

§2403. Special police powers

When necessary for the enforcement of this chapter or regulations promulgated pursuant thereto, the state sealer is: [PL 1973, c. 91, §5 (RPR).]

1. Entry. Authorized to enter any commercial premises during normal business hours, except that in the event the commercial premises are not open to the public, the state sealer shall first present the state sealer's credentials and obtain consent before entering the commercial premises, unless a search warrant has previously been obtained; [RR 2023, c. 2, Pt. C, §51 (COR).]

2. Orders. Empowered to issue stop-use, hold and removal orders with respect to any weights and measures commercially used and stop-sale, hold and removal orders with respect to any packaged commodities or bulk commodities kept, offered or exposed for sale. These stop-use, hold and removal orders shall not be considered to be licensing or an adjudicatory proceeding, as those terms are defined by the Maine Administrative Procedure Act; [PL 1977, c. 694, §179 (AMD).]

3. Seizure. Empowered to seize, for use as evidence, without formal warrant, any incorrect or unapproved weight, measure, package or commodity found to be used, retained, offered or exposed for sale or sold in violation of this chapter or regulations promulgated pursuant thereto; [PL 1973, c. 91, §5 (NEW).]

4. Stopping vehicles. Empowered to stop any commercial vehicle and, after presentment of the state sealer's credentials, inspect the contents, require that the person in charge of that vehicle produce any documents in that person's possession concerning the contents and require that person to proceed with the vehicle to some specified place for inspection. [RR 2023, c. 2, Pt. C, §52 (COR).]

SECTION HISTORY

PL 1973, c. 91, §5 (RPR). PL 1977, c. 694, §179 (AMD). RR 2023, c. 2, Pt. C, §§51, 52 (COR).

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