

MAINE STATE LEGISLATURE

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(New Draft of H.P. 48, L.D. 51)
(New Title)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1154

H.P. 861 House of Representatives, April 8, 1987
Reported by Representative WARREN from the Committee on
Judiciary and printed under Joint Rule 2.

EDWIN H. PERT, Clerk

Original bill sponsored by Speaker MARTIN of Eagle Lake.
Cosponsored by Representatives PARADIS of Old Town, PARADIS of
Augusta and Senator BRANNIGAN of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Require the Marking of Barriers on
2 Certain Public Ways.
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4 Be it enacted by the People of the State of Maine as
5 follows:

6 23 MRSA c. 305, sub-c. VI is enacted to read:

7 SUBCHAPTER VI

8 BARRIERS

9 §3271. Definitions

10 As used in this subchapter, unless the context
11 indicates otherwise, the following words have the
12 following meanings.

1 1. Barrier. "Barrier" means any wire, cable,
2 cable wire, chain link, lumber, gate or other similar
3 device placed or erected across a town way for the
4 purpose of barring access to that way.

5 2. Town way. "Town way" means an area or strip
6 of land designated and held by a municipality for
7 passage by motor vehicles.

8 §3272. Marked barriers

9 The municipal officers of any municipality that
10 erects or places a barrier across a town way shall
11 cause the barrier to be marked in a manner that
12 causes the barrier to be visible to a person travel-
13 ing on the town way towards the barrier on a snowmo-
14 bile, all-terrain vehicle, motorcycle or similar ve-
15 hicle. The officers shall cause the barrier to be
16 marked in a manner making the barrier visible at a
17 distance that is a reasonable stopping distance. A
18 barrier may be marked by flags, fluorescent coloring,
19 signs or in any other manner making the barrier visi-
20 ble as required in this section.

21 The municipal officers shall cause barriers
22 marked under this section to be inspected periodical-
23 ly to ensure that the marking remains.

24 §3273. Penalty

25 Any person who violates section 3272 commits a
26 civil violation for which a forfeiture not to exceed
27 \$500 may be adjudged.

STATEMENT OF FACT

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The purpose of this new draft is to require municipalities to mark barriers placed across ways held and designated for motor vehicle passage. The marking of those barriers will protect snowmobilers traveling on these ways in the winter and all-terrain vehicle operators, motorcyclists and others traveling on these ways in other seasons.

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