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An Act To Amend the Standards by Which Game Wardens May Stop All-terrain Vehicles when Operating on Private Property

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

Sec. 1. 12 MRSA §10353, sub-§2, ¶G, as amended by PL 2009, c. 389, §1, is further amended to read:

~~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 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 bill 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.