

**§2368. Violations; penalties**

**1. Civil penalties.** The following penalties apply to violations of this subchapter or a rule adopted pursuant to this subchapter.

A. A person who violates this subchapter or a rule adopted pursuant to this subchapter is subject to a civil penalty of not more than \$1,000. [PL 2003, c. 452, Pt. E, §6 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. A person who violates this subchapter or a rule adopted pursuant to this subchapter after having previously violated this subchapter or a rule adopted pursuant to this subchapter is subject to a civil penalty of not more than \$2,000. [PL 2003, c. 452, Pt. E, §6 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

These penalties may be recovered by the state sealer on behalf of the State in a civil action. [PL 2003, c. 452, Pt. E, §6 (RPR); PL 2003, c. 452, Pt. X, §2 (AFF).]

**2. Private action.** A person who violates this subchapter or a rule adopted pursuant to this subchapter is liable in a civil action to a person aggrieved by the violation pursuant to the remedies set forth in Title 26, section 626-A. The civil action for damages may be brought by either the aggrieved party or, at the request of the state sealer, by the Attorney General. [PL 2003, c. 452, Pt. E, §6 (RPR); PL 2003, c. 452, Pt. X, §2 (AFF).]

**SECTION HISTORY**

PL 1983, c. 804, §11 (NEW). PL 2003, c. 452, §E6 (RPR). PL 2003, c. 452, §X2 (AFF).

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