

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 202

H.P. 150

House of Representatives, February 15, 1989

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative ALIBERTI of Lewiston.

Cosponsored by Senator COLLINS of Aroostook and Representative SMITH of Island Falls.

STATE OF MAINE

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

**An Act to Regulate the Use of Speed Traps and Prevent the Use of
Radar Detectors.**



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

3 29 MRSA §§1254-A and 1254-B are enacted to read:

5 §1254-A. Speed limit enforcement

7 1. Speed traps prohibited. A law enforcement officer on
9 duty in a law enforcement vehicle other than an air patrol
11 vehicle, when monitoring traffic from a stationary position,
shall keep the vehicle clearly visible to approaching motorists
from a distance of 200 yards.

13 2. Admissibility. Evidence regarding the speed of a motor
15 vehicle obtained by a law enforcement officer in violation of
17 subsection 1 is inadmissible as evidence in a court proceeding
against a person charged with speeding in violation of this
subchapter.

19 §1254-B. Radar detectors prohibited

21 1. Radar detectors prohibited. Except as provided in
23 subsection 2, a person operating a motor vehicle on a public way
25 in this State may not install or use a radar detector. For
27 purposes of this section, "radar detector" means a device
designed to detect microwaves in the portion of the
electromagnetic spectrum used by law enforcement officers to
measure the speed of motor vehicles.

29 2. Exceptions. The following exceptions apply.

31 A. A person does not violate this section when a radar
33 detector is not readily accessible for use by the operator
or a passenger of the motor vehicle.

35 B. This section does not apply to law enforcement vehicles
37 used by law enforcement officers in the performance of their
official duties under sections 1254 and 1254-A.

39 3. Evidence. The presence of a radar detector, readily
41 accessible to the operator or a passenger, that is in or on a
43 motor vehicle operated on a public way is prima facie evidence of
a violation of this section, regardless of whether the radar
detector was in operating condition or being operated.

45 4. Violation. A person who operates a motor vehicle in
47 violation of subsection 1 commits a traffic infraction punishable
49 by a fine of at least \$50. Upon a person's 3rd or subsequent
offense, the law enforcement officer shall confiscate the radar
detector to prevent its further use.

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