

AARON M. FREY
ATTORNEY GENERAL

TEL: (207) 626-8800
TTY USERS CALL MAINE RELAY 711



STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0006

REGIONAL OFFICES:
84 HARLOW ST., 2ND FLOOR
BANGOR, MAINE 04401
TEL: (207) 941-3070
FAX: (207) 941-3075

415 CONGRESS ST., STE. 301
Portland, Maine 04101
TEL: (207) 822-0260
FAX: (207) 822-0259

14 ACCESS HIGHWAY., STE 1
CARIBOU, MAINE 04736
TEL: (207) 496-3792
FAX: (207) 496-3291

April 10, 2025

The Honorable Donna Bailey, Senate Chair
The Honorable Lori Gramlich, House Chair
Joint Standing Committee on Health Coverage, Insurance and Financial Services
100 State House Station
Augusta, ME 04333

Re: LD 1300, *An Act to Strengthen Maine's Implied Warranty Laws*

Dear Senator Bailey and Representative Gramlich:

I am writing neither for nor against LD 1300, *An Act to Strengthen Maine's Implied Warranty Laws*, but do wish to convey some concerns. LD 1300 would require the Attorney General to provide notice of Maine's implied warranty law to certain online sellers, and to make available to consumers an online complaint form by which the consumer can submit a complaint to a seller regarding Maine's implied warranty law.

My Office already provides information to consumers and to sellers subject to Maine's implied warranty law through several avenues. First, a chapter of our Consumer Law Guide addresses express and implied warranties under Maine law and is available on our website: [Chapter 04: Consumer Goods and Maine Express and Implied Warranty Laws](#). Second, when we receive consumer complaints about sellers failing to honor implied warranties, we reach out to the business with information about their responsibilities under the law. Finally, we periodically send materials to businesses about whom consumers have complained regarding the implied warranty about their obligations under the law.

My Office also already provides consumers with tools to complain about businesses' failure to comply with Maine's implied warranty law. We provide an [Implied Warranty Consumer Sample Letter](#) on our website that consumers can present to businesses alerting the business to the claim and freezing the clock ticking on their warranty rights. Consumers can also submit a complaint form online to our Consumer Information and Mediation Service requesting

mediation, which also triggers the outreach to businesses referenced above. That [Consumer Complaint Form](#) is also available on our website.

LD 1300 specifically requires the Attorney General to provide notice of the implied warranty to sellers conducting business in the State primarily through internet-based sales who remit \$10,000 or more in sales tax to the State. It is not clear when or how often that notice should be given or how the Attorney General would identify those sellers. Taxpayer information is confidential under Maine law and, in any event, it is also not clear whether Maine Revenue Services can identify primarily internet-based sellers.

In sum, my Office already proactively engages in education about Maine's implied warranty requirements and does not have access to the information required to provide the additional specific manufacturer notice contemplated by the bill. If, after hearing, the Committee determines that there is more to be done to assist consumers in asserting implied warranty rights or reaching out to individual businesses, we would at that time be in a better position to assess capacity to take on that additional work.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Aaron M. Frey". The signature is written in a cursive, slightly slanted style.

Aaron M. Frey
Attorney General