

MAINE STATE LEGISLATURE

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EIGHTY-SECOND LEGISLATURE

S. P. No. 42

S. D. No. 33

In Senate, Jan. 27, 1925.

Referred to Committee on Judiciary and 1500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Wadsworth of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-FIVE

AN ACT to Enlarge the Powers of the State Highway Police
and to Authorize the Governor and Council to Appoint Said
Police and Direct Them in the Performance of Their Duties.

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

Section 1. The governor, with the advice and consent of
2 the council, shall appoint the chief of the state highway
3 police, to serve during the pleasure of the governor and
4 council. The chief shall be the executive head of the state
5 highway police and shall execute the duties of his office
6 under the direction and subject to the approval of the gov-
7 ernor and council. He shall appoint such number of patrol-
8 men as the governor and council shall deem necessary to
9 enforce the provisions of this chapter.

Sect. 2. The specific duties of the state highway police shall be to patrol the state highways and other important ways, especially outside the compact portion of cities and towns, for the purpose of enforcing the provisions of this act and all laws relating to motor driven and horse drawn vehicles and all rules and regulations in regard thereto, and of arresting all violators thereof and prosecuting all offenses against the same. When and wherever on duty and in uniform they shall have the same power to serve criminal processes against such offenders as sheriffs and also the same power as sheriffs have to arrest without warrant and detain persons found violating or attempting to violate any other penal law of the state until a legal warrant can be obtained, and shall immediately report by telephone or other expeditious means to the proper authorities all information and complaints by them received concerning the commissions of any crime, and shall have the same rights as sheriffs to require aid in executing the duties of their office. They shall also at all times be subject to the call of the governor for emergency purposes at his discretion.

The state highway police, sheriffs and deputy sheriffs, constables, city marshals and deputy marshals and police officers of cities and towns shall so far as possible cooperate in the detection of crime, the arrest and prosecution of criminals, and the preservation of law and order throughout the state.

Sect. 3. Members of the state highway police shall be

2 provided at the expense of the state with a distinctive uni-
3 form and badge, which shall be worn always when on duty,
4 and with suitable equipment, including motorcycles for use
5 when requisite to the performance of their official duties,
6 all of which shall remain the property of the state.

Sect. 4. Members of the state highway police may be
2 designated and assigned to special duty as inspectors to
3 enforce the laws, rules and regulations relating to the reg-
4 istration of motor vehicles and the licensing of operators
5 of motor vehicles, but assignment to special duty shall not
6 curtail or impair any of their powers as state highway police.
7 Such inspectors shall cooperate with and assist the secre-
8 tary of state in the collection of fees and penalties due the
9 state under the laws relating to the registration of motor
10 vehicles and the licensing of operators of such vehicles.

Sect. 5. The governor and council shall determine the
2 salary of such chief and the compensation of the other
3 members of the state highway police. Before entering upon
4 the duties of their office they shall be sworn to the faith-
5 ful performance thereof and shall give bond to the state
6 as follows: The chief inspector shall give bond in the sum
7 of five thousand dollars and the other members of the state
8 highway police in the sum of two thousand dollars each.
9 No inspector or member of the state highway police shall
10 receive any fee as a witness or for making an arrest or for
11 attendance at court, but shall be paid actual costs of arrest
12 and actual expenses of travel.

Whenever any fines or penalties are imposed by any court
2 in any proceeding in which a member of said motor police
3 is a complainant or a witness, the court before which the
4 case is tried may tax costs for such complainant or witness
5 in the usual manner, and the member of motor police en-
6 titled to same shall duly receipt for same when paid and
7 immediately pay it over to the chief.

Sect. 6. Section twenty-five, chapter two hundred and
2 eleven of the public laws of nineteen hundred and twenty-
3 one is hereby repealed.

Sect. 7. The chief of the state highway police shall per-
2 form all the duties which are now delegated to the state
3 highway commission by chapter two hundred and eleven
4 of the public laws of nineteen hundred and twenty-one and
5 all acts additional thereto or amendatory thereof and wher-
6 ever in said chapter or acts amendatory thereof the words
7 "the commission" are employed, they shall be construed to
8 mean the chief of the state highway police, and payment
9 of the expenses thereof shall be made as heretofore.

Sect. 8. All acts or parts of acts inconsistent herewith
2 are hereby repealed.