

STATE OF MAINE

v.

GEORGE R. CHAPMAN

Submitted on Briefs July 8, 2009

Decided July 21, 2009

Panel: SAUFLEY, C.J., and ALEXANDER, SILVER, MEAD, and GORMAN, JJ.

MEMORANDUM OF DECISION

George R. Chapman appeals from a judgment of the Superior Court (Knox County, *Wheeler, J.*) denying his motion to suppress after he entered a conditional guilty plea to operating after habitual offender revocation, (Class C) 29-A M.R.S. § 2557-A(2)(D) (2008). Contrary to Chapman’s contention, the police officer had authority to stop his vehicle in order to inform him of the safety hazard inherent in not wearing a seat belt, despite the secondary enforcement seat belt law in effect at the time, 29-A M.R.S. § 2081(4)(E) (2006). *See State v. Pinkham*, 565 A.2d 318, 319 (Me. 1989) (holding that safety reasons alone, if based on specific and articulable facts, can justify an automobile stop). Additionally, the court’s factual findings about the officer’s subjective suspicion of Chapman’s failure to wear a seat belt and the facts upon which the suspicion was based are supported by the record, and as a matter of law, such suspicion was objectively reasonable. *See State v. King*, 2009 ME 14, ¶ 6, 965 A.2d 52, 54 (explaining our review of a court’s determination of reasonable and articulable suspicion). We also affirm the court’s determination that the officer’s action of asking Chapman for his driver’s license was reasonably related in scope to the circumstances that justified the stop. *See State v. Langlois*, 2005 ME 3, ¶ 7, 863 A.2d 913, 916 (stating that a police officer’s actions during a brief, investigatory stop must be justified at their inception and “reasonably related in scope to the circumstances which justified the interference in the first place” (quotation marks omitted)).

The entry is:

Judgment denying motion to suppress affirmed.

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