

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-136)

COMMITTEE AMENDMENT "A" to S.P. 147, L.D. 389, Bill,
"AN ACT to Prohibit the Use of Electronic Devices for the
Purpose of Detecting Radar."

Amend the Bill by striking out all of the title and
inserting in its place the following: 'AN ACT to Prohibit the
Sale and Use of Devices for the Detection of Radar.'

Further amend the Bill by striking out everything after
the enacting clause and inserting in its place the following:

'29 MRSA §1254-A is enacted to read:

§1254-A. Sale and use of radar detection devices, prohibited

It shall be unlawful for any person to operate a motor
vehicle upon the highways of this State when the vehicle is
equipped with any device or mechanism to detect the emission of
radio microwaves in the electromagnetic spectrum, which microwaves
are employed by police to measure the speed of motor vehicles
upon the highways of this State for law enforcement purposes.
It shall be unlawful to use or sell any device or mechanism
outlawed by this section in any motor vehicle upon the highways,
provided () that the provisions of this section shall not
apply to any receiver of radio waves of any frequency lawfully
licensed by any state or federal agency. Any person violating
any provision of this section shall be guilty of a misdemeanor
and shall, upon conviction thereof, be punished by a fine of not
less than \$100 nor more than \$200 or by confinement in jail for
not more than 10 days, or by both. Any such prohibited

device or mechanism shall be forfeited to the State by order of the court trying the case, which shall make such disposition of the device or mechanism as it deems proper.

The presence of any such prohibited device or mechanism in or upon a motor vehicle upon the highways of this State shall constitute prima facie evidence of the violation of this section. The State need not prove that the device in question was in an operative condition or being operated.

This section shall not apply to motor vehicles owned by the State or any political subdivision thereof and which are used by the police of any such government nor to law enforcement officers in their official duties, nor to the sale of any such device or mechanism to law enforcement agencies for use in their official duties.'

Statement of Fact
amendment

The purpose of this / is to more clearly define the type of devices prohibited by the law. In addition, the amendment prohibits the presence of radar detection devices in motor vehicles. Since the use of radar detection devices cannot always be proved, the presence of these devices will constitute a violation of the law.

Reported by the Committee on Transportation.

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May 12, 1977

(Filing No. S-136)