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INLAND FISHERIES AND WILDLIFE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1310, L.D. 1785, Bill, “An Act To Repeal the Requirement That Canadian Big Game or Wild Turkey Hunters Be Accompanied by Guides Licensed in the State”

Amend the bill by striking out the title and substituting the following:

'An Act To Repeal the Requirement That Canadian Big Game or Wild Turkey Hunters Be Accompanied by Guides Licensed in the State and To Clarify the Laws Concerning the Civil Violation of Trespass by Motor Vehicle'

Amend the bill by inserting after section 1 the following:

'Sec. 2. 17 MRSA §3853-C, as enacted by PL 1981, c. 251, is repealed and the following enacted in its place:

§3853-C. Trespass by motor vehicle; civil violation

1. Violation. A person may not park a motor vehicle or allow a motor vehicle under that person's control to remain parked:

A. In a private drive or private way in a manner that blocks or interferes with the free passage of other vehicles without the permission of the owner of that private drive or way; or

B. On a public highway in a manner that blocks the entrance to a private driveway, gate or barway.

2. Penalty. A person who violates subsection 1 commits a civil violation for which a fine of not less than \$500 must be adjudged.

3. Registered owner's liability for vehicle. There is a rebuttable presumption that a registered owner of a vehicle involved in a violation of subsection 1 has that vehicle under that person's control.'

COMMITTEE AMENDMENT

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SUMMARY

This amendment replaces the title and clarifies the law concerning the civil violation of trespass by a motor vehicle. The amendment provides that a person commits a civil violation if that person parks a motor vehicle or allows a motor vehicle to remain parked in a private drive or private way in a manner that blocks or interferes with the free passage of other vehicles without the permission of the owner of the private drive or way. The amendment increases the fine from an amount not to exceed \$100 to an amount not less than \$500. The amendment also specifies that there is a rebuttable presumption that a registered owner of a vehicle involved in a violation has that vehicle under that person's control.

FISCAL NOTE REQUIRED

(See attached)