

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1137

H.P. 814

House of Representatives, February 9, 1999

**An Act to Allow Police Officers to Prosecute Their Own Traffic  
Infractions in District Court.**

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative SCHNEIDER of Durham.  
Cosponsored by Senator DAVIS of Piscataquis and  
Representatives: CARR of Lincoln, CHIZMAR of Lisbon, DAVIS of Falmouth, McALEVEY  
of Waterboro, PLOWMAN of Hampden, SHERMAN of Hodgdon.

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

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**Sec. 1. 4 MRSA §807, sub-§3, ¶K,** as amended by PL 1997, c. 683, Pt. E, §3, is further amended to read:

K. A person who is not an attorney, but who is representing the Department of Human Services in accordance with Title 19-A, section 1615; Title 19-A, section 2009, subsection 8; Title 19-A, section 2201, subsection 1-B; and Title 19-A, section 2202, subsection 1-B; ~~or~~

**Sec. 2. 4 MRSA §807, sub-§3, ¶L,** as enacted by PL 1997, c. 683, Pt. E, §4, is amended to read:

L. A person who is not an attorney, but who is representing the Department of Agriculture, Food and Rural Resources in accordance with Title 7, section 3909, subsection 2.; or

**Sec. 3. 4 MRSA §807, sub-§3, ¶M** is enacted to read:

M. A law enforcement officer, as defined in Title 29-A, section 101, subsection 30, who is not an attorney but who is representing the State in the prosecution of a traffic infraction, as defined in Title 29-A, section 101, subsection 85, when that representation has been approved by the prosecuting attorney and the District Court Judge presiding at trial.

**SUMMARY**

This bill allows police officers to prosecute their own traffic infraction cases in District Court without it being considered an unauthorized practice of law.