

STATE TELEMARKETING LAWS

# Maine

## Telemarketing and Robocall Laws

Statutes, rules, and how they differ from the TCPA



By Adam Young and Harrison Gevirtz

<https://tcpa.com/state-telemarketing-laws/maine/>

## 01. Automated solicitation calls

10 M.R.S. § 1498

Bans automated or prerecorded solicitation calls to residential, cellular and paging numbers, with weekday hours, call limits and 24-month transcripts.

## 02. Telephone solicitation and DNC

10 M.R.S. § 1499-B

The national registry serves as the Maine registry, plus a reassigned numbers check, caller name disclosure and AG penalties up to \$25,000.

### AT A GLANCE

# Maine at a glance

### WHY MAINE MATTERS

Since 2019, Maine bars prerecorded sales, charitable and survey calls to homes and cell phones without prior written express consent. Since 2024, failing to check the FCC Reassigned Numbers Database before a sales call is a violation.



# Who and what is covered

A "telephone solicitor" is anyone, including affiliates and subsidiaries, making telephone sales calls to consumers in Maine, whether the calls start in Maine or elsewhere.

## Text messages

The caller ID statute expressly includes texts and VoIP. Sections 1498 and 1499-B do not mention texts, and no Maine decision was located.

### Aa. **Exempt**

Express requests, existing debts or contracts, and business relationships.

### Bb. **Nonprofits**

Live volunteer or employee calls that identify the caller and group are exempt.

### Cc. **Robocalls**

Sales, charitable and survey robocalls all count as solicitation calls.

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# Prerecorded calls need consent

Under 10 M.R.S. § 1498(2), no automated device or artificial or prerecorded voice may make solicitation calls to any residential, cellular or paging number in Maine.

## Written consent

The main exception covers calls made with the recipient's "prior, written, express consent" (§ 1498(6)(E)).

## Charities and surveys

No general nonprofit or political exemption. Charitable and survey robocalls also need consent.

## 01. National registry

10 M.R.S. § 1499-B(4), (6)

No telephone sales call to a number on the registry for at least 3 months. There is no separate Maine list or fee.

## 02. Reassigned numbers check

10 M.R.S. § 1499-B(1)(D-2), (6)

Check the FCC database before every telephone sales call. Federal law makes the check optional; Maine makes skipping it a violation.

### DO-NOT-CALL

# Do-not-call and opt-outs

### IN PRACTICE

The safe harbor needs written procedures, training, an internal list, a registry copy no more than 31 days old, monitoring and the reassigned numbers check, and a showing that the call was an error.



# Automated call hours

Maine has no calling-hours rule for live calls, so the federal 8 a.m. to 9 p.m. window applies. For automated solicitation calls, § 1498(3) is far narrower.

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## Hours between calls

No more than one automated solicitation call to any number in each 8-hour period (§ 1498(3)).



## 9 a.m. to 5 p.m.

Weekdays only, Maine time. Disconnect within 5 seconds after the called party hangs up.



## Identify in a minute

Name, address and number of the organization within the call's first minute.

# Autodialers and caller ID

Maine's device definition covers any system that "selects, dials or calls telephone numbers and plays recorded messages," and the ban reaches any artificial or prerecorded voice.

## Broader than Duguid

No random or sequential number generator is needed, so prerecorded campaigns dialed from customer lists are covered.

### Aa. **Transcripts**

Keep a full transcript of every automated message for 24 months.

### Bb. **Caller ID**

No misleading caller ID with intent; blocked ID can count as misleading.

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### Cc. **Names**

Live callers give their real first and last name and the business at once.



# Telephone sales contracts

Maine requires no telemarketer registration or bond. Under the Consumer Solicitation Sales Act, a sale from an unsolicited telephone call needs a written contract signed by both parties.

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### **Business days**

Written notice by mail within 3 full business days after the sale; notice is effective when mailed.



### **Contract contents**

Date, terms, the seller's place of business and a notice of the right to avoid; a signed copy at once.



### **15-day refund**

Refund all payments within 15 days of avoidance. Contract violations can be crimes.



# Penalties and lawsuits



**\$25,000**

AG civil penalty for each  
later do-not-call violation;  
\$10,000 for the first.

**\$10,000**

Per intentional UTPA  
violation for robocall and  
caller ID violations.

**Loss**

Private UTPA suits need a  
purchase and a loss of  
money or property, after a  
30-day demand.





# Maine vs. the TCPA

Maine is stricter on prerecorded calls, including charitable and survey calls, the reassigned numbers check, automated call hours, transcripts, caller name disclosure and sales contracts. It is looser on private remedies, with no statutory damages.

## Maine

Robocalls weekdays 9 to 5 with written consent, mandatory reassigned check, \$25,000 later violations.

## Federal TCPA

Calls 8 a.m. to 9 p.m., optional reassigned check, \$500 per violation, up to triple if willful or knowing.

# Key court ruling

No reported decision interpreting §§ 1498, 1499-A or 1499-B was located. Sweet v. Breivogel (Me. 2019) shapes the UTPA private action these statutes use.

## For telemarketing

A consumer who bought nothing and lost no money or property will generally lack a § 213 claim. The AG may still enforce.

### Aa. **Holding**

UTPA recovery needs a loss of money or property from the violation.

### Bb. **Result**

Proven violations without injury earned no extra UTPA damages.

2019

### Cc. **Fees**

Attorney fees must be apportioned to the UTPA claim.



# Recent amendments



## P.L. ch. 185

Bans prerecorded calls to homes; extends caller ID rules to texts and VoIP.

## P.L. ch. 243

Disclaimers on printed Medicare and MaineCare promotions (§ 1499-G).

## P.L. ch. 570

Signed March 25, 2024: mandatory reassigned numbers check.

## P.L. ch. 575

Community solar and solar equipment added to solicitation sales.

## 01. Calls and lists

10 M.R.S. §§ 1498, 1499-B

- Scrub the registry every 31 days and your internal list.
- Check the reassigned numbers database first.
- No robocalls to homes or cells without written consent.
- Automated calls: weekdays 9 to 5, one per 8 hours.

## 02. Records and sales

10 M.R.S. § 1499-A; 32 M.R.S. § 4662

- Keep 24 months of message transcripts.
- Give real names; send accurate caller ID.
- Signed contract, 3-day notice, 15-day refunds.

### CHECKLIST

# Compliance checklist

### PLEASE NOTE

This checklist summarizes state law for general information and is not legal advice. Statutes change; confirm current text with the official source.



# Sources behind this deck

## MAINE LAW

[10 M.R.S. § 1498](#) automated telephone solicitation

[10 M.R.S. § 1499-A](#) caller ID spoofing

[10 M.R.S. § 1499-B](#) telephone solicitation; do not call

[10 M.R.S. § 1499-G](#) Medicare marketing disclaimers

[32 M.R.S. § 4661](#) definitions

[32 M.R.S. § 4662](#) written contract

[32 M.R.S. § 4664](#) right to avoid

[32 M.R.S. § 4664-A](#) performance timing

## MAINE LAW (CONTINUED)

[32 M.R.S. § 4666](#) refunds

[32 M.R.S. § 4668](#) exclusions

[32 M.R.S. § 4670](#) UTPA violation

[5 M.R.S. § 207](#) unfair trade practices

[5 M.R.S. § 209](#) AG civil penalties

[5 M.R.S. § 213](#) private action

[14 M.R.S. § 752](#) general limitations

[Public Law 2023, chapter 570](#) reassigned numbers

[Public Law 2019, chapter 185](#) prerecorded voice ban

## MAINE LAW (CONTINUED)

[Maine AG: Do Not Call or Mail](#)

## COURT DECISIONS

[Sweet v. Breivogel](#), 2019 ME 18

## FEDERAL LAW

[47 U.S.C. § 227](#) Telephone Consumer Protection Act

[47 C.F.R. § 64.1200](#) FCC telemarketing and robocall rules

[16 C.F.R. § 310.4](#) TSR abusive practices

Read the full Maine guide: <https://tcpa.com/state-telemarketing-laws/maine/>

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Full text: <https://tcpa.com/disclaimer/> and <https://tcpa.com/terms/>

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## The law changes

**Current as of October 15, 2026.** Statutes, FCC and FTC rules and court decisions change, and some changes are adopted before they take effect. This deck may not reflect later developments.

**Courts disagree.** Courts in different places can read the same rule differently. Case summaries are not predictions: any other matter turns on its own facts, court and law.

**Check the official source.** Verify each point against the statute, rule or opinion on the Sources slide. If an official source and this deck differ, the official source controls.

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# Read the full Maine guide on TCPA.com

The guide covers the robocall ban, do-not-call and reassigned numbers rules, caller ID, sales contracts, penalties and a compliance checklist, with links to the official sources.



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# Adam Young

Adam Young is a Miami entrepreneur, the CEO of Ringba and the author of The Pay Per Call Revolution, with more than a decade in telecom, call routing and performance marketing. At TCPA.com he writes about the TCPA, robocall enforcement, tech support fraud cases and what DOJ, FTC and FCC actions mean for companies that make calls. His goal is simple: keep good companies compliant and keep scammers off the phone network.

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