

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

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Legislative Document

No. 754

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S.P. 262

In Senate, February 25, 2025

**An Act to Ban the Sale, Use and Possession of Single-use Electronic Cigarettes and to Review Extended Producer Responsibility Options for All Batteries**

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Reference to the Committee on Health and Human Services 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 BENNETT of Oxford.

Cosponsored by Representative GRAMLICH of Old Orchard Beach and

Senators: BRENNER of Cumberland, TEPLER of Sagadahoc, Representatives: BRIDGEO of Augusta, CAMPBELL of Orrington, WOODSOME of Waterboro.

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

2 **Sec. 1. 22 MRSA §1560-C** is enacted to read:

3 **§1560-C. Single-use electronic nicotine delivery device**

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

6 A. "Electronic nicotine delivery device" has the same meaning as in section 1560-B,  
7 subsection 1, paragraph B.

8 B. "Single-use electronic nicotine delivery device" means an electronic nicotine  
9 delivery device that is designed for one-time use and is not rechargeable.

10 **2. Prohibition on sale.** A person may not sell or offer to sell a single-use electronic  
11 nicotine delivery device.

12 **3. Prohibition on use or possession.** A person may not use or possess a single-use  
13 electronic nicotine delivery device.

14 **4. Penalties.** A person that violates this section:

15 A. Commits a civil violation for which a fine of \$500 may be adjudged;

16 B. After having previously violated this section, commits a civil violation for which a  
17 fine of \$1,000 may be adjudged; and

18 C. After having previously violated this section more than once, commits a civil  
19 violation for which a fine of \$5,000 may be adjudged.

20 **Sec. 2. Department of Environmental Protection to convene stakeholder**  
21 **group.** The Department of Environmental Protection shall convene a stakeholder group  
22 of interested parties to review the feasibility and viability of establishing an extended  
23 producer responsibility approach to all batteries not currently covered by an extended  
24 producer responsibility requirement, including, but not limited to, batteries used in  
25 electronic cigarettes, electronic cigars, electronic pipes, electronic hookahs and so-called  
26 vape pens. By December 3, 2025, the department shall submit a report related to the review  
27 to the Joint Standing Committee on Environment and Natural Resources, which may  
28 submit legislation related to the report to the Second Regular Session of the 132nd  
29 Legislature.

30 **SUMMARY**

31 This bill prohibits the sale, use and possession of single-use electronic nicotine delivery  
32 devices, which include electronic cigarettes, electronic cigars, electronic pipes, electronic  
33 hookahs and so-called vape pens. The bill establishes penalties for such sale, use and  
34 possession that are similar to the penalties for the sale of nicotine liquid containers that are  
35 not child resistant. The bill also directs the Department of Environmental Protection to  
36 convene a stakeholder group of interested parties to review the feasibility and viability of  
37 establishing an extended producer responsibility approach to all batteries not currently  
38 covered by an extended producer responsibility requirement, including, but not limited to,  
39 batteries used in electronic cigarettes, electronic cigars, electronic pipes, electronic hookahs  
40 and so-called vape pens.