

# MAINE STATE LEGISLATURE

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June 2, 1933

To Lucius D. Barrows, Chief Engineer, SHC  
Re: "No Parking on the Pavement" Signs

In answer to your inquiry relative to the erection of such signs on the highway - In addition to the statute you mention (Chapter 29, Section 75, R. S. 1930), I would call to your attention the fact that our Supreme Court has held in one case:

"The public have no right in a highway, excepting the right to pass and repass thereon. The horseman cannot stop to graze his steed without being a trespasser; it is only in case of inevitable, or at least accidental, detention, that he can be excused even in halting for a moment."

In view of the statute, supplemented by this decision of the Court, it would seem to me that it is entirely proper for you to erect signs providing for no stopping on the highway. It would certainly have a moral effect in any event.

With reference to signs within the residential or business district, I think it perhaps wise for the municipal officers to erect such signs as may be necessary for this purpose, although it is not improbable that on State highways the State Highway Commission would have power to erect such signs.

Sanford L. Fogg  
Deputy Attorney General

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