

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 385

H.P. 287

House of Representatives, January 25, 2005

An Act To Limit the Liability of Ambulance Services in Maine

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative TUTTLE of Sanford.
Cosponsored by Senator NASS of York and
Representatives: DUNN of Bangor, FAIRCLOTH of Bangor, GERZOFSKY of Brunswick,
NASS of Acton, PELLETIER-SIMPSON of Auburn, SHERMAN of Hodgdon, Senators:
BROMLEY of Cumberland, HOBBS of York.

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

4 **Sec. 1. 14 MRSA §170** is enacted to read:

6 **§170. Limitation of liability for ambulance service**

8 **1. Definitions.** As used in this section, unless the
context otherwise indicates, "ambulance service" means an
ambulance service licensed under Title 32, chapter 2-B.

10 **2. Limitation of liability.** In any claim or cause of
12 action for tort liability against an ambulance service or its
employees acting within the scope of their employment, or both,
14 the award of damages, including costs, must conform to the limits
contained in section 8105.

16 **3. Liability insurance.** An ambulance service may not be
18 required to procure liability insurance coverage that exceeds the
liability limits specified in subsection 2. An insurer providing
20 insurance to an ambulance service may not require coverage that
exceeds the liability limits in this section. Reserve funds,
22 excess insurance or reinsurance contracts maintained by an
ambulance service or by an insurer providing liability insurance
24 or otherwise may not increase the limits of liability imposed by
this section.

26

28 **SUMMARY**

30 This bill provides a limitation on the tort liability of
ambulance services. It also prohibits anyone from requiring an
32 ambulance service to maintain liability insurance coverage in
excess of these limits.