

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Make Changes to the Maine Liquor Liability Act

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

Sec. 1. 28-A MRS §2513, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

§ 2513. Notice required

Every plaintiff seeking damages under this Act must give written notice to all defendants within 180 days of the date of the server's conduct creating liability under this Act. The notice must specify the time, place and circumstances of the server's conduct creating liability under this Act and the time, place and circumstances of any resulting damages. No error or omission in the notice voids the effect of the notice, if otherwise valid, unless the error or omission is substantially material. Failure to give written notice within the time specified is grounds for dismissal of a claim, unless the plaintiff provides written notice within the limits of section 2514 and shows good cause why notice could not have reasonably been filed within the 180-day limit. For purposes of this section, "good cause" includes the inability of the plaintiff to obtain investigative records from a law enforcement officer or law enforcement agency.

SUMMARY

This bill amends the Maine Liquor Liability Act to provide that the inability of a plaintiff to obtain investigative records from a law enforcement officer or law enforcement agency constitutes good cause as to why the plaintiff could not reasonably file notice to all defendants within the 180-day limit.