

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1127

H.P. 830

House of Representatives, March 4, 2003

An Act To Require Fire-safe Cigarettes in the State

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BULL of Freeport.
Cosponsored by Senator EDMONDS of Cumberland and
Representatives: DUDLEY of Portland, KANE of Saco, LAVERRIERE-BOUCHER of
Biddeford, RINES of Wiscasset, SUSLOVIC of Portland.

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

4 **Sec. 1. 22 MRSA §1555-C** is enacted to read:

6 **§1555-C. Fire-safe cigarettes**

8 1. Prohibition. To the extent not preempted by federal
10 law, a person may not sell cigarettes on or after January 1, 2004
12 unless the cigarettes meet the standards for fire-safe cigarettes
14 established by the State Fire Marshal under Title 25, section
16 2466.

18 2. Civil fines. The following minimum civil fines are
20 assessed for the following civil violations in actions brought by
22 the Attorney General:

24 A. A wholesaler that knowingly sells cigarettes that are
26 not fire-safe, \$10,000 for each sale;

28 B. A retailer who sells 5 or fewer cartons of cigarettes
30 that are not fire-safe, \$500;

32 C. A retailer who sells more than 5 cartons of cigarettes
34 that are not fire-safe, \$1,000; and

36 D. A manufacturer who knowingly misrepresents that
38 cigarettes are fire-safe, \$10,000 for each misrepresentation.

40 **Sec. 2. 25 MRSA §2466** is enacted to read:

42 **§2466. Fire-safe cigarette standards**

44 1. Standards. The State Fire Marshal shall adopt standards
46 for the sale of fire-safe cigarettes. The standards must ensure:

48 A. That lit cigarettes will stop burning within a specified
time period if not smoked; or

B. That cigarettes meet performance standards to limit the
risk that lit cigarettes will ignite upholstered furniture.

2. Health risk assessment. In adopting standards under
this section, the State Fire Marshal shall cooperate and consult
with the Department of Human Services to consider whether
fire-safe cigarettes manufactured in accordance with the fire
safety standards under subsection 1 may reasonably result in
increased health risks to consumers.

