GOVERNOR'S
VETO
OVERRIDDEN

JUNE 16, 2015

CHAPTER

204

PUBLIC LAW

STATE OF MAINE

_____

IN THE YEAR OF OUR LORD

TWO THOUSAND AND FIFTEEN

_____

H.P. 563 - L.D. 829

An Act To Amend the Trespass Laws Pertaining to Railroad Property

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, knowingly entering a railroad right-of-way without right creates potential public safety issues requiring immediate attention; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 23 MRSA §7007, sub-§3, as enacted by PL 2003, c. 452, Pt. L, §12 and affected by Pt. X, §2, is amended to read:

3. Penalties. The following penalties apply to violations of this section.

A. A person who violates subsection 1 commits a civil violation for which a fine of not less than $5 $50 and not more than $100 may be adjudged.

B. A person who violates subsection 1 after having previously violated subsection 1 commits a civil violation for which a fine of not less than $100 $250 and not more than $500 may be adjudged.

C. A person who violates subsection 1 after having previously violated subsection 1 2 or more times commits a civil violation for which a fine of not less than $500 $750 and not more than $1000 $1,000 may be adjudged.

C-1. A person who violates subsection 1 after having previously violated subsection 1 3 or more times commits a Class E crime.

D. A person who violates subsection 2 commits a Class E crime. Violation of subsection 2 is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.