

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Enhance Self-defense by Removing Restrictions on the Carrying and Use of Weapons

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

Sec. 1. 12 MRSA §11212, sub-§1, as amended by PL 2005, c. 477, §9, is further amended to read:

1. Prohibition. The following provisions apply to shooting from a motor vehicle or motorboat or possessing a loaded firearm or a crossbow in a motor vehicle.

A. A person may not shoot while in or on a motor vehicle or motorboat or while in or on a trailer or other type of vehicle being hauled by a motor vehicle except:

(1) A person may hunt migratory waterfowl from a motorboat in accordance with federal regulations;

(2) Paraplegics and single or double amputees of the legs may shoot from motor vehicles that are not in motion; and

(3) A person may shoot from a motorboat if that boat is not being propelled by its motor; and

(4) A person may shoot from a motor vehicle or motorboat in defense of life or property.

~~B. A person may not, while in or on a motor vehicle or in or on a trailer or other type of vehicle being hauled by a motor vehicle, have a cocked and armed crossbow or a firearm with a cartridge or shell in the chamber or in an attached magazine, clip or cylinder or a muzzle-loading firearm charged with powder, lead and a primed ignition device or mechanism, except that a person who has a valid Maine permit to carry a concealed weapon may have in or on a motor vehicle or trailer a loaded pistol or revolver covered by that permit.~~

~~C. A person may not possess a wild animal or wild bird taken in violation of paragraph A or B, except as otherwise provided in this Part.~~

Sec. 2. 25 MRSA §2001-A, as amended by PL 2007, c. 555, §1, is repealed.

Sec. 3. 25 MRSA §2001-B is enacted to read:

§ 2001-B. Threatening display of dangerous weapon

A person may not, unless excepted by a provision of law, display in a threatening manner a firearm, slungshot, knuckles, bowie knife, dirk, stiletto or other dangerous or deadly weapon usually employed in the attack on or defense of a person.

Sec. 4. 25 MRSA §2004, sub-§2, as enacted by PL 2003, c. 452, Pt. N, §3 and affected by Pt. X, §2, is amended to read:

2. Display of dangerous weapon. A person who violates section ~~2001A~~2001B commits a Class D crime.

Sec. 5. 25 MRSA §2004, sub-§3, as enacted by PL 2003, c. 452, Pt. N, §3 and affected by Pt. X, §2, is repealed.

SUMMARY

This bill:

1. Removes the prohibition on having a loaded firearm or crossbow in a motor vehicle for a person other than a holder of a concealed weapons permit;
2. Provides the exception that a person may shoot from a motor vehicle or motorboat in the defense of life and property;
3. Removes the prohibition on concealing a dangerous weapon except by a holder of a concealed weapons permit; and
4. Removes exceptions to the law prohibiting the carrying of a concealed dangerous weapon.