

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 926

6
7 S.P. 340

In Senate, March 5, 1985

8 Reference to the Committee on Transportation suggested and ordered
9 printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Usher of Cumberland.

11 Cosponsored by Representative O'Gara of Westbrook and Representative
Ruhlin of Brewer.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Allow Municipalities to Fix their
18 Speed Limits Upon Notification to the
19 Department of Transportation and the
20 State Police.
21

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

24 29 MRSA §1252, sub-§2, ¶C, as amended by PL 1971,
25 c. 593, §22, is further amended to read:

26 C. Speed in excess of 25 miles an hour in a
27 business or residential district, or built-up
28 portion, as defined in subsection 3, shall be un-
29 lawful unless a different speed is fixed by the
30 municipal officers with the approval of the De-
31 partment of Transportation, with the consent and
32 approval of the Chief of the Maine State Police,
33 and such speed duly posted. Speed in a business
34 or residential district, or built-up portion, as
35 defined in subsection 3, may be fixed by the mu-
36 nicipal officers of the locality. The rates

1 shall not be placed into effect until 60 days
2 have elapsed from the time that the Department of
3 Transportation and the Chief of the State Police
4 have been notified.

5 The Department of Transportation and the State
6 Police shall have the authority to deny or modify
7 such a request if they feel that the speed re-
8 quested by the municipality is unreasonable or
9 improper, provided that they act within a period
10 not to exceed 60 days of the date of the re-
11 quested speed change in the municipality.

12 If either department denies the request within
13 the 60 days, the rate may not be fixed. The mu-
14 nicipality may ask for a public hearing within
15 the municipality for the purpose of supplying
16 that department with the views of the public on
17 the requested speed limit change. The department
18 shall inform the municipality within 30 days af-
19 ter that hearing of its final decision on the re-
20 quested speed change. That decision shall be
21 binding on the municipality.

22 If neither department has denied the request
23 within 60 days, the rate may be fixed by the mu-
24 nicipal officers.

25 STATEMENT OF FACT

26 This bill allows municipalities to set their own
27 speed limits upon giving 60 days notice to the De-
28 partment of Transportation and the State Police. If
29 either group does not approve of these limits, they
30 must notify the municipality within 60 days, in which
31 case the limit may not be fixed.

32 Currently, business, residential and built-up
33 portions of municipalities have a 25-mile an hour
34 limit as set by law. A different speed may be set by
35 local authorities with the consent and approval of
36 the 2 departments concerned.

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