

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 663

S.P. 241

In Senate, January 26, 1999

An Act to Clarify the Powers of Game Wardens When Stopping Motor Vehicles.

Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.
Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KILKELLY of Lincoln.
Cosponsored by Representative DUNLAP of Old Town.

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

4 **Sec. 1. 12 MRSA §7053, sub-§2, ¶D-1, as enacted by PL 1989, c.**
493, §5, is repealed.

6 **Sec. 2. 12 MRSA §7053, sub-§2, ¶D-2 is enacted to read:**

8 D-2. If there is reasonable and articulable suspicion that
10 a violation of law has taken or is taking place and if the
12 game warden is in uniform, stop a motor vehicle for the
14 purpose of:

16 (1) Arresting the operator or occupants for a criminal
18 violation;

20 (2) Issuing the appropriate written process for a
22 criminal or civil violation or a traffic infraction; or

24 (3) Questioning the operator or occupants.

26 A law enforcement officer who has stopped a motor vehicle
28 pursuant to this subsection may demand and inspect the
30 driver's license, certificate or registration, permit and
32 the identification numbers of the motor vehicle;

34 **SUMMARY**

The current statute limits the authority of game wardens to stop motor vehicles by requiring wardens to articulate that a violation of fish and game laws has occurred prior to stopping a vehicle. This bill gives game wardens the same authority to stop motor vehicles as is allowed other law enforcement officers.