

§11227. Violation

1. Failure to comply; first offense. A person to whom this chapter applies pursuant to section 11202 who in fact fails to comply with any duty imposed under this chapter or a rule adopted pursuant to this chapter commits a Class D crime.

[PL 2005, c. 423, §23 (RPR).]

2. Failure to comply; 2nd offense. A person who has one prior conviction under this section and who in fact fails to comply with any duty imposed under this chapter or a rule adopted pursuant to this chapter commits a Class C crime.

[PL 2005, c. 423, §23 (RPR).]

3. Failure to comply; 3rd offense. A person who has 2 or more prior convictions under this section and who in fact fails to comply with any duty imposed under this chapter or a rule adopted pursuant to this chapter commits a Class B crime.

[PL 2005, c. 423, §23 (RPR).]

4. Strict liability. Violation of this section is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.

[PL 2005, c. 423, §23 (RPR).]

5. Prior convictions. Title 17-A, section 9-A governs the use of prior convictions when determining a sentence.

[PL 2005, c. 423, §23 (RPR).]

6. Affirmative defense. It is an affirmative defense that the failure to comply with a duty imposed under this chapter or a rule adopted pursuant to this chapter resulted from just cause.

[PL 2009, c. 365, Pt. B, §19 (AMD); PL 2009, c. 365, Pt. B, §22 (AFF).]

7. Permissible inference. Proof that the name and date of birth of the person charged with a violation of this section are the same as those of a person who has been convicted of an offense requiring registration pursuant to this chapter gives rise to a permissible inference under the Maine Rules of Evidence, Rule 303 that the person charged with a violation of this section is the same person as that person convicted of the offense requiring registration.

[PL 2009, c. 365, Pt. B, §20 (NEW); PL 2009, c. 365, Pt. B, §22 (AFF).]

SECTION HISTORY

PL 1999, c. 437, §2 (NEW). PL 2001, c. 439, §00013 (AMD). PL 2001, c. 553, §9 (AMD). PL 2003, c. 452, §S1 (RPR). PL 2003, c. 452, §X2 (AFF). PL 2003, c. 711, §C25 (AMD). PL 2003, c. 711, §D2 (AFF). PL 2005, c. 423, §23 (RPR). PL 2009, c. 365, Pt. B, §§19, 20 (AMD). PL 2009, c. 365, Pt. B, §22 (AFF).

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