

MAINE STATE LEGISLATURE

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March 20, 1930

To State Highway Commission
Re: Weight Limits - Posting of Roads and Bridges

I am pleased to acknowledge receipt of your communication with reference to the erecting of notices prohibiting trucking over State, State aid, and third class highways. Chapter 211, Section 20 of the Public Laws of 1921, as amended by Chapter 198 of the Public Laws of 1927, provides:

"The State Highway Commission shall designate State and State aid highways and improved third class highways and bridges, or sections thereof, over which, during such periods of each year as may be determined by the Commission, it shall be unlawful for any motor truck or other vehicle or team to pass having a weight, with or without load, exceeding that prescribed by said Commission; or to pass except according to restrictions as to weight, speed, operation, and equipment prescribed by the Commission and pursuant to its written license, County Commissioners and municipal officers may make similar designations of any other ways and bridges within their respective jurisdictions, and impose similar restrictions upon vehicles passing over the same."

Your understanding that "The Commission has authority in regard to the restrictions of load over improved State, State aid and third class highways" is correct, and also with regard to the rights given to county commissioners and municipal officers in regard to other highways.

The foregoing statute seems to be clear in its terms and indicates definitely the intention of the Legislature. From its terms the State Highway Commission has complete control over State, State aid, and improved third class highways as far as closing to certain vehicles, during certain seasons of the year, such highways.

Sanford L. Fogg
Deputy Attorney General