

# MAINE STATE LEGISLATURE

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(NEW DRAFT OF H.P. 1485, L.D. 2019)  
SECOND REGULAR SESSION

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ONE HUNDRED AND THIRTEENTH LEGISLATURE

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Legislative Document

NO. 2366

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H.P. 1723 House of Representatives, February 26, 1988  
Reported by the Minority from the Committee on  
Transportation and printed under Joint Rule 2.

EDWIN H. PERT, Clerk

Original bill sponsored by Representative SMITH of Island  
Falls. Cosponsored by Representative SOUCY of Kittery and  
Senator COLLINS of Aroostook.

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STATE OF MAINE

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

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1 AN ACT Pertaining to Radar Detectors.  
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3 Be it enacted by the People of the State of Maine as  
4 follows:

5 Sec. 1. 29 MRSA §1254-A is enacted to read:

6 §1254-A. Radar detectors prohibited

7 1. Violation. Except as provided in subsection

1 2, any person who operates a motor vehicle equipped  
2 with a radar detector on a public way is guilty of a  
3 Class E crime. For purposes of this section a radar  
4 detector is a device designed to detect microwaves in  
5 that portion of the electromagnetic spectrum used by  
6 law enforcement officers to measure the speed of moto  
7 vehicles. The presence of a radar detector in or on a  
8 motor vehicle operated on a way is prima facie  
9 evidence of a violation of this section. In order to  
10 demonstrate violation of this section the State need  
11 not prove that the radar detector was in operating  
12 condition or being operated.

13 2. Exceptions. The following exceptions apply.

14 A. No person is guilty of a violation of this  
15 section at a time when the radar detector is not  
16 readily accessible for use by the operator or any  
17 passenger of the motor vehicle.

18 B This section does not apply to motor vehicles  
19 used by law enforcement officers in the  
20 performance of their official duties.

21 3. Evidence. A radar detector may be taken by a  
22 law enforcement officer if needed as evidence of  
23 violation of this section and when no longer needed  
24 shall be returned to the person charged or, at that  
25 person's request and expense, mailed to an address  
26 specified by the person charged.

27 4. Signs. The Commissioner of Transportation  
28 shall erect signs, on all ways which enter this State  
29 from other jurisdictions, which warn motorists of the  
30 contents of this section.

31 Sec. 2. Allocation. The following funds are  
32 allocated from the Highway Fund to carry out the  
33 purposes of this Act.

34 1988-89.

35 TRANSPORTATION,  
36 DEPARTMENT OF

1 Highway Maintenance -  
2 Summer  
3 All Other \$25,000  
4 Provides funds for the  
5 department to enter  
6 into a contractual  
7 arrangement to  
8 manufacture and erect  
9 the signs proposed by  
10 this Act.

11 STATEMENT OF FACT

12 This new draft prohibits the operation of a motor  
13 vehicle which is equipped with a radar detector,  
14 unless the radar detector is not readily accessible  
15 for use by the operator or passengers. For example,  
16 visitors traveling through Maine would not be in  
17 violation if their radar detectors were placed in the  
18 trunk.

19 The detectors could be taken by law enforcement  
20 officers as evidence of the violation, but would have  
21 to be returned when no longer needed for that purpose.

22 The new draft also directs the Commissioner of  
23 Transportation to erect signs at this State's border  
24 to warn incoming traffic of the contents of the law  
25 and allocates \$25,000 from the Highway Fund for the  
26 signs.

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