

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

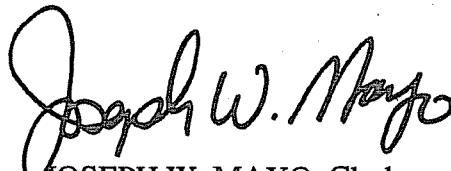
No. 1175

H.P. 866

House of Representatives, April 5, 1993

An Act to Ensure Fairness in the Use of Radar by Law Enforcement Officers.

Reference to the Committee on Legal Affairs suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative BENNETT of Norway.
Cosponsored by Representatives: AHEARNE of Madawaska, BOWERS of Washington,
CAMERON of Rumford, DUTREMBLE of Biddeford, FARNUM of South Berwick, HILLOCK
of Gorham, JOSEPH of Waterville, JOY of Island Falls, LIBBY of Buxton, LOOK of
Jonesboro, MICHAEL of Auburn, QUINT of Paris, Senator: HANLEY of Oxford.

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

2
4 Sec. 1. 29 MRSA §1254, first ¶, as amended by PL 1975, c. 731,
§50, is further amended to read:

6 The speed of any motor vehicle may be measured by the use of
8 radar or any other electronic device which that measures speed by
~~radiomiere-waves~~ radio microwaves or otherwise, or by the use of
10 a device mounted within a motor vehicle operated by a law
12 enforcement officer which that measures in any sequence a
14 selected distance traversed by the motor vehicle operated by the
16 law enforcement officer and the time required by another motor
18 vehicle to traverse that same distance, and computes therefrom
20 the average speed of such other motor vehicle in traversing such
22 distance. If a law enforcement officer, using such a device,
24 determines that a motor vehicle is travelling in excess of the
 legal speed limit, the law enforcement officer shall cause the
 recorded speed to be locked into the device's display and shall
 give the operator of the motor vehicle an opportunity to view the
 recorded speed. The results of any such measurements shall must
 be accepted as prima facie evidence of the speed of the motor
 vehicle under surveillance in any court in criminal or traffic
 infraction proceedings where when the speed of the motor vehicle
 under surveillance is at issue.

26
28 **STATEMENT OF FACT**

30 This bill requires that, if a law enforcement officer
32 detects through radar that a motorist is exceeding the speed
 limit, the law enforcement officer shall lock the recorded speed
 into the device and give the motorist the opportunity to view the
 recorded speed.