

CHAPTER 105

RELIGIOUS ASSEMBLIES, HOLY DAYS AND HOLIDAYS

SUBCHAPTER 1

HOLY DAYS

§3201. Definition of Lord's Day

The Lord's Day includes the time between 12 o'clock on Saturday night and 12 o'clock on Sunday night.

§3202. Computation by standard time

To determine when the Lord's Day begins and ends under section 3204 as it applies to diversion, show or entertainment, the hours shall be United States Eastern Standard time. [PL 1971, c. 334, §1 (AMD).]

SECTION HISTORY

PL 1971, c. 334, §1 (AMD).

§3203. Sales of motor vehicles prohibited

1. Sales of motor vehicles on Sunday prohibited. Except as provided in section 3203-A, on Sunday a person may not:

A. Carry on or engage in the business of buying, selling, exchanging, dealing or trading in new or used motor vehicles; [PL 2003, c. 452, Pt. I, §54 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. Open any place of business or lot in which that person attempts to or does engage in the business of buying, selling, exchanging, dealing or trading in new or used motor vehicles; or [PL 2003, c. 452, Pt. I, §54 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

C. Buy, sell, exchange, deal or trade in new or used motor vehicles. [PL 2003, c. 452, Pt. I, §54 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

[PL 2003, c. 452, Pt. I, §54 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

2. Penalty. A person who violates this section commits a Class E crime. Violation of this section is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A. If the person is the holder of dealer or transporter registration plates under Title 29-A, chapter 9, the person is subject to the suspension or revocation of those plates, as provided for in Title 29-A, section 903, for the violation of this section.

[PL 2003, c. 452, Pt. I, §54 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

SECTION HISTORY

PL 1973, c. 27, §1 (AMD). PL 1973, c. 788, §70 (AMD). PL 1979, c. 127, §124 (AMD). PL 1995, c. 65, §A55 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 1995, c. 87, §1 (AMD). PL 1995, c. 625, §B3 (RPR). PL 2003, c. 452, §154 (RPR). PL 2003, c. 452, §X2 (AFF).

§3203-A. Motor homes

A person who is licensed in accordance with Title 29-A, section 951 and whose primary business is the buying and selling of new motor homes is exempt from section 3203 as it relates to that person's primary business. A "motor home" means a motor vehicle that is primarily designed as temporary living quarters and: [PL 1995, c. 87, §2 (NEW).]

1. Part of vehicle. Is built onto or is an integral part of the motor vehicle chassis; and
[PL 1995, c. 87, §2 (NEW).]

2. Contains living systems. Contains independent living systems that are part of the manufacturing process that include cooking facilities, plumbing with external evacuation or that is self-contained, electrical capabilities, a heating source powered separately from the engine and a water system that includes a sink and faucet.

[PL 1995, c. 87, §2 (NEW).]

SECTION HISTORY

PL 1995, c. 87, §2 (NEW).

§3204. Business, traveling or recreation on Sunday

1. Restriction. A person may not keep a place of business open to the public:

A. On Sunday, except:

(1) For works of necessity, emergency or charity; or

(2) Between the hours of noon and 5:00 p.m. on Sundays falling between Thanksgiving Day and Christmas Day; or [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. On the following holidays:

(1) On Memorial Day, the last Monday in May, but if the Federal Government designates May 30th as the date for observance of Memorial Day, the 30th of May;

(2) On July 4th;

(3) On Labor Day, the first Monday of September;

(4) On Veterans' Day, November 11th;

(5) On Christmas Day; and

(6) On Thanksgiving Day. [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

[PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

2. Exceptions. This section does not apply to:

A. Common, contract and private carriers; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. Taxicabs; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

C. Airplanes; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

D. Newspapers; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

E. Radio and television stations; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

F. Hotels, motels, rooming houses, tourist and trailer camps; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

G. Restaurants; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

H. Garages and motor vehicle service stations; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

I. Retail monument dealers; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

- J. Automatic laundries; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- K. Machines that vend anything of value, including, but not limited to, a product, money or service; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- L. A satellite facility approved by the Superintendent of Financial Institutions under Title 9-B; or comparable facility approved by the appropriate federal authority; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- M. Pharmacies; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- N. Greenhouses; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- O. Seasonal stands engaged in sale of farm produce, dairy products, seafood or Christmas trees; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- P. Public utilities; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- Q. Industries normally kept in continuous operation, including, but not limited to, electric generation plants, pulp and paper plants and textile plants; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- R. Processing plants handling agricultural produce or products of the sea; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- S. Ship chandlery; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- T. Marinas; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- U. Establishments primarily selling boats, boating equipment, sporting equipment, souvenirs and novelties; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- V. Motion picture theaters; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- W. Public dancing; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- X. Sports and athletic events; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- Y. Bowling alleys; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- Z. Displaying or exploding fireworks, under Title 8, chapter 9-A; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- AA. Musical concerts; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- BB. Religious, educational, scientific or philosophical lectures; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- CC. Scenic, historic, recreational and amusement facilities; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- DD. Real estate brokers and real estate sales representatives; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- EE. Mobile home brokers and mobile home sales representatives; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- FF. Stores in which no more than 5 persons, including the proprietor, are employed in the usual and regular conduct of business; [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

GG. Stores that have no more than 5,000 square feet of interior customer selling space, excluding back room storage, office and processing space; and [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

HH. Stores with more than 5,000 square feet of interior customer selling space that engage in retail sales and that do not require, as a condition of employment, that their employees work on Sundays. If an employer decreases the average weekly work hours of an employee who has declined to work on Sundays, it is prima facie evidence that the employer has required Sunday work as a condition of employment in violation of this section, unless the employer and employee agreed that the employee would work on Sundays when the employee was initially hired. In no event, however, may any store having more than 5,000 square feet of interior customer selling space be open on Easter Day, Thanksgiving Day and Christmas Day. [PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

[PL 2025, c. 43, §1 (AMD).]

3. Scope. For the purpose of determining qualification, a "store" is an operation conducted within one building advertising as, and representing itself to the public to be, one business enterprise regardless of internal departmentalization. All subleased departments of any store for the purpose of this section are considered to be operated by the store in which they are located. Contiguous stores owned by the same proprietor or operated by the same management for the purpose of this section are considered to be a single store.

[PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

4. 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.

[PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

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

[PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

6. Application. This section does not apply to isolated or occasional sales by persons not engaged in the sale, transfer or exchange of property as a business.

[PL 2003, c. 452, Pt. I, §55 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

SECTION HISTORY

PL 1969, c. 236, §3 (AMD). PL 1969, c. 504, §24-A (AMD). PL 1971, c. 334, §2 (AMD). PL 1973, c. 27, §2 (AMD). PL 1973, c. 114, §4 (AMD). PL 1973, c. 142 (AMD). PL 1973, c. 350 (AMD). PL 1973, c. 567, §20 (AMD). PL 1973, c. 625, §91 (AMD). PL 1975, c. 418, §3 (AMD). PL 1975, c. 623, §18-G (AMD). PL 1977, c. 284, §3 (AMD). PL 1981, c. 352, §5 (AMD). PL 1983, c. 156 (AMD). PL 1983, c. 480, §A13 (AMD). PL 1985, c. 114, §3 (AMD). PL 1985, c. 509 (AMD). IB 1989, c. 2 (AMD). PL 1991, c. 315 (AMD). PL 1999, c. 657, §7 (AMD). PL 2001, c. 44, §11 (AMD). PL 2001, c. 44, §14 (AFF). PL 2003, c. 452, §155 (RPR). PL 2003, c. 452, §X2 (AFF). PL 2025, c. 43, §1 (AMD).

§3205. Local option; sports

(REPEALED)

SECTION HISTORY

PL 2021, c. 275, §4 (AMD). PL 2025, c. 43, §2 (RP).

§3206. -- bowling

(REPEALED)

SECTION HISTORY

PL 1977, c. 91 (RP).

§3207. -- moving pictures

(REPEALED)

SECTION HISTORY

PL 1965, c. 172, §1 (AMD). PL 2025, c. 43, §3 (RP).

§3208. Hotels and restaurants; gambling, diversion or business forbidden

(REPEALED)

SECTION HISTORY

PL 1981, c. 83 (RP).

§3209. Saturday as holy day

No person conscientiously believing that the 7th day of the week ought to be observed as the Sabbath, and actually refraining from secular business and labor on that day, is liable to said penalties for doing such business or labor on the first day of the week, if he does not disturb other persons.

SUBCHAPTER 2

HOLIDAYS

§3241. Memorial Day restrictions

SECTION HISTORY

PL 2025, c. 43, §4 (RP).

SUBCHAPTER 3

RELIGIOUS ASSEMBLIES

§3281. Rude behavior in places of worship

(REPEALED)

SECTION HISTORY

PL 1975, c. 499, §18 (RP).

§3282. Special police for camp meetings

(REPEALED)

SECTION HISTORY

PL 1975, c. 499, §18 (RP).

SUBCHAPTER 4

ENFORCEMENT

§3301. Prosecutions**(REPEALED)****SECTION HISTORY****PL 1975, c. 499, §18 (RP).**

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