1	L.D. 417
2	Date: (Filing No. H-)
3	CRIMINAL JUSTICE AND PUBLIC SAFETY
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5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	130TH LEGISLATURE
8	FIRST SPECIAL SESSION
9 10	COMMITTEE AMENDMENT " " to H.P. 301, L.D. 417, "An Act To Protect Maine's Drivers from Pretextual Traffic Stops"
11 12	Amend the bill by striking out everything after the enacting clause and inserting the following:
13	'Sec. 1. 25 MRSA c. 261 is enacted to read:
14	CHAPTER 261
15	TRAFFIC STOPS
16	§2231. Traffic stops
17 18	1. Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.
19 20	A. "Law enforcement officer" has the same meaning as in Title 17-A, section 2, subsection 17.
21 22 23 24	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.
25 26	C. "Traffic stop" means a stop of a motor vehicle pursuant to Title 29-A, chapter 5, 15, 17 or 19.
27 28	2. Pretextual traffic stops prohibited. A law enforcement officer may not engage in the practice of making pretextual traffic stops.
29 30 31 32	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.

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1	4. Admissibility of evidence. Except as provided in subsection 5, evidence of criminal
2	activity obtained during and pursuant to a pretextual traffic stop is inadmissible in any
3	criminal proceeding.
4	5. Exceptions. Subsections 3 and 4 do not apply to conduct of or the questions asked
5	by a law enforcement officer or to the admissibility of evidence if during and pursuant to
6	the traffic stop the officer develops an articulable suspicion of criminal activity.'
7	Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
8	number to read consecutively.
9	SUMMARY
10	This amendment, which is the majority report of the committee, replaces the bill. This
11	amendment defines "traffic stop" and "pretextual traffic stop," prohibits the practice of
12	pretextual traffic stops, limits law enforcement officer conduct and questions during and
13	pursuant to a traffic stop to conduct and questions reasonably related to the original purpose
14	of the traffic stop and designates as inadmissible in a criminal proceeding evidence
15	obtained as a result of a pretextual traffic stop. The amendment provides exceptions for
16	conduct and questions of a law enforcement officer and the admissibility of evidence if
17	during and pursuant to the traffic stop the officer develops an articulable suspicion of
18	criminal activity.
19	FISCAL NOTE REQUIRED
20	(See attached)