

MAINE STATE LEGISLATURE

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SMG
R. 013

L.D. 727

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TRANSPORTATION

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STATE OF MAINE

SENATE

125TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 216, L.D. 727, Bill, "An Act Relating to Indemnity Agreements in Motor Carrier Transportation Contracts"

Amend the bill in section 1 in §1459 in subsection 1 by striking out all of paragraphs A and B (page 1, lines 8 to 19 in L.D.) and inserting the following:

'A. "Motor carrier" has the same meaning as in Title 29-A, section 101, subsection 37.'

B. "Motor carrier transportation contract" means a contract, agreement or understanding covering:

(1) The transportation of property for compensation by a motor carrier;

(2) Entrance on property by a motor carrier for the purposes of loading, unloading or transporting property for compensation; or

(3) A service incidental to an activity described in subparagraph (1) or (2), including, but not limited to, storage of property.

C. "Promisee" includes any agent, employee, servant or independent contractor who is directly responsible to the promisee. The term does not include a motor carrier that is party to a motor carrier transportation contract with the promisee and does not include that motor carrier's agent, employee, servant or independent contractor directly responsible to that motor carrier.'

Amend the bill by inserting after section 1 the following:

'Sec. 2. Applicability. This Act applies to motor carrier transportation contracts entered into or renewed on or after the effective date of this Act.'

SUMMARY

This amendment provides a definition of "motor carrier" and clarifies the definition of "promisee." This amendment also provides that the change in law in the bill that provides that certain indemnity agreements in motor carrier transportation contracts are

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COMMITTEE AMENDMENT "A" to S.P. 216, L.D. 727

- 1 void and unenforceable applies to only motor carrier transportation contracts entered into
- 2 or renewed on or after the effective date of the Act.