

in this State; providing a certain exception; defining certain terms; providing for the application of this Act; and generally relating to limitations on product liability causes of action in this State that arose in a foreign jurisdiction.

BY adding to

Article - Courts and Judicial Proceedings

Section 5-115

Annotated Code of Maryland

(1989 Replacement Volume and 1990 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Courts and Judicial Proceedings

5-115.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "FOREIGN JURISDICTION" MEANS A STATE, OTHER THAN THIS STATE, TERRITORY, OR POSSESSION OF THE UNITED STATES, THE DISTRICT OF COLUMBIA, THE COMMONWEALTH OF PUERTO RICO, OR A FOREIGN COUNTRY.

(3) (I) "MANUFACTURER" MEANS A DESIGNER, ASSEMBLER, FABRICATOR, CONSTRUCTOR, COMPOUNDER, PRODUCER, OR PROCESSOR OF A PRODUCT OR ITS COMPONENT PARTS.

(II) "MANUFACTURER" INCLUDES AN INDIVIDUAL OR ENTITY NOT OTHERWISE A MANUFACTURER THAT IMPORTS A PRODUCT OR OTHERWISE HOLDS ITSELF OUT AS A MANUFACTURER.

(4) "PRODUCT" MEANS A TANGIBLE ARTICLE, INCLUDING ATTACHMENTS, ACCESSORIES, AND COMPONENT PARTS, AND ACCOMPANYING LABELS, WARNINGS, INSTRUCTIONS, AND PACKAGING.

(5) "SELLER" MEANS A WHOLESALER, DISTRIBUTOR, RETAILER, OR OTHER INDIVIDUAL OR ENTITY OTHER THAN A MANUFACTURER THAT IS REGULARLY ENGAGED IN THE SELLING OF A PRODUCT WHETHER THE SALE IS FOR RESALE BY THE PURCHASER OR IS FOR SALE TO OR CONSUMPTION BY THE ULTIMATE CONSUMER.

(B) IF A CAUSE OF ACTION AGAINST A MANUFACTURER OR SELLER OF A PRODUCT FOR PERSONAL INJURY ALLEGEDLY CAUSED BY A DEFECTIVE PRODUCT AROSE IN A FOREIGN JURISDICTION AND BY THE LAWS OF THAT JURISDICTION THE CAUSE OF ACTION MAY NOT BE MAINTAINED BY REASON OF A LAPSE OF TIME, AN ACTION MAY NOT BE MAINTAINED IN THIS STATE, EXCEPT IN FAVOR OF ONE WHO IS A RESIDENT OF THIS STATE.