

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
124TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "B" to H.P. 1080, L.D. 1536, Bill, "An Act To Amend the Standards by Which Game Wardens May Stop All-terrain Vehicles when Operating on Private Property"

Amend the bill in section 1 by striking out all of paragraph G (page 1, lines 4 to 14 in L.D.) and inserting the following:

'G. ~~If the warden has reasonable and articulable suspicion to believe that a violation of law has taken place or is taking place, stop~~ Stop and examine any all-terrain vehicle that is not being operated on a marked and owner-authorized ATV trail to ascertain whether it is being operated in compliance with chapter 939 or any other provision of this Part regulating ATVs, demand and inspect the operator's certificate of registration and, when appropriate, demand and inspect evidence that the operator has satisfactorily completed a training course as required by section 13152. An ATV being operated on a marked and owner-authorized ATV trail may be stopped and examined for the same purposes if the warden has reasonable and articulable suspicion to believe that a violation of the law has taken place or is taking place. Other law enforcement officers are subject to the provisions of this paragraph.'

SUMMARY

Current law provides that a law enforcement officer may stop an all-terrain vehicle to ascertain whether a violation of the law has occurred if the officer has a reasonable and articulable suspicion that a violation of the law has taken place. This amendment allows an officer to stop an ATV without that articulable suspicion if the ATV is not being operated on an authorized ATV trail.

SPONSORED BY: 

(Senator MILLS, P.)

COUNTY: Somerset