

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1692

S. P. 540

In Senate, April 2, 1973

Referred to the Committee on Judiciary. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Brennan of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

**AN ACT Prohibiting Deceptive Practices by a Private Detective, or Watch,
Guard or Patrol Agency.**

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

Sec. 1. R. S., T. 32, § 3810, additional. Title 32 of the Revised Statutes is amended by adding a new section 3810 to read as follows:

§ 3810. Prohibited practices

1. No person, firm, corporation or other legal entity engaged in the private detective or private investigation business or the business of watch, guard or patrol agency shall have or use as part of its name, corporate name or assumed name, the name of any state or political subdivision of a state, or the words "State," "Maine," or "bureau" or any combination of these words.
2. No such person, firm, corporation or other legal entity, nor any employee thereof, shall own or use any vehicle which carries any markings or symbols in any way resembling or similar to markings or symbols used by any official agency of the State of Maine or any of its political subdivisions. Nor shall any such person, firm, corporation or other legal entity or employee thereof own or use any siren or flashing light other than directional signals on any such vehicles.
3. No owner or employee of any such firm, corporation or other legal entity shall use any title or make any statement which can reasonably be construed as giving the impression that he is connected in any way with the Federal Government, a state government or any political subdivision of a state government.

4. No owner or employee of any such firm, corporation or other legal entity shall use any alias in connection with the business of such person, firm, corporation or other legal entity.

5. No owner or employee of any such firm, corporation or other legal entity shall enter any private building or portion thereof without the consent of the owner or the person in legal possession thereof.

Whoever violates any provision of this section shall be punished by a fine of not less than \$200 nor more than \$1,000, or by imprisonment for not less than 6 months nor more than one year, or by both.

Sec. 2. R. S., T. 32, § 3810-A, additional. Title 32 of the Revised Statutes is amended by adding a new section 3810-A to read as follows:

§ 3810-A. Injunctions; civil and criminal actions

In the event of any violation of any of the provisions of chapter 55-A, as amended, the Attorney General or the County Attorney in the county where the alleged violation occurred may institute injunction proceedings to enjoin further violation thereof, and to compel compliance with the provisions of the said chapter, and may institute any other appropriate civil action or criminal action, or any combination thereof. In the event that the court determines there was a violation of this chapter, it may award the complainant costs including a reasonable amount for administrative and attorneys' costs.

STATEMENT OF FACT

The purpose of this bill is to prevent the deceptive or misleading representations that inevitably follow from allowing private detectives to use the name of the State of Maine, or other names with official connotation, in the conduct of their investigations and business and other practices that suggest State approval of their investigatory activities.