



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 254

H.P. 207

House of Representatives, February 1, 2011

**An Act To Amend the Standards by Which Game Wardens May
Stop All-terrain Vehicles Operating on Private Property**

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative SARTY of Denmark.
Cosponsored by Senator DIAMOND of Cumberland and
Representatives: BRIGGS of Mexico, CEBRA of Naples, CLARK of Millinocket, COTTA of
China, McKANE of Newcastle, SANDERSON of Chelsea, SHAW of Standish, WOOD of
Sabattus.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 12 MRSA §10353, sub-§2, ¶G,** as amended by PL 2009, c. 389, §1, is
3 further amended to read:

4 G. ~~If the warden has reasonable and articulable suspicion to believe that a violation~~
5 ~~of law has taken place or is taking place, stop~~ Stop and examine any all-terrain
6 vehicle to ascertain whether it is being operated in compliance with chapter 939 or
7 any other provision of this Part regulating ATVs, demand and inspect the operator's
8 certificate of registration and, when appropriate, demand and inspect evidence that
9 the operator has satisfactorily completed a training course as required by section
10 13152. ~~Other law enforcement officers are subject to the provisions of this~~
11 ~~paragraph;~~

12 **SUMMARY**

13 Current law provides that a game warden may stop an all-terrain vehicle to ascertain
14 whether a violation of the law has occurred if the game warden has a reasonable and
15 articulable suspicion to believe that a violation of the law has taken place or is taking
16 place. This bill allows a game warden to stop an all-terrain vehicle without a reasonable
17 and articulable suspicion to believe a violation of the law has occurred, which was the
18 standard in law prior to 2009.