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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 301, L.D. 417, “An Act To Protect Maine’s Drivers from Pretextual Traffic Stops”

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 25 MRSA c. 261 is enacted to read:

CHAPTER 261

TRAFFIC STOPS

§2231. Traffic stops

1. Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Law enforcement officer" has the same meaning as in Title 17-A, section 2, subsection 17.

B. "Pretextual traffic stop" means a traffic stop that is made by a law enforcement officer with the sole intent of investigating potential criminal activity other than a violation of Title 29-A, chapter 5, 15, 17 or 19 and for which the law enforcement officer does not at the time of the stop have an articulable suspicion.

C. "Traffic stop" means a stop of a motor vehicle pursuant to Title 29-A, chapter 5, 15, 17 or 19.

2. Pretextual traffic stops prohibited. A law enforcement officer may not engage in the practice of making pretextual traffic stops.

3. Relationship to original purpose. Except as provided in subsection 5, all conduct of and questions asked by a law enforcement officer during and pursuant to a traffic stop must be reasonably related to the original purpose for which the officer stopped the motor vehicle.

COMMITTEE AMENDMENT

