



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 883

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H.P. 602

House of Representatives, March 12, 2015

### An Act To Create the Cellular Telephone Labeling Act

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Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

Handwritten signature of Robert B. Hunt in cursive script.

ROBERT B. HUNT  
Clerk

Presented by Representative HARLOW of Portland.

Cosponsored by Representatives: BEAVERS of South Berwick, CHAPMAN of Brooksville, CHIPMAN of Portland, DUNPHY of Embden, RYKERSON of Kittery.

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

2 **Sec. 1. 22 MRSA c. 261-B** is enacted to read:

3 **CHAPTER 261-B**

4 **CELLULAR TELEPHONE LABELING ACT**

5 **§1537. Short title**

6 This chapter may be known and cited as "the Cellular Telephone Labeling Act."

7 **§1538. Warning labels for cellular telephones**

8 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
9 following terms have the following meanings.

10 A. "Cellular telephone" means a device used to access a wireless telephone service.

11 **2. Prominence of safety notifications on product packaging.** If a cellular  
12 telephone manufacturer includes safety notifications in its owner's manual, the cellular  
13 telephone manufacturer shall ensure that:

14 A. The full language of the safety notifications is plainly visible on the outside of the  
15 product packaging; or

16 B. A label is plainly visible on the outside of the product packaging alerting  
17 customers to the safety notifications. The body of the notice must be in letters not  
18 less than 1/16 inch in height. The initial words "SAFETY NOTICE" must appear in  
19 capital letters and in bold type at least 1/8 inch in height, followed by the words "For  
20 the Safety of You and Your Family, Please Read Guidance for Use" and language  
21 directing consumers to the page or pages of the owner's manual where the safety  
22 notifications may be found.

23 **3. Safety notification required.** A retailer of cellular telephones may not sell at  
24 retail in this State a cellular telephone unless the requirements of subsection 2 are met.

25 **4. Warning label required.** A retailer of cellular telephones may not sell at retail in  
26 this State a cellular telephone unless the cellular telephone bears a warning label that is at  
27 least the size of the manufacturer's label on the device, is legible, is located in a  
28 prominent place that is conspicuous and not obscured by other written matter and  
29 contains the following statement:

30 "This device emits radiofrequency electromagnetic fields. Avoid direct contact."

31 **5. Information bulletin.** A retailer of cellular telephones shall provide to a  
32 purchaser of a cellular telephone printed information that is in the form of a separate  
33 bulletin in bold type that contrasts with the color of the bulletin and has a font size of a  
34 minimum of 18 points stating:

35 "MAINE REVISED STATUTES, Title 22, chapter 261-B

