

§1349. Enforcement; penalties

1. Enforcement. The appropriate state regulators within the Department of Professional and Financial Regulation shall enforce this chapter for any person that is licensed or regulated by those regulators. The Attorney General shall enforce this chapter for all other persons. [PL 2005, c. 583, §10 (AMD); PL 2005, c. 583, §14 (AFF).]

2. Civil violation. A person that violates this chapter commits a civil violation and is subject to one or more of the following:

A. A fine of not more than \$500 per violation, up to a maximum of \$2,500 for each day the person is in violation of this chapter, except that this paragraph does not apply to State Government, municipalities, school administrative units, the University of Maine System, the Maine Community College System or Maine Maritime Academy; [PL 2019, c. 512, §3 (AMD).]

B. Equitable relief; or [PL 2005, c. 379, §1 (NEW); PL 2005, c. 379, §4 (AFF).]

C. Enjoinment from further violations of this chapter. [PL 2005, c. 379, §1 (NEW); PL 2005, c. 379, §4 (AFF).]

[PL 2019, c. 512, §3 (AMD).]

3. Cumulative effect. The rights and remedies available under this section are cumulative and do not affect or prevent rights and remedies available under federal or state law. [PL 2005, c. 379, §1 (NEW); PL 2005, c. 379, §4 (AFF).]

4. Exceptions. A person that complies with the security breach notification requirements of rules, regulations, procedures or guidelines established pursuant to federal law or the law of this State is deemed to be in compliance with the requirements of section 1348 as long as the law, rules, regulations or guidelines provide for notification procedures at least as protective as the notification requirements of section 1348.

[PL 2009, c. 161, §4 (AMD); PL 2009, c. 161, §5 (AFF).]

SECTION HISTORY

PL 2005, c. 379, §1 (NEW). PL 2005, c. 379, §4 (AFF). PL 2005, c. 583, §§10-12 (AMD). PL 2005, c. 583, §14 (AFF). PL 2009, c. 161, §4 (AMD). PL 2009, c. 161, §5 (AFF). PL 2019, c. 512, §3 (AMD).

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