

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

—  
H.P. 769 - L.D. 1108

**An Act To Protect Children and the Public from Vapor from Electronic  
Smoking Devices**

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

**Sec. 1. 22 MRSA §1541, sub-§1-A** is enacted to read:

**1-A. Electronic smoking device.** "Electronic smoking device" means a device used to deliver nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the device, including, without limitation, a device manufactured, distributed, marketed or sold as an electronic cigarette, electronic cigar, electronic pipe, electronic hookah or so-called vape pen.

**Sec. 2. 22 MRSA §1541, sub-§6,** as enacted by PL 1993, c. 342, §1 and affected by §9, is amended to read:

**6. Smoking.** "Smoking" includes carrying or having in one's possession a lighted or heated cigarette, cigar, or pipe or ~~other object giving off tobacco smoke~~ a lighted or heated tobacco or plant product intended for human consumption through inhalation whether natural or synthetic in any manner or in any form. "Smoking" includes the use of an electronic smoking device.