

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1324

H.P. 859

House of Representatives, March 27, 2025

An Act to Protect Maine Consumers Shopping for Electric Vehicles from Deceptive Advertising and Marketing Practices

Reference to the Committee on Housing and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT

Clerk

Presented by Representative BECK of South Portland.
Cosponsored by Senator BENNETT of Oxford and
Representatives: ANKELES of Brunswick, FAIRCLOTH of Bangor, FRIEDMANN of Bar
Harbor, KUHN of Falmouth, LEE of Auburn, PUGH of Portland, SATO of Gorham, Senator:
CARNEY of Cumberland.

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

2 Sec. 1. 10 MRSA c. 239 is enacted to read:

3 **CHAPTER 239**

4 **ELECTRIC VEHICLES**

5 **§1500-X. Prohibition on misleading marketing and advertising practices**

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

8 A. "Electric vehicle" means a vehicle that is powered solely by an electric motor and
9 does not have an internal combustion engine.

10 B. "Gasoline-powered hybrid vehicle" means a vehicle that uses both an internal
11 combustion engine and an electric motor, with the primary power source being the
12 internal combustion engine, and that does not plug into an electrical outlet.

13 **2. Deceptive marketing and advertising.** A motor vehicle manufacturer or motor
14 vehicle dealer may not use deceptive marketing or advertising practices that falsely suggest
15 or imply that gasoline-powered hybrid vehicles are wholly or primarily powered by
16 electricity. Deceptive marketing and advertising practices include, but are not limited to:

17 A. Using phrases like "electrified," "beyond zero," "electric," "E," "EV" or "range"
18 regarding vehicles that are primarily powered by internal combustion engines; and

19 B. Using deceptive imagery, including, but not limited to, lightning bolts, batteries,
20 electric currents, plugs and sockets that could lead a reasonable consumer to believe
21 that gasoline-powered hybrid vehicles are wholly or largely powered by electricity.

22 **3. Location and format.** Deceptive marketing and advertising of gasoline-powered
23 hybrid vehicles are prohibited. The prohibition includes, but is not limited to, the following
24 formats:

25 A. Print marketing and advertising in newspapers, magazines and mailers;

26 B. Online marketing and advertising, including on social media and online videos;

27 C. Radio and television advertising; and

28 D. Signs, banners or other physical advertising at motor vehicle dealerships and at
29 promotional events.

30 **4. Enforcement.** The Attorney General may enforce this section.

31 **5. Penalties.** A violation of this section constitutes a violation of the Maine Unfair
32 Trade Practices Act.

33 **SUMMARY**

34 This bill prohibits motor vehicle manufacturers and dealers from using deceptive
35 marketing or advertising practices that falsely suggest or imply that gasoline-powered
36 hybrid vehicles are wholly or primarily powered by electricity. The Attorney General may

1 enforce the provisions of the bill. A violation of the provisions of the bill constitutes a
2 violation of the Maine Unfair Trade Practices Act.