

Office of the Maine Attorney General

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Consumer Alert - Ticket Resales

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The Consumer Protection Division of the Attorney General's Office provides the following information to consumers regarding a bill that recently became law in Maine, LD 913, P.L. 2025, ch. 354, 1. The bill creates several new protections for consumers in ticket resale transactions, including:

1. *Refunds required for material misrepresentations by ticket resellers.* Maine law now provides refund protection for consumers if a ticket reseller makes a material misrepresentation relating to the sale of the ticket. Maine law already protected consumers in ticket resale transactions by requiring refunds if an event is cancelled, if the ticket is not accepted by a venue because it is counterfeit or nonconforming, if the ticket is cancelled for any reason, or if the ticket is not delivered in time for the consumer to attend the event.
2. *The total price of a ticket must be disclosed.* Maine law now requires ticket sellers, including resellers and original sellers, to clearly and conspicuously disclose the total price of the ticket. The total price means everything the consumer has to pay for the ticket, except shipping charges and government charges. The disclosure must also include the seat number or section associated with the ticket.
3. *Prohibited practices by ticket sellers.* Maine law now prohibits certain practices by ticket sellers, including misrepresenting any fee or charge associated with a ticket; selling or offer to sell more than one of the same ticket; selling tickets not in the actual or constructive possession of the seller; and circumventing limitations for tickets sold online.
4. *10% limit on ticket resale marketplace fees.* Maine law now prohibits charging more than 10% of the total price of the original ticket, including taxes and fees, for the service of providing a marketplace for the resale of a ticket. This means that any fee or charge imposed by a ticket resale marketplace for the service it provides may not exceed 10% of the total price of the original ticket. The total price includes taxes and fees charged on the original ticket. Maine law does not otherwise limit a ticket's total resale price.

These protections apply if the consumer is a Maine resident or if the transaction occurs in Maine. Because of how the law defines ticket resellers, the protections for consumers in ticket resale transactions do not apply if the seller is an individual. However, business entities that operate ticket resale marketplaces, including online marketplaces, are ticket resellers under Maine law, as are businesses entities reselling tickets on those marketplaces or elsewhere.

Credits

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