

Martin Malia  
Westbrook  
LD 1696

I am writing to express my opposition to LD. 1696 an act to create a civil cause of action for persons suffering damages arising from the sale of abnormally dangerous firearms. LD. 1696 would make a firearm industry member liable for the actions of a reckless person committing a crime. LD. 1696 establishes requirements that are virtually impossible for a firearm industry member to follow. LD 1696 basically singles out the firearm industry by requiring them to be responsible for how their product is used once the product has left their control. I can think of no other industry that is governed in this manner let alone an industry that is involved with a constitutionally protected civil right. Would an automobile manufacturer be held financially responsible if an individual drives recklessly with their product and causes harm?

LD 1696 prohibits a firearm industry member from manufacturing or selling a firearm related product that is "most suitable for assaultive purposes." The term "assaultive purposes" is extremely vague and undefined. All firearms sold by federally licensed dealers to the public are legal and in common use.

LD 1696 restricts a firearm industry member from marketing or designing products in "a manner that is targeted at minors". This could conceivably prohibit a firearm industry member from marketing their products by using images of minors holding legal firearm products that are being used in a legal manner while supervised at a shooting range or while hunting. LD 1696 does not prohibit the entertainment industry from marketing images of minors involved with illegal firearm activity in violent movies. I have never seen the firearm industry conduct an ad campaign that depicts illegal violent activity but the majority of the content created and marketed by the entertainment industry consistently celebrates violent content. Why should the firearm industry be prohibited from marketing their products by using images of minors involved in lawful firearm use while at the same time the entertainment industry could continue to market images of minors involved in violent unlawful firearm use?

I believe the sole purpose of LD.1696 is to throttle access of legal firearms by wrongfully creating a statutory environment that is toxic to firearm industry members. It unjustly makes firearm industry members financially responsible for illegal activity that is beyond their control. I believe the marketing restriction on minors is a deliberate attempt to separate the next generation from their heritage of lawful firearm ownership. LD. 1696 would violate multiple constitutional rights in pursuit of these misguided objectives and ought not to pass.