

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 639

H. P. 563

House of Representatives, February 4, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Weymouth of West Gardiner.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Concerning Criminal Trespass by Motor Vehicle.

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

Sec. 1. 17-A MRSA § 402, sub-§ 1, ¶¶ D and E, as repealed and replaced by PL 1979, c. 701, § 23, are amended to read:

D. He remains in any place in defiance of a lawful order to leave, which was personally communicated to him by the owner or other authorized person; ~~or~~

E. He enters any place in defiance of a lawful order not to enter, which was personally communicated to him by the owner or other authorized person; ~~or~~

Sec. 2. 17-A MRSA § 402, sub-§ 1, ¶ F is enacted to read:

F. He parks or allows to remain parked any vehicle in any private drive or private way in a manner so as to block or interfere with the free passage of vehicles or on a public highway in such a manner as to block the entrance to a private driveway, gate or barway. It shall be prima facie evidence that any such vehicle was parked or allowed to remain parked by the registered owner.

STATEMENT OF FACT

The indiscriminate parking of vehicles which block lawful access to private property is a problem not considered in the Criminal Code as it used to be in laws replaced by the Criminal Code. This bill would make such parking a criminal trespass.