

MAINE STATE LEGISLATURE

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(Governor's Bill)
SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1754

H. P. 1634

House of Representatives, January 2, 1980

Referred to the Committee on Legal Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk of the House

Presented by Mr. Marshall of Millinocket.

Cosponsor: Mr. Nadeau of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT to Prohibit Radar Detectors.

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

29 MRSA § 1254-A is enacted to read:

§ 1254-A. Prohibiting use of devices on motor vehicles to detect presence of radar upon highways

It is unlawful for any person to operate a motor vehicle upon the highways of this State when that 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. A person may not possess, use or offer for sale any such device or mechanism as described in this section, and the presence of any such device or mechanism in or upon a motor vehicle traveling upon the highways of this State shall constitute prima facie evidence of a violation of this section. The State need not prove that the device in question was in an operative condition or being operated, and any such electronic or mechanical device designed for detecting police speed monitoring equipment is declared contraband, and may be seized and destroyed by the State. Any person who violates this section is guilty of a Class E crime.

STATEMENT OF FACT

The sole purpose of radar detection devices is to alert the speeding motorist of the presence of police radar so that the motorist can avoid apprehension. In effect, a radar detection device enables the motorist to violate speed laws with little risk of being detected and apprehended.

For this reason, the use of radar detection devices would greatly impede the police from effectively enforcing speed limits. It is felt that this may lead to increased death and injury caused by traffic accidents, and increased consumption of fuel during a time of decreasing fuel supplies.

The monthly enforcement report submitted by the Air Wing indicates that vehicles equipped with radar detectors are consistently recording the highest average cited speed. This is true because the detectors have no way of alerting the driver to the aircraft.