

§11288. Violation

1. Failure to comply; first offense. An offender who in fact fails to comply with any duty imposed under this chapter or a rule adopted pursuant to this chapter commits a Class D crime.

[PL 2011, c. 663, §3 (NEW).]

2. Failure to comply; 2nd offense. A person who has one prior conviction under this section or section 11227 and who in fact fails to comply with any duty imposed under this chapter or a rule adopted pursuant to this chapter commits a Class C crime.

[PL 2015, c. 280, §18 (AMD).]

3. Failure to comply; 3rd offense. A person who has 2 or more prior convictions under this section or section 11227 and who in fact fails to comply with any duty imposed under this chapter or a rule adopted pursuant to this chapter commits a Class B crime.

[PL 2015, c. 280, §18 (AMD).]

4. Strict liability. Violation of this section is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.

[PL 2011, c. 663, §3 (NEW).]

5. Prior convictions. Title 17-A, section 9-A governs the use of prior convictions when determining a sentence.

[PL 2011, c. 663, §3 (NEW).]

6. Affirmative defense. It is an affirmative defense that the failure to comply with a duty imposed under this chapter or a rule adopted pursuant to this chapter resulted from just cause.

[PL 2011, c. 663, §3 (NEW).]

7. Permissible inference. Proof that the name and date of birth of the person charged with a violation of this section are the same as those of a person who has been sentenced for an offense requiring registration pursuant to this chapter gives rise to a permissible inference under the Maine Rules of Evidence, Rule 303 that the person charged with a violation of this section is the same person as that person convicted of the offense requiring registration.

[PL 2011, c. 663, §3 (NEW).]

SECTION HISTORY

PL 2011, c. 663, §3 (NEW). PL 2015, c. 280, §18 (AMD).

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