

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 196

S. P. 79

In Senate, January 17, 1973

Referred to Committee on Transportation. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Morrell of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Use of Studded Tires on Motor Vehicles.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, extensive research has determined that the use of metal studs in tires on bare pavements causes excessive wear to the traveled surfaces; and

Whereas, the following legislation is vitally necessary to mitigate this excessive wear by prohibiting the use of studded tires during those months when Maine highways are free of ice and snow; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 29, § 1374, additional. Title 29 of the Revised Statutes is amended by adding a new section 1374, to read as follows:

§ 1374. Studded tires

It shall be unlawful to operate a motor vehicle or trailer equipped with tires having any metal studs, wires or spikes protruding from the tire tread or any other metal protuberance from the tire tread upon any public highway during the period from the 15th day of April to the 1st day of October. The Maine Department of Transportation may extend the period of lawful

use of studded tires. Notice of such extension shall be as determined by the Commissioner of Transportation.

Sec. 2. R. S., T. 29, § 1702, amended. The next to the last sentence of the first paragraph of section 1702 of Title 29 of the Revised Statutes, as amended by section 23 of chapter 245 of the public laws of 1967, is further amended to read as follows:

This section shall not be construed to prohibit the use of tire chains ~~or studded tires~~ of reasonable proportions on vehicles when required for safety because of snow, ice or other conditions tending to cause such vehicle to slide or skid.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The purpose of this bill is reflected in the emergency preamble.