

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1331

S.P. 462

In Senate, April 3, 2013

**An Act To Amend the Law Pertaining to Defective or Unreasonably
Dangerous Goods**

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator GOODALL of Sagadahoc.
Cosponsored by Senator: KATZ of Kennebec.

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

2 **Sec. 1. 14 MRSA §221**, as enacted by PL 1973, c. 466, §1, is amended to read:

3 **§221. Defective or unreasonably dangerous goods**

4 One who sells any goods or products in a defective condition unreasonably dangerous
5 to the user or consumer or to ~~his~~ the user's or consumer's property is subject to liability
6 for physical harm ~~thereby~~ caused to a person whom the manufacturer, seller or supplier
7 might reasonably have expected to use, consume or be affected by the goods, or to ~~his~~ the
8 user's or consumer's property, if the seller is engaged in the business of selling such a
9 product and it is expected to and does reach the user or consumer without significant
10 change in the condition in which it is sold. This section applies although the seller has
11 exercised all possible care in the preparation and sale of ~~his~~ the product and the user or
12 consumer has not bought the product from or entered into any ~~contractual~~ contractual
13 relation with the seller. A civil action to enforce this section must be commenced within
14 6 years after the date that both that injury and its cause are known or should have been
15 known by the exercise of reasonable diligence.

16 **SUMMARY**

17 This bill requires a user or consumer who has been injured by defective or
18 unreasonably dangerous goods or products to bring a civil action within 6 years after the
19 date that both that injury and its cause are known or should have been known by the
20 exercise of reasonable diligence.