

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
FIRST SPECIAL SESSION

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ONE HUNDRED AND SIXTH LEGISLATURE

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**Legislative Document**

**No. 2350**

H. P. 1857

House of Representatives, January 11, 1974

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

E. LOUISE LINCOLN, Clerk

Presented by Mr. Webber of Belfast.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FOUR

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**AN ACT to Clarify the Power of the Commissioner of the Department of  
Transportation and the Chief of the Maine State Police to Lower Speed  
Limits in Order to Provide Energy Conservation.**

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

Whereas, shortages of petroleum products have necessitated the lowering of speed limits throughout the State of Maine; and

Whereas, the authority of the Commissioner of Transportation and the Chief of the State Police to order reductions in speed limits should be clarified; 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:

**R. S., T. 29, § 1251, amended.** The first sentence of section 1251 of Title 29 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

Except as provided in section 1255 and notwithstanding section 1252, subsection 2, the Commissioner of Transportation, with the consent and approval of the Chief of the Maine State Police, shall have authority to restrict the

speed of all motor vehicles at any and all points on the highway where in the opinion of the commissioner, with the consent and approval of the Chief of the Maine State Police, a rate of speed less than that now authorized by law will minimize the danger of accident, promote the free flow of traffic, or otherwise serve the public interest, and in each such place shall fix the rate of speed in accordance with his own judgment.

**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 title and is designed to insure compliance with the federal "Emergency Highway Energy Conservation Act" signed by the President on January 2, 1974.