

## CHAPTER 7

### FRESH PURSUIT

#### **§151. Title**

This chapter may be cited as the "Uniform Act on Fresh Pursuit."

#### **§152. Fresh pursuit defined**

The term "fresh pursuit" as used in this chapter includes fresh pursuit as defined by the common law, and the pursuit of a person who has committed a crime punishable by a maximum term of imprisonment equal to or exceeding one year, who is reasonably suspected of having committed such a crime or who is reasonably suspected of operating a motor vehicle while under the influence of intoxicating liquor or drugs. It shall include the pursuit of a person suspected of having committed a supposed crime punishable by a maximum term of imprisonment equal to or exceeding one year, though no such crime has actually been committed, if there is reasonable ground for believing that such a crime has been committed. Fresh pursuit as used in this chapter shall not necessarily imply instant pursuit, but pursuit without unreasonable delay. [PL 1987, c. 791, §1 (AMD).]

#### SECTION HISTORY

PL 1979, c. 663, §87 (AMD). PL 1987, c. 791, §1 (AMD).

#### **§153. State defined**

For the purpose of this chapter the word "state" shall include the District of Columbia.

#### **§154. Arrest; exception**

A member of a duly organized state, county or municipal police unit of another state of the United States who enters this State in fresh pursuit and continues within this State in that fresh pursuit of a person in order to arrest the person on the ground that the person is believed to have committed a crime punishable by a maximum term of imprisonment equal to or exceeding one year or to have operated a motor vehicle while under the influence of intoxicating liquor or drugs in that other state has the same authority to arrest and hold the person in custody as has any member of any duly organized state, county or municipal police unit of this State to arrest and hold in custody a person on the ground that the person is believed to have committed such a crime or operated a motor vehicle while under the influence of intoxicating liquor or drugs in this State. This section may not be construed so as to make unlawful any arrest in this State that would otherwise be lawful. [RR 2023, c. 2, Pt. D, §7 (COR).]

#### SECTION HISTORY

PL 1979, c. 663, §88 (AMD). PL 1987, c. 791, §2 (AMD). RR 2023, c. 2, Pt. D, §7 (COR).

#### **§155. Hearing**

If an arrest is made in this State by an officer of another state in accordance with section 154, the officer shall without unnecessary delay take the person arrested before a magistrate of the county in which the arrest was made, who shall conduct a hearing for the purpose of determining the lawfulness of the arrest. If the magistrate determines that the arrest was lawful, the magistrate shall commit the person arrested to await for a reasonable time the issuance of an extradition warrant by the Governor of this State or admit the person to bail for that purpose. If the magistrate determines that the arrest was unlawful, the magistrate shall discharge the person arrested. [RR 2023, c. 2, Pt. D, §8 (COR).]

#### SECTION HISTORY

RR 2023, c. 2, Pt. D, §8 (COR).

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