**§2467. Retail sale and distribution of novelty lighters prohibited**

**1. Definition.**  For purposes of this section, "novelty lighter" means a mechanical or electrical device typically used for lighting cigarettes, cigars or pipes that is designed to appear to be a toy, feature a flashing light or make musical sounds. "Novelty lighter" does not include:

A. A lighter manufactured prior to January 1, 1980; [PL 2007, c. 510, §1 (NEW).]

B. A lighter incapable of being fueled or lacking a device necessary to produce combustion or a flame; or [PL 2007, c. 510, §1 (NEW).]

C. Any mechanical or electrical device primarily used to ignite fuel for fireplaces or for charcoal or gas grills. [PL 2007, c. 510, §1 (NEW).]

[PL 2007, c. 510, §1 (NEW).]

**2. Prohibition; penalty.**  A person may not sell at retail, offer for retail sale or distribute for retail sale or promotion in this State a novelty lighter. A person who violates this subsection commits a civil violation for which a fine of not more than $500 may be imposed.

[PL 2007, c. 510, §1 (NEW).]

**3. Exception.**  The prohibition specified in subsection 2 does not apply to the transportation of novelty lighters through this State or the storage of novelty lighters in a warehouse or distribution center in this State that is closed to the public for purposes of retail sales.

[PL 2007, c. 510, §1 (NEW).]

**4. Enforcement.**  This section may be enforced by the State Fire Marshal's Office; a state, county or municipal law enforcement officer; or a municipal code enforcement officer.

[PL 2007, c. 510, §1 (NEW).]

SECTION HISTORY

PL 2007, c. 510, §1 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1. 2023
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.