

MAINE STATE LEGISLATURE

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L.D. 1536

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STATE OF MAINE
SENATE
124TH LEGISLATURE
SECOND REGULAR SESSION

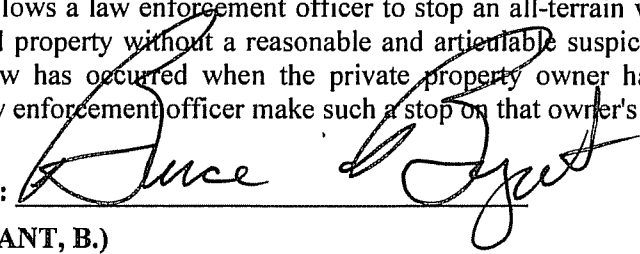
SENATE AMENDMENT "C" to H.P. 1080, L.D. 1536, Bill, "An Act To Amend the Standards by Which Game Wardens May Stop All-terrain Vehicles when Operating on Private Property"

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, or at the request of the property owner, stop and examine any all-terrain vehicle operating on privately owned property 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. A warden may stop an all-terrain vehicle operating on publicly owned property for purposes of this paragraph if the warden has reasonable and articulable suspicion to believe that a violation of the law has taken 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 law enforcement officer has a reasonable and articulable suspicion to believe that a violation of the law has taken place. This amendment allows a law enforcement officer to stop an all-terrain vehicle operated on privately owned property without a reasonable and articulable suspicion to believe a violation of the law has occurred when the private property owner has affirmatively requested that a law enforcement officer make such a stop on that owner's private land.

SPONSORED BY: 
(Senator BRYANT, B.)
COUNTY: Oxford