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Legislative Document

No. 417

H.P. 301

House of Representatives, February 10, 2021

An Act To Protect Maine's Drivers from Pretextual Traffic Stops

Received by the Clerk of the House on February 8, 2021. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MORALES of South Portland.
Cosponsored by Representatives: HARNETT of Gardiner, TALBOT ROSS of Portland,
WARREN of Hallowell.

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

2 **Sec. 1. 15 MRSA §458** is enacted to read:

3 **§458. Pretextual traffic stops**

4 A law enforcement officer as defined in Title 17-A, section 2, subsection 17 may not
5 stop a motor vehicle an occupant of which the law enforcement officer suspects is engaging
6 in criminal activity for a violation under Title 29-A, chapter 5, 15, 17 or 19 not related to
7 the suspected criminal activity. Evidence of criminal activity obtained pursuant to a motor
8 vehicle stop in violation of this section may not be used in any criminal proceeding.

9 **SUMMARY**

10 This bill prohibits a law enforcement officer from stopping a motor vehicle an occupant
11 of which the law enforcement officer suspects is engaging in criminal activity for a motor
12 vehicle violation not related to that criminal activity. The bill also provides that evidence
13 obtained in a traffic stop in violation of this provision may not be used in any criminal
14 proceeding.