

**§5601. Statute of limitations**

**1. Three-year period of limitation.** A proceeding against a person for a Title 29-A traffic infraction or a Title 12 civil violation related to marine resources laws and inland fisheries and wildlife laws must be commenced within 3 years after the traffic infraction or civil violation is committed. The burden is on the defendant to prove by a preponderance of the evidence that a proceeding against a person for the traffic infraction or civil violation was commenced after the expiration of the 3-year period of limitation.

[PL 2001, c. 421, Pt. A, §1 (NEW); PL 2001, c. 421, Pt. C, §1 (AFF).]

**2. Limitations on period of limitation.** The period of limitation may not run:

A. During any time when the defendant is absent from the State, but in no event may this paragraph extend the period of limitation by more than 5 years; or [PL 2001, c. 421, Pt. A, §1 (NEW); PL 2001, c. 421, Pt. C, §1 (AFF).]

B. During any time when a traffic infraction or civil violation proceeding against the defendant for the same traffic infraction or civil violation based on the same conduct is pending in this State. [PL 2001, c. 421, Pt. A, §1 (NEW); PL 2001, c. 421, Pt. C, §1 (AFF).]  
[PL 2001, c. 421, Pt. A, §1 (NEW); PL 2001, c. 421, Pt. C, §1 (AFF).]

**3. Definitions.** For purposes of this section:

A. A civil violation is committed when every definitional component of the civil violation has occurred or, if the civil violation consists of a continuing course of conduct, at the time when the course of conduct or the defendant's complicity in the course of conduct is terminated; and [PL 2001, c. 421, Pt. A, §1 (NEW); PL 2001, c. 421, Pt. C, §1 (AFF).]

B. A civil violation proceeding is commenced whenever a complaint or citation is filed. [PL 2001, c. 421, Pt. A, §1 (NEW); PL 2001, c. 421, Pt. C, §1 (AFF).]  
[PL 2001, c. 421, Pt. A, §1 (NEW); PL 2001, c. 421, Pt. C, §1 (AFF).]

**SECTION HISTORY**

PL 2001, c. 421, §A1 (NEW). PL 2001, c. 421, §C1 (AFF).

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