

§159-D. Liability related to a bicyclist using a drive-up window

1. Limited liability. An establishment that has a drive-up window is not liable for personal injury, property damage or death caused to a bicyclist who uses that establishment's drive-up window.

[PL 2007, c. 400, §1 (NEW).]

2. Limitations. This section does not limit any liability that may otherwise exist for willful or malicious actions or failures to guard or warn against a known dangerous condition related to the use of the drive-up window.

[PL 2007, c. 400, §1 (NEW).]

3. No duty created. This section does not create a duty of care or ground for liability.

[PL 2007, c. 400, §1 (NEW).]

4. Costs and fees. The court may award any direct legal costs, including reasonable attorney's fees, to an establishment that is found not to be liable for injury to a bicyclist pursuant to this section.

[PL 2007, c. 400, §1 (NEW).]

SECTION HISTORY

PL 2007, c. 400, §1 (NEW).

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