

§647. Definitions**(REALLOCATED FROM TITLE 16, SECTION 641)**

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [RR 2013, c. 1, §28 (RAL).]

1. Adverse result. "Adverse result" means:

A. Immediate danger of death or serious physical injury to any person; [PL 2019, c. 489, §10 (AMD).]

B. Flight from prosecution; [RR 2013, c. 1, §28 (RAL).]

C. Destruction of or tampering with evidence; [RR 2013, c. 1, §28 (RAL).]

D. Intimidation of a potential witness; [RR 2013, c. 1, §28 (RAL).]

E. Seriously jeopardizes an investigation; or [PL 2019, c. 489, §10 (AMD).]

F. Undue delay of a trial. [RR 2013, c. 1, §28 (RAL).]
[PL 2019, c. 489, §10 (AMD).]

2. Electronic communication service. "Electronic communication service" means a service that provides to users the ability to send or receive wire or electronic communications.
[RR 2013, c. 1, §28 (RAL).]

3. Electronic device. "Electronic device" means a device that is electric and that enables access to, or use of, an electronic communication service, remote computing service or location information service.
[PL 2019, c. 489, §11 (AMD).]

4. Government entity. "Government entity" means a state or local agency, including but not limited to a law enforcement entity or any other investigative entity, agency, department, division, bureau, board or commission or an individual acting or purporting to act for or on behalf of a state or local agency.
[RR 2013, c. 1, §28 (RAL).]

5. Location information. "Location information" means information concerning the location of an electronic device, including both the current location and any prior location of the device, that, in whole or in part, is generated, derived from or obtained by the operation of an electronic device.
[RR 2013, c. 1, §28 (RAL).]

6. Location information service. "Location information service" means a global positioning service or other mapping, locational or directional information service.
[RR 2013, c. 1, §28 (RAL).]

7. Owner. "Owner" means the person or entity having the legal title, claim or right to an electronic device.
[RR 2013, c. 1, §28 (RAL).]

8. Remote computing service. "Remote computing service" means computer storage or processing services provided by means of an electronic communication service.
[RR 2013, c. 1, §28 (RAL).]

8-A. Serious physical injury. "Serious physical injury" means:

A. Bodily injury that creates a substantial risk of death, serious, permanent disfigurement or loss or substantial impairment of the function of a bodily member or organ or extended convalescence necessary for recovery of physical health; or [PL 2019, c. 489, §12 (NEW).]

B. Any harm potentially caused by a violation of Title 17-A, chapter 11 or Title 17-A, section 282, 301, 302 or 303. [PL 2019, c. 489, §12 (NEW).]
[PL 2019, c. 489, §12 (NEW).]

9. User. "User" means a person or entity that uses an electronic device.
[RR 2013, c. 1, §28 (RAL).]

SECTION HISTORY

RR 2013, c. 1, §28 (RAL). PL 2019, c. 489, §§10-12 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.
--