

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Allow Certain Assistance to Guides and Hunters

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

Sec. 1. 12 MRSA §12861 is enacted to read:

§ 12861. Transportation of guide's clients by unlicensed person

Notwithstanding section 10001, subsection 28 and Title 29-A, section 552, a person licensed to guide hunters under this chapter may employ the services of a person not licensed as a guide to transport hunters along a public or private road in a motor vehicle for the sole purpose of delivering those hunters to a predetermined destination prior to or at the conclusion of the time those hunters are engaged in hunting. For purposes of this section, "motor vehicle" does not include a snowmobile or an all-terrain vehicle.

1. Prohibition. A person, while transporting hunters pursuant to this section, may not:

A. Engage in hunting;

B. Transport hunting equipment for that person's own use unless that hunting equipment is fastened in a case;

C. Accompany hunters into the fields or forests; or

D. Assist in hunting activities, including, but not limited to, accompanying hunters to a hunting stand or bait site, searching for wounded animals or locating, retrieving or field dressing harvested animals.

2. Penalty and vicarious liability. This subsection applies to violations of subsection 1.

A. A person who violates subsection 1 commits a Class E crime. When a person is convicted of violating subsection 1, the guide employing that person must be issued a warning by a law enforcement officer, as defined in Title 25, section 2801-A, subsection 5.

B. A person licensed as a guide who receives 3 or more warnings pursuant to paragraph A within a 5-year period commits a civil violation for which a fine of not less than \$100 and not more than \$500 may be adjudged. The commissioner may suspend the guide license of a person adjudicated of a violation of this paragraph for a period of up to one year.

C. A person licensed as a guide who violates paragraph B after having been adjudicated as having committed 3 or more civil violations under this Part within a 5-year period commits a Class E crime.

3. Repeal. This section is repealed July 31, 2010.

PUBLIC Law, Chapter 532 LD 2089, item 1, 123rd Maine State Legislature
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Effective June 30, 2008