

§404. Trespass by motor vehicle

1. A person is guilty of trespass by motor vehicle if, knowing that that person has no right to do so, that person intentionally or knowingly permits a motor vehicle belonging to that person or subject to that person's control to enter or remain in or on:

- A. The residential property of another; [PL 1995, c. 529, §3 (AMD).]
- B. The nonresidential property of another for a continuous period in excess of 24 hours; or [PL 1995, c. 529, §3 (AMD).]
- C. The nonresidential property of another that is:
 - (1) Posted in accordance with section 402, subsection 4;
 - (2) Posted to prohibit access by motor vehicles; or
 - (3) Posted in a manner reasonably likely to come to the attention of intruders.

For purposes of this paragraph, property is posted to prohibit access by motor vehicles if the property owner or the owner's agent has posted the property boundaries at points where they are crossed by roads or trails with signs indicating that motor vehicle access is prohibited or with paint markings that comply with section 402, subsection 4, paragraph B. [PL 1995, c. 529, §3 (NEW).] [PL 1995, c. 529, §3 (AMD).]

2. Proof that the defendant was the registered owner of the vehicle gives rise to a permissible inference under the Maine Rules of Evidence, Rule 303 that the defendant was the person who permitted the vehicle to enter or remain on the property.

[PL 2001, c. 383, §62 (AMD); PL 2001, c. 383, §156 (AFF).]

3. Trespass by motor vehicle is a Class E crime.
[PL 1975, c. 499, §1 (NEW).]

SECTION HISTORY

PL 1975, c. 499, §1 (NEW). PL 1995, c. 529, §3 (AMD). PL 2001, c. 383, §62 (AMD). PL 2001, c. 383, §156 (AFF).

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