

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

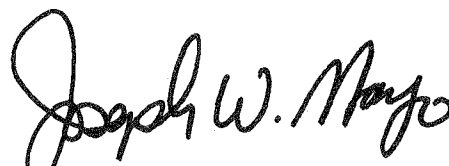
No. 1534

H.P. 1091

House of Representatives, March 18, 1997

An Act to Increase the Speed Limit and Amend the Penalty Point System.

Reference to the Committee on Transportation suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative MACK of Standish.
Cosponsored by Senator JENKINS of Androscoggin and
Representatives: BELANGER of Wallagrass, CROSS of Dover-Foxcroft, GIERINGER of
Portland, NICKERSON of Turner, SNOWE-MELLO of Poland, STEVENS of Orono,
Senators: KIEFFER of Aroostook, LIBBY of York.

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

2
3 **Sec. 1. 29-A MRSA §2073, sub-§1**, as enacted by PL 1993, c.
4 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

6 **1. Authority to regulate.** Except as provided in section
7 2075, subsection 2 or section 2074, subsection 5 and
8 notwithstanding section 2074, subsection 1, the Commissioner of
9 Transportation, with the approval of the Chief of the State
10 Police, may:

12 A. Restrict the maximum rate of speed on a public way where
13 a speed limit will minimize the danger of accident, promote
14 the free flow of traffic, conserve motor fuel or respond to
15 changes in federal laws;

16 B. Increase the maximum rate of speed on a public way where
17 higher speeds are warranted to promote the normal and
18 reasonable movement of traffic; or

19 C. Make an adjustment of maximum rates of speed. An
20 adjustment under this paragraph is exempt from the
21 provisions of the Maine Administrative Procedure Act.

22 The commissioner may not set maximums that exceed 60 miles
23 per hour or, on the interstate system or other divided
24 controlled-access highways, 65 miles per hour.

25 The commissioner may not set maximums for the Maine Turnpike.

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28 **Sec. 2. 29-A MRSA §2074, sub-§3-A**, as enacted by PL 1995, c.
29 584, Pt. B, §9, is amended to read:

30 **3-A. Minimum fine.** A person who operates a motor vehicle
31 on the Maine Turnpike or the Interstate Highway System at a speed
32 that exceeds the posted speed limit of 65 or more miles per hour
33 by less than 30 miles per hour commits a traffic infraction
34 punishable by a fine of not less than \$50.

35
36 **Sec. 3. 29-A MRSA §2074, sub-§5** is enacted to read:

37 **5. Limits on Maine Turnpike and Interstate Highway System.**
38 Notwithstanding Title 23, section 1980 and effective July 1,
39 1998, the speed limit on certain stretches of the Maine Turnpike
40 and of the Interstate Highway System in this State is governed by
41 this subsection:

42 A. On Interstate 95, south of the southerly most point of
43 the access ramps of Exit 6A in Scarborough, the speed limit
44 is 70 miles per hour;

2 B. On Interstate 95, north of the northerly most point of
3 the access ramps of Exit 15 in Falmouth, the speed limit is
4 75 miles per hour; and

6 C. On Interstate 495, north of the northerly most point of
7 the access ramps of Exit 10 in Falmouth, the speed limit is
8 75 miles per hour.

10 The department may by rule lower the speed limit for approaches
11 to exits, approaches to toll booths and urban zones from the
12 speed limits otherwise set in this subsection. Any rule adopted
13 under this subsection is a major substantive rule pursuant to
14 Title 5, chapter 375, subchapter II-A.

16 **Sec. 4. Permit point system.** Within 90 days of the effective
17 date of this Act, the Secretary of State shall modify the demerit
18 point system established pursuant to the Maine Revised Statutes,
19 Title 29-A, section 2458, subsection 3 to:

20 1. Allow no more than 4 demerit points for a speed limit
21 violation that is 15 or fewer miles per hour over the speed
22 limit; and

24 2. Ensure that the incremental increases in demerit points
25 parallel the incremental increases in fines assessed for
26 speeds in violation of speed limits.

28

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SUMMARY

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34 This bill establishes speed limits for different portions of
35 the Maine Turnpike and the Interstate Highway System. The bill
36 also directs the Secretary of State to modify the demerit point
 system for assessing points for speeding violations.