-C is enacted to read:

§93-C. Limitation of liability for ambulance service

1. Limitation of liability. In any claim or cause of action for tort liability against an ambulance service or its employees acting within the scope of their employment, or both, the award of damages, including costs, must conform to the limits contained in Title 14, sections 8104-D and 8105.

2. Liability insurance. An ambulance service may not be required to procure liability insurance coverage that exceeds the liability limits specified in subsection 1. An insurer providing insurance to an ambulance service may not require coverage that exceeds the liability limits in subsection 1. Reserve funds, excess insurance or reinsurance contracts maintained by an ambulance service or by an insurer providing liability insurance or otherwise may not increase the limits of liability imposed by subsection 1.'

SUMMARY

This amendment replaces the bill.

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 287, L.D. 385

2000

2 This amendment relocates to the law governing emergency
3 medical services the proposed language that applies the Maine
4 Tort Claims Act's liability caps to ambulance services. This
5 amendment also applies the Maine Tort Claims Act's individual
6 employee cap on damages of \$10,000 to the employees of ambulance
7 services. This amendment also makes consistent internal
8 references.

COMMITTEE AMENDMENT