

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2010 to June 29, 2011**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 28, 2011**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2011**

**PART R**

**Sec. R-1. Appropriations and allocations.**  
The following appropriations and allocations are made.

**SECRETARY OF STATE, DEPARTMENT OF  
Administration - Motor Vehicles 0077**

Initiative: Reduces funding from managing vacancies.

HIGHWAY FUND	2010-11	2011-12	2012-13
Personal Services	(\$754,870)	\$0	\$0
HIGHWAY FUND	(\$754,870)	\$0	\$0
TOTAL			

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 21, 2011.

**CHAPTER 393**

**H.P. 28 - L.D. 35**

**An Act Relating to Concealed  
Firearms Locked in Vehicles**

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

**Sec. 1. 26 MRSA §600** is enacted to read:

**§600. Concealed firearms in vehicles**

**1. Firearms in vehicles.** An employer or an agent of an employer may not prohibit an employee who has a valid permit to carry a concealed firearm under Title 25, chapter 252 from keeping a firearm in the employee's vehicle as long as the vehicle is locked and the firearm is not visible. This subsection does not authorize an employee to carry a firearm in a place where carrying a firearm is prohibited by law.

**2. Immunity from liability.** An employer or an agent of an employer may not be held liable in any civil action for damages, injury or death resulting from or arising out of another person's actions involving a firearm or ammunition transported or stored pursuant to this section, including, but not limited to, the theft of a firearm from an employee's vehicle, unless the employer or an agent of the employer intentionally solicited or procured the other person's injurious actions. Nothing in this section affects provisions in the Maine Workers' Compensation Act of 1992.

See title page for effective date.

**CHAPTER 394**

**H.P. 988 - L.D. 1347**

**An Act Relating to Locations  
where Concealed Weapons  
May Be Carried**

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

**Sec. 1. 12 MRSA §1803, sub-§7** is enacted to read:

**7. Exceptions.** Notwithstanding subsection 6 or any other rule-making authority, the bureau may not adopt rules that prohibit the following persons from carrying a concealed firearm in the buildings or parts of buildings and other public property that are under the bureau's jurisdiction:

A. A person to whom a valid permit to carry a concealed firearm has been issued under Title 25, chapter 252. The person must have in that person's possession the valid permit;

B. A person to whom a valid permit to carry a concealed firearm has been issued by another state if a permit to carry a concealed firearm issued from that state has been granted reciprocity under Title 25, chapter 252. The person must have in that person's possession the valid permit;

C. An authorized federal, state or local law enforcement officer in the performance of that officer's official duties;

D. A qualified law enforcement officer pursuant to 18 United States Code, Section 926B. The law enforcement officer must have in that law enforcement officer's possession photographic identification issued by the law enforcement agency by which the person is employed as a law enforcement officer; and

E. A qualified retired law enforcement officer pursuant to 18 United States Code, Section 926C. The retired law enforcement officer must have in the retired law enforcement officer's possession:

(1) Photographic identification issued by the law enforcement agency from which the person retired from service as a law enforcement officer that indicates that the person has, not less recently than one year before the date the person carries the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm; or

(2) Photographic identification issued by the law enforcement agency from which the person retired from service as a law enforcement

officer and a certification issued by the state in which the person resides that indicates that the person has, not less recently than one year before the date the person carries the concealed firearm, been tested or otherwise found by that state to meet the standards established by that state for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm.

**Sec. 2. 17-A MRSA §1057, sub-§3**, as enacted by PL 1989, c. 917, §2, is repealed.

**Sec. 3. 25 MRSA §2001-A, sub-§2**, as amended by PL 2007, c. 555, §1, is further amended to read:

**2. Exceptions.** The provisions of this section concerning the carrying of concealed weapons do not apply to:

- A. ~~Firearms~~ A firearm carried by a person to whom a valid permit to carry a concealed firearm has been issued as provided in this chapter;
- B. Disabling chemicals as described in Title 17-A, section 1002;
- C. Knives used to hunt, fish or trap as defined in Title 12, section 10001;
- D. ~~Law~~ A firearm carried by a law enforcement ~~officers officer, a corrections officers and officer or a corrections supervisors supervisor~~ as permitted in writing by ~~their~~ the officer's or supervisor's employer;
- E. ~~Firearms~~ A firearm carried by a person engaged in conduct for which a state-issued hunting or trapping license is required and possessing the required license, or ~~firearms~~ a firearm carried by a resident person engaged in conduct expressly authorized by Title 12, section 11108 and section 12202, subsection 1. This paragraph does not authorize or permit the carrying of a concealed or loaded firearm in a motor vehicle; ~~and~~
- F. A firearm carried by a person to whom a valid permit to carry a concealed firearm has been issued by another state if a permit to carry a concealed firearm issued from that state has been granted reciprocity. The Chief of the State Police may enter into reciprocity agreements with any other states that meet the requirements of this paragraph. Reciprocity may be granted to a permit to carry a concealed firearm issued from another state if:

(1) The other state that issued the permit to carry a concealed firearm has substantially equivalent or stricter requirements for the issuance of a permit to carry a concealed firearm; and

(2) The other state that issued the permit to carry a concealed firearm observes the same rules of reciprocity regarding a person issued a permit to carry a concealed firearm under this chapter;

G. A firearm carried by an authorized federal, state or local law enforcement officer in the performance of the officer's official duties;

H. A firearm carried by a qualified law enforcement officer pursuant to 18 United States Code, Section 926B. The law enforcement officer must have in the law enforcement officer's possession photographic identification issued by the law enforcement agency by which the person is employed as a law enforcement officer; and

I. A firearm carried by a qualified retired law enforcement officer pursuant to 18 United States Code, Section 926C. The retired law enforcement officer must have in the retired law enforcement officer's possession:

(1) Photographic identification issued by the law enforcement agency from which the person retired from service as a law enforcement officer that indicates that the person has, not less recently than one year before the date the person carries the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm; or

(2) Photographic identification issued by the law enforcement agency from which the person retired from service as a law enforcement officer and a certification issued by the state in which the person resides that indicates that the person has, not less recently than one year before the date the person carries the concealed firearm, been tested or otherwise found by that state to meet the standards established by that state for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm.

See title page for effective date.

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**CHAPTER 395**

**H.P. 972 - L.D. 1326**

**An Act To Allow School  
Administrative Units To Seek  
Less Expensive Health  
Insurance Alternatives**