

## CHAPTER 106

## CONVENIENCE STORE OPERATION

**§3321. Store security****(REPEALED)**

## SECTION HISTORY

PL 1991, c. 123 (NEW). PL 1999, c. 347, §§1,2 (AMD). PL 2003, c. 452, §156 (RP). PL 2003, c. 452, §X2 (AFF).

**§3321-A. Store security**

**1. Definition.** For purposes of this section, "convenience store" means a retail store that specializes in the sale of a limited quantity and variety of consumable items in their original containers. [PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

**2. Restrictions.** A person may not keep open a convenience store 24 hours a day unless the store has:

A. A drop safe that is bolted to the floor, installed in the floor or weighs at least 500 pounds; [PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. A conspicuous sign in the store entrance that states that between the hours of 9 p.m. and 5 a.m. the cash register contains \$50 or less, that there is a safe in the store and that the safe is not accessible to the employees; [PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

C. During the hours of 9 p.m. to 5 a.m., no more than \$50 cash available and readily accessible to employees; and [PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

D. An alarm or telephone within the store that is accessible to the employees. The alarm must be connected to a public or private safety agency. [PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

[PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

**3. Penalty.** A person who violates this section commits a Class E crime. A violation of this section is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A. A complaint charging violation of this section may not issue later than 5 days after its alleged commission. Each day that a violation of this section occurs is considered a separate offense.

[PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

**4. Injunctive relief.** In addition to any criminal penalties provided in this section, the Attorney General, a district attorney or a resident of a municipality in which a violation is claimed to have occurred may file a complaint with the Superior Court to enjoin a violation of this section. The Superior Court has original jurisdiction of the complaints and authority to enjoin the violations.

[PL 2003, c. 452, Pt. I, §57 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

## SECTION HISTORY

PL 2003, c. 452, §157 (NEW). PL 2003, c. 452, §X2 (AFF).

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