

STATE OF MAINE

v.

GARFIELD C. DAY III

Submitted on Briefs December 20, 2006
Decided January 18, 2007

Panel: SAUFLEY, C.J., and CLIFFORD, DANA, ALEXANDER, CALKINS,
and LEVY, JJ.

MEMORANDUM OF DECISION

Garfield C. Day III appeals from a judgment of conviction entered in the Superior Court (Cumberland County, *Warren, J.*) for operating a motor vehicle after habitual offender revocation (Class C), 29-A M.R.S. § 2557(1), (2)(B)(2) (2005).¹ Contrary to Day’s contention, the all-terrain vehicle operated by Day is a “motor vehicle” within the meaning of sections 101(42) and 2557 of title 29-A, and the language of 29-A M.R.S. § 2080 does not alter that conclusion. *See* 29-A M.R.S. §§ 101(42), 2080,² and 2557 (2005); *see generally State v. Moran*, 598

¹ Title 29-A M.R.S. § 2557 has since been repealed and replaced. P.L. 2005, ch. 606, §§ A-10, A-11 (effective Aug. 23, 2006) (codified at 29-A M.R.S. § 2557-A).

² Title 29-A M.R.S. § 101(42) has since been amended. P.L. 2005, ch. 577, § 5 (effective April 13, 2006). Title 29-A M.R.S. § 2080 has since been amended. P.L. 2005, ch. 577, § 32 (effective April 13, 2006).

A.2d 1189 (Me. 1991). Furthermore, the statutes applicable to this case are neither ambiguous nor unconstitutionally vague. 29-A M.R.S. § 2557(2-A) (stating that violation of section 2557 is a strict liability crime); see *State v. Witham*, 2005 ME 79, ¶ 7, 876 A.2d 40, 42; *State v. Shepley*, 2003 ME 70, ¶¶ 12, 15, 822 A.2d 1147, 1151.

The entry is:

Judgment affirmed.

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