

## CHAPTER 909

### GENERAL OFFENSES

#### §10650. General rule violation

Except as otherwise provided, a person who violates a provision of a rule adopted in accordance with this Part commits a Class E crime. [PL 2003, c. 655, Pt. B, §67 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

#### SECTION HISTORY

PL 2003, c. 655, §B67 (NEW). PL 2003, c. 655, §B422 (AFF).

#### §10650-A. Rule violation; motor vehicles on public water supplies

**1. Penalties.** The following penalties apply to violations of rules regulating the operation of motor vehicles on public water supplies.

A. A person who violates a rule regulating the operation of motor vehicles on public water supplies commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [PL 2003, c. 655, Pt. B, §67 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. A person who violates a rule regulating the operation of motor vehicles on public water supplies after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2003, c. 655, Pt. B, §67 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

[PL 2003, c. 655, Pt. B, §67 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

#### SECTION HISTORY

PL 2003, c. 655, §B67 (NEW). PL 2003, c. 655, §B422 (AFF).

#### §10651. Failure to stop for law enforcement officer

**1. Prohibition.** A person may not:

A. Fail or refuse to stop a motor vehicle or other conveyance immediately upon request or signal of any officer in uniform whose duty it is to enforce this Part; [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

B. Fail to stop or move that person's watercraft upon being ordered or directed to do so by any law enforcement officer in uniform whose duty it is to enforce chapter 935; [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

C. Fail or refuse to stop any snowmobile on request or signal of any law enforcement officer in uniform whose duty it is to enforce chapter 937; [PL 2003, c. 614, §9 (AFF); PL 2003, c. 695, Pt. B, §5 (AMD); PL 2003, c. 695, Pt. C, §1 (AFF).]

D. Fail or refuse to stop any all-terrain vehicle on request or signal of any law enforcement officer in uniform whose duty it is to enforce chapter 939; or [PL 2003, c. 614, §9 (AFF); PL 2003, c. 695, Pt. B, §5 (AMD); PL 2003, c. 695, Pt. C, §1 (AFF).]

E. Attempt to elude a law enforcement officer by:

(1) Operating or attempting to operate an all-terrain vehicle or snowmobile past a clearly identifiable police roadblock; or

(2) After being requested or signaled to stop by a law enforcement officer in uniform, operating or attempting to operate an all-terrain vehicle, snowmobile or watercraft at a reckless rate of speed. [PL 2019, c. 452, §1 (AMD).]

[PL 2019, c. 452, §1 (AMD).]

**2. Penalty.** A person who violates subsection 1, paragraph A, B or C commits a Class E crime. A person who violates subsection 1, paragraph D or E commits a Class D crime, for which a minimum fine of not less than \$1,000 must be adjudged.

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 695, Pt. B, §7 (AMD); PL 2003, c. 695, Pt. C, §1 (AFF).]

#### SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 695, §§B5-7 (AMD). PL 2003, c. 695, §C1 (AFF). PL 2019, c. 452, §1 (AMD).

#### §10652. Abuse of another person's property

**1. Prohibitions.** Prohibitions on the abuse of another person's property are as follows.

A. A person may not:

- (1) Tear down or destroy any fence or wall on another person's land;
- (2) Leave open any gate or bars on another person's land;
- (3) Trample or destroy any crop on another person's land;
- (4) Damage or destroy a tree on another person's land by inserting into that tree any metallic or ceramic object to be used as, or as part of, a ladder or observation stand unless the person has the permission of the landowner;
- (5) Erect or use either a portable or permanent ladder or observation stand on the land of another person unless:
  - (a) That person has obtained oral or written authorization to erect and use a ladder or observation stand from the landowner or the landowner's representative; and
  - (b) The ladder or observation stand is plainly labeled with a 2-inch by 4-inch tag identifying the name and address of the person or persons authorized by the landowner to use the ladder or observation stand.

This subparagraph does not apply to a portable ladder or observation stand that is located on land within the jurisdiction of the Maine Land Use Planning Commission and attended by the person who owns the ladder or observation stand. For purposes of this subparagraph, "observation stand" does not include a portable blind utilized at ground level that remains in the physical possession of the hunter; or

(6) Destroy, tear down, deface or otherwise damage a property posting sign under Title 17-A, section 402, subsection 4. [PL 2021, c. 54, §2 (AMD).]

B. [PL 2021, c. 54, §2 (RP).]

C. [PL 2021, c. 54, §2 (RP).]

Except as otherwise provided, a person may not possess any wild animal or wild bird taken by hunting or trapping in violation of this subsection.

[PL 2021, c. 54, §2 (AMD).]

**2. Penalty.** A person who violates this section commits a Class E crime and may be ordered to pay restitution to the landowner for damages.

[PL 2021, c. 54, §2 (AMD).]

## SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §B68 (RPR). PL 2003, c. 655, §B422 (AFF). PL 2011, c. 253, §7 (AMD). PL 2011, c. 682, §38 (REV). PL 2017, c. 50, §1 (AMD). PL 2021, c. 54, §2 (AMD).

**§10653. Nonfeasance**

A person shall perform any act, duty or obligation enjoined upon that person by this Part. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §69 (AMD); PL 2003, c. 655, Pt. B, §422 (AFF).]

A person who violates this section commits a Class E crime. [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

## SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §B69 (AMD). PL 2003, c. 655, §B422 (AFF).

**§10654. Harassment of hunters, trappers and anglers**

**1. Interference with taking.** A person may not intentionally or knowingly interfere with the lawful hunting, fishing or trapping of a wild animal, wild bird or fish.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §70 (RPR); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §70 (RPR); PL 2003, c. 655, Pt. B, §422 (AFF).]

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §70 (RPR); PL 2003, c. 655, Pt. B, §422 (AFF).]

**2. Disturb or attempt to disturb.** A person may not intentionally or knowingly disturb or attempt to disturb a wild animal, wild bird or fish with the intent to interfere with the hunting, fishing or trapping of a wild animal, wild bird or fish.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [PL 2003, c. 655, Pt. B, §70 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2003, c. 655, Pt. B, §70 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §70 (RPR); PL 2003, c. 655, Pt. B, §422 (AFF).]

**3. Injunctions.** The District Court or Superior Court may enjoin conduct that would be in violation of this section upon petition by a person affected or who reasonably may be affected by that conduct upon a showing that the conduct is threatened or that it has occurred on particular premises in the past and that it is not unreasonable to expect that under similar circumstances it will be repeated.

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §70 (RPR); PL 2003, c. 655, Pt. B, §422 (AFF).]

**4. Property rights otherwise provided by law.** This section does not limit ownership use, access or control of property rights otherwise provided by law.

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §70 (RPR); PL 2003, c. 655, Pt. B, §422 (AFF).]

#### SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §B70 (RPR). PL 2003, c. 655, §B422 (AFF).

#### §10655. Failure to notify

Except as otherwise provided through written agreement, a person who has knowledge that a person is lost, stranded or drowned in the woodlands or inland waters of the State shall give notice of the lost, stranded or drowned person by the quickest means to the Bureau of Warden Service. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §71 (AMD); PL 2003, c. 655, Pt. B, §422 (AFF).]

A person who violates this section commits a Class E crime. [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

#### SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §B71 (AMD). PL 2003, c. 655, §B422 (AFF).

#### §10656. Defacement of notices

**1. Prohibition on defacement of notices.** A person may not intentionally or knowingly mutilate, deface or destroy a notice or rule of the commissioner posted in conformity with this Part. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §72 (RPR); PL 2003, c. 655, Pt. B, §422 (AFF).]

**2. Penalties.** The following penalties apply to violations of this section.

A. A person who violates this section commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [PL 2003, c. 655, Pt. B, §72 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. A person who violates this section after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2003, c. 655, Pt. B, §72 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]  
[PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §72 (RPR); PL 2003, c. 655, Pt. B, §422 (AFF).]

#### SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §B72 (RPR). PL 2003, c. 655, §B422 (AFF).

#### §10657. Civil trespass

**1. Prohibition.** While engaging in any activity regulated under this Part, a person, knowing that the person is not licensed or privileged to do so, may not:

A. Enter or cause a projectile to enter any place from which that person may lawfully be excluded and that is posted in accordance with Title 17-A, section 402, subsection 4 or in a manner reasonably likely to come to the attention of intruders or that is fenced or otherwise enclosed in a manner designed to exclude intruders; or [PL 2007, c. 334, §1 (NEW).]

B. Enter or remain in or cause a projectile to enter or remain in any place in defiance of a lawful order not to enter or an order to vacate that was personally communicated to that person by the owner of the place or another authorized person. [PL 2007, c. 334, §1 (NEW).]  
[PL 2007, c. 334, §1 (NEW).]

**2. Civil penalties.** The following penalties apply to violations of this section.

A. A person who violates this section commits a civil violation for which a fine of not less than \$100 and not more than \$500 may be adjudged. [PL 2007, c. 334, §1 (NEW).]

B. A person who violates this section after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2007, c. 334, §1 (NEW).]

[PL 2007, c. 334, §1 (NEW).]

**3. Definition.** For the purposes of this section, "projectile" means a bullet, pellet, shot, shell, ball, arrow, bolt or other object propelled or launched from a firearm, archery equipment or similar tensile device.

[PL 2023, c. 239, §10 (AMD).]

**4. Administrative penalties; mutually exclusive penalties.** A person who violates this section may be subject to administrative penalties under section 10902-A, but a person who violates this section and receives an administrative penalty for that violation under section 10902-A is not subject to conviction or adjudication under this section for that violation.

[PL 2021, c. 124, §1 (NEW).]

SECTION HISTORY

PL 2007, c. 334, §1 (NEW). PL 2021, c. 124, §1 (AMD). PL 2023, c. 239, §10 (AMD).

**§10657-A. Civil trespass with hunting dog**

**1. Definitions.** For the purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Dog handler" means a person involved in releasing a dog to pursue a wild animal, including but not limited to the owner of the dog and any person involved in transporting, loading, unloading, catching, restraining, releasing or tracking the dog. [PL 2021, c. 580, §2 (NEW).]

B. "Turn a hunting dog loose" means to release or to be involved as a dog handler in the release of a dog to pursue a wild animal for the purposes of hunting the wild animal or in order to train the dog in hunting wild animals and includes but is not limited to the release of the dog to join other dogs already in pursuit of the wild animal. [PL 2021, c. 580, §2 (NEW).]

[PL 2021, c. 580, §2 (NEW).]

**2. Prohibition.** While engaging in any activity regulated under this Part, a person may not turn a hunting dog loose in pursuit of a bear, coyote, bobcat, fox or raccoon:

A. Onto the property of another if:

(1) The landowner or the landowner's agent has personally communicated to a dog handler of the dog that the landowner does not want a hunting dog released onto that property; or

(2) The property is posted in accordance with Title 17-A, section 402, subsection 4 or in a manner reasonably likely to come to the attention of a person, unless a dog handler of the dog has express permission from the landowner or the landowner's agent to turn a hunting dog loose onto that property; or [PL 2021, c. 580, §2 (NEW).]

B. In a manner that results in the hunting dog entering the property of another, if a hunting dog has been previously found on that property and any dog handler of the hunting dog has been notified in writing by a law enforcement officer within the previous 365 days that the landowner does not permit hunting dogs on that property. [PL 2021, c. 580, §2 (NEW).]

[PL 2021, c. 580, §2 (NEW).]

**3. Civil penalties.** The following penalties apply to violations of this section.

A. A person who violates this section commits a civil violation for which a fine of not less than \$250 and not more than \$500 may be adjudged. [PL 2021, c. 580, §2 (NEW).]

B. A person who violates this section after having been adjudicated of violating this section in the prior 365 days commits a civil violation for which a fine of not less than \$500 and not more than \$1,000 may be adjudged. [PL 2021, c. 580, §2 (NEW).]

[PL 2021, c. 580, §2 (NEW).]

#### SECTION HISTORY

PL 2021, c. 580, §2 (NEW).

#### **§10658. Unlawful possession of wild animals or wild birds**

**1. Prohibition.** A person may not possess a wild animal or wild bird or any parts of a wild animal or wild bird that the person does not possess by any lawful means in the State or any other jurisdiction. [PL 2015, c. 301, §5 (NEW).]

**2. Penalty.** A person who violates subsection 1 commits a Class E crime for which a minimum fine of \$500 must be imposed.

[PL 2015, c. 301, §5 (NEW).]

#### SECTION HISTORY

PL 2015, c. 301, §5 (NEW).

#### **§10659. Feeding or baiting of deer**

**1. Prohibition.** A person may not place salt or any other bait or food in a place to entice deer to that place from June 1st to the start of an open hunting season on deer and, if all open hunting seasons on deer are closed before December 15th for that year, from the close of the last open hunting season on deer to December 15th.

[PL 2017, c. 225, §1 (NEW).]

**2. Penalty.** A person who violates subsection 1 commits a civil violation for which a fine of not less than \$500 nor more than \$1,000 may be adjudged.

[PL 2019, c. 630, §1 (AMD).]

#### SECTION HISTORY

PL 2017, c. 225, §1 (NEW). PL 2019, c. 630, §1 (AMD).

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