

CHAPTER 106

CONVENIENCE STORE OPERATION

§3321. Store security

(REPEALED)

SECTION HISTORY

PL 1991, c. 123 (NEW). PL 1999, c. 347, §§1,2 (AMD). PL 2003, c. 452, §156 (RP). PL 2003, c. 452, §X2 (AFF).

§3321-A. Store security

1. Definition. For purposes of this section, "convenience store" means a retail store that specializes in the sale of a limited quantity and variety of consumable items in their original containers. [PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

2. Restrictions. A person may not keep open a convenience store 24 hours a day unless the store has:

A. A drop safe that is bolted to the floor, installed in the floor or weighs at least 500 pounds; [PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. A conspicuous sign in the store entrance that states that between the hours of 9 p.m. and 5 a.m. the cash register contains \$50 or less, that there is a safe in the store and that the safe is not accessible to the employees; [PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

C. During the hours of 9 p.m. to 5 a.m., no more than \$50 cash available and readily accessible to employees; and [PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

D. An alarm or telephone within the store that is accessible to the employees. The alarm must be connected to a public or private safety agency. [PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

[PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

3. Penalty. A person who violates this section commits a Class E crime. A violation of this section is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A. A complaint charging violation of this section may not issue later than 5 days after its alleged commission. Each day that a violation of this section occurs is considered a separate offense.

[PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

4. Injunctive relief. In addition to any criminal penalties provided in this section, the Attorney General, a district attorney or a resident of a municipality in which a violation is claimed to have occurred may file a complaint with the Superior Court to enjoin a violation of this section. The Superior Court has original jurisdiction of the complaints and authority to enjoin the violations.

[PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

SECTION HISTORY

PL 2003, c. 452, §157 (NEW). PL 2003, c. 452, §X2 (AFF).

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