

MAINE STATE LEGISLATURE

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May 27, 1931

Lucius D. Barrows, Chief Engineer, State Highway Commission
Re: "Through Ways" and "Compact Sections" - Traffic Regulations

We have your inquiry of May 11th regarding traffic regulations. By R. S. Chapter 29, section 8, the Commission may designate and revoke the designation of "through ways", provided, however, that within the compact or built-up portion of a community the approval of the municipal officers must be obtained in making the designation, and the designation may be revoked upon petition of the municipal officers.

By section 69 of the same chapter the compact or built-up portions of a community are defined as territory built up with structures devoted to business or with dwelling houses less than 150 feet apart for a distance of at least a quarter of a mile, and municipal officers may designate such portions by appropriate signs.

By the same section, 25 miles an hour is the speed limit in business districts or built-up sections when traffic is controlled by traffic officers or stop and go signals; 20 miles an hour on other ways in business districts or built-up sections; 25 miles in a residence district or built-up portion, and in public parks, unless a different speed is fixed by the municipal officers, approved by the Commission and duly posted. Municipal officers, with the approval of the Commission, may increase the speed rate upon through ways, establishing adequate signs with notice thereof. Stop signs are required to be placed and maintained upon the cross-ways entering through ways.

These two sections comprise the statutory provisions regarding through ways, stop signs and speed regulations, and a reference to them will substantially answer your questions.

The power of towns for making by-laws and ordinances is defined in R. S. Chapter 5, section 136. There is no express power to make street traffic regulations, but towns may regulate "vehicles used therein", and may establish "police regulations for the prevention of crime, protection of property and preservation of good order."

Such by-laws should be adopted by the town in town meeting.

Clement F. Robinson
Attorney General