**§4366-B. Importation of unstamped cigarettes**

**1. Generally.**  Except as provided in subsection 2, only a licensed distributor may import unstamped cigarettes into this State.

[PL 2007, c. 438, §96 (AMD).]

**2. Exception for personal use.**  An individual who is not a licensed distributor may transport cigarettes into this State and may transport cigarettes from place to place within this State for the individual's personal use in a quantity not greater than 2 cartons.

[PL 2007, c. 438, §96 (AMD).]

**3. Evidence.**  The possession of more than 2 cartons of unstamped cigarettes by a person who is not a licensed distributor is prima facie evidence of a violation of this section.

[PL 2007, c. 438, §96 (AMD).]

**4. Penalties.**  The following penalties apply to violations of this section.

A. A person who violates this section commits a Class E crime. [PL 2003, c. 452, Pt. U, §14 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. A person who violates this section when the person has one or more prior convictions for violation of this section commits a Class D crime. Title 17‑A, section 9‑A governs the use of prior convictions when determining a sentence. [PL 2003, c. 452, Pt. U, §14 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

Violation of this section is a strict liability crime as defined in Title 17‑A, section 34, subsection 4‑A.

[PL 2003, c. 452, Pt. U, §14 (RPR); PL 2003, c. 452, Pt. X, §2 (AFF).]

SECTION HISTORY

PL 1997, c. 458, §10 (NEW). PL 1997, c. 668, §27 (AMD). PL 2003, c. 452, §U14 (AMD). PL 2003, c. 452, §X2 (AFF). PL 2007, c. 438, §96 (AMD).

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 Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025
. 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.