

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1232

H.P. 923

House of Representatives, March 22, 2011

An Act To Enhance Self-defense by Removing Restrictions on the Carrying and Use of Weapons

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative LIBBY of Waterboro.
Cosponsored by Senator SNOWE-MELLO of Androscoggin and
Representatives: AYOTTE of Caswell, CEBRA of Naples, CRAFTS of Lisbon, GIFFORD of
Lincoln, LONG of Sherman, McFADDEN of Dennysville, O'CONNOR of Berwick, SIROCKI
of Scarborough.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 12 MRSA §11212, sub-§1**, as amended by PL 2005, c. 477, §9, is further
3 amended to read:

4 **1. Prohibition.** The following provisions apply to shooting from a motor vehicle or
5 motorboat ~~or possessing a loaded firearm or a crossbow in a motor vehicle.~~

6 A. A person may not shoot while in or on a motor vehicle or motorboat or while in
7 or on a trailer or other type of vehicle being hauled by a motor vehicle except:

8 (1) A person may hunt migratory waterfowl from a motorboat in accordance
9 with federal regulations;

10 (2) Paraplegics and single or double amputees of the legs may shoot from motor
11 vehicles that are not in motion; ~~and~~

12 (3) A person may shoot from a motorboat if that boat is not being propelled by
13 its motor-; and

14 (4) A person may shoot from a motor vehicle or motorboat in defense of life or
15 property.

16 ~~B. A person may not, while in or on a motor vehicle or in or on a trailer or other~~
17 ~~type of vehicle being hauled by a motor vehicle, have a cocked and armed crossbow~~
18 ~~or a firearm with a cartridge or shell in the chamber or in an attached magazine, clip~~
19 ~~or cylinder or a muzzle loading firearm charged with powder, lead and a primed~~
20 ~~ignition device or mechanism, except that a person who has a valid Maine permit to~~
21 ~~carry a concealed weapon may have in or on a motor vehicle or trailer a loaded pistol~~
22 ~~or revolver covered by that permit.~~

23 C. A person may not possess a wild animal or wild bird taken in violation of
24 paragraph A ~~or B~~, except as otherwise provided in this Part.

25 **Sec. 2. 25 MRSA §2001-A**, as amended by PL 2007, c. 555, §1, is repealed.

26 **Sec. 3. 25 MRSA §2001-B** is enacted to read:

27 **§2001-B. Threatening display of dangerous weapon**

28 A person may not, unless excepted by a provision of law, display in a threatening
29 manner a firearm, slungshot, knuckles, bowie knife, dirk, stiletto or other dangerous or
30 deadly weapon usually employed in the attack on or defense of a person.

31 **Sec. 4. 25 MRSA §2004, sub-§2**, as enacted by PL 2003, c. 452, Pt. N, §3 and
32 affected by Pt. X, §2, is amended to read:

33 **2. Display of dangerous weapon.** A person who violates section ~~2001-A~~ 2001-B
34 commits a Class D crime.

35 **Sec. 5. 25 MRSA §2004, sub-§3**, as enacted by PL 2003, c. 452, Pt. N, §3 and
36 affected by Pt. X, §2, is repealed.

SUMMARY

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This bill:

1. Removes the prohibition on having a loaded firearm or crossbow in a motor vehicle for a person other than a holder of a concealed weapons permit;
2. Provides the exception that a person may shoot from a motor vehicle or motorboat in the defense of life and property;
3. Removes the prohibition on concealing a dangerous weapon except by a holder of a concealed weapons permit; and
4. Removes exceptions to the law prohibiting the carrying of a concealed dangerous weapon.