

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1636

H.P. 1226

House of Representatives, December 20, 2011

An Act To Extend Certain Insurance Protection to Emergency Responders

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 16, 2011. Referred to the Committee on Insurance and Financial Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative LUCHINI of Ellsworth.
Cosponsored by Senator LANGLEY of Hancock and
Representatives: CLARKE of Bath, GOODE of Bangor, MAKER of Calais, Senator:
BRANNIGAN of Cumberland.

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

2 **Sec. 1. 24-A MRSA §2174-B**, as amended by PL 1997, c. 114, §1, is further
3 amended to read:

4 **§2174-B. Law enforcement officers' and emergency responders' insurance rates**

5 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
6 following terms have the following meanings.

7 A. "Law enforcement officer" means any person employed by a governmental entity
8 who by virtue of that employment is vested by law with a duty to investigate and
9 prosecute violators of the laws of this State and to arrest the offenders of the laws.

10 B. "Emergency responder" means a municipal firefighter as defined in Title 30-A,
11 section 3151, subsection 2, an ambulance attendant or an emergency medical
12 technician employed by a governmental entity who by virtue of that employment
13 responds to an emergency situation. "Emergency responder" includes an operator of
14 an ambulance owned by a private company if a governmental entity contracts with
15 the company.

16 **2. Law enforcement officers; emergency responders.** ~~No~~ An insurer may not
17 increase the premium for a personal insurance policy providing motor vehicle liability or
18 collision insurance to a law enforcement officer or an emergency responder on the basis
19 of one or more accidents involving a motor vehicle operated by the officer or emergency
20 responder if:

21 A. The accident occurred while the officer or emergency responder was operating a
22 motor vehicle in the course and scope of employment; and

23 B. There is a policy of insurance other than the personal policy providing motor
24 vehicle liability or collision coverage for the accident or accidents.

25 **3. Governmental entity.** This section in no way restricts the premium an insurer
26 may charge a governmental entity for an insurance policy providing motor vehicle
27 liability or collision insurance covering law enforcement officers or emergency
28 responders.

29 **4. Penalty.** An insurer who violates this section commits a civil violation pursuant
30 to section 12-A.

31 **SUMMARY**

32 Current law prohibits an insurer from increasing the insurance policy premium of a
33 law enforcement officer for a motor vehicle accident that occurs while the officer is
34 acting in the course and scope of employment. This bill extends this protection to
35 emergency responders.