

[Me. Rev. Stat. tit. 10, §§ 1346 et seq.](#)

Quick Facts	Breach Based on Harm Threshold	Deadline for Consumer Notice	Government Notification Required
	YES	As expeditiously as possible and without unreasonable delay	YES

### More Details

<b>Scope of this Summary</b>	Notification requirements applicable to individuals, entities and "information brokers" (as defined) that maintain covered info. Some types of businesses may be exempt from some or all of these requirements and non-commercial entities may be subject to different requirements.
<b>Covered Info</b>	First name, or first initial, and last name, plus: Social Security number; driver's license or state ID card number; account or credit/debit card number if usable without additional identifying information, access codes or passwords; account passwords, PIN numbers, or other access codes; or any of the previous data elements when not in connection with first name, or first initial, and last name, if the compromised information would be sufficient to commit identity theft.
<b>Form of Covered Info</b>	Electronic Only
<b>Encryption Safe Harbor</b>	Statute does not apply to information that is encrypted or redacted, so long as encryption key was not accessed or acquired.
<b>Breach Defined</b>	Unauthorized acquisition, release, or use of computerized data that compromises the security, confidentiality, or integrity of the covered info, excluding certain good-faith acquisitions by employees or agents.
<b>Consumer Notice</b>	<u>Timing</u> : Must be made as expeditiously as possible and without unreasonable delay, consistent with measures necessary to determine the scope of the breach and restore the reasonable integrity, security and confidentiality of the data in the system. <u>Method</u> : By written notice or electronic notice if consistent with E-SIGN. Substitute notice is available if certain criteria are satisfied.
<b>Delayed Notice</b>	Notification may be delayed by law enforcement if they determine that it will compromise a criminal investigation. Notice must be given within 7 business after they determine that notification will not compromise the investigation.
<b>Harm Threshold</b>	Notification to residents not required if, after a reasonable and prompt good faith investigation, the covered entity determines that there is no reasonable possibility that the covered info has been or will be misused. Harm threshold does not apply to information brokers subject to statute.
<b>Government Notice</b>	If notification to residents is required, must also notify the appropriate state regulator (either Dept. of Professional and Financial Regulation or, if not regulated by the Department, the Attorney General).
<b>Consumer Agency Notice</b>	If more than 1,000 residents are notified, must notify all nationwide CRAs without unreasonable delay. The notification must include the date of the breach, estimated number of affected individuals, if known, and the date those individuals were or will be notified.
<b>Third-Party Notice</b>	If you maintain covered info on behalf of another entity, you must notify them immediately following discovery of a breach if covered information was, or is reasonably believed to have been, acquired by an unauthorized person.
<b>Potential Penalties</b>	Violations may result in civil penalties.

Last revised on March 26, 2018

**This summary is for informational purposes only. It provides general information and not legal advice or opinions regarding specific facts. Additional requirements or conditions may apply to any or all provisions referenced herein. For more information about the state data breach notification laws or other data security matters, please seek the advice of counsel.**