

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 164

H.P. 133

House of Representatives, January 11, 1999

An Act to Require Notice Prior to the Posting of Roads by Municipalities.

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative BROOKS of Winterport.
Cosponsored by Representatives: COLWELL of Gardiner, HATCH of Skowhegan,
McALEVEY of Waterboro.

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

Sec. 1. 29-A MRSA §2395, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Designation by counties and municipalities. County commissioners and municipal officers may designate public ways other than those in subsection 3 and impose restrictions within their respective jurisdictions similar to those made by the Department of Transportation under subsection 3 as long as a public hearing is advertised and held in accordance with the following.

A. The county commissioners or municipal officers shall hold a public hearing on the proposed restriction at least 14 but not more than 30 days before the imposition of the restriction.

B. At least 14 days before the public hearing, the county commissioners or municipal officers shall announce the public hearing in the same manner as provided for the calling of town meetings or county elections. The county commissioners or municipal officers also shall publish notice of the hearing in a newspaper of general circulation in the area. One notice must be published as close as possible to the 14th day before the hearing, and the 2nd notice must be published as close as possible to the 7th day before the hearing.

If a restriction is imposed pursuant to this subsection, the county commissioners or municipal officers shall provide notice of the restriction to the State Police.

Sec. 2. 29-A MRSA §2395, sub-§6, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed and the following enacted in its place:

6. Enforcement. The State Police are responsible for the enforcement of all restrictions imposed on roads pursuant to this section.

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SUMMARY

Current law allows county commissioners or municipal officers to place restrictions on gross weight, speed, operation and equipment on public ways other than state and state aid highways and bridges. This bill maintains that ability, but requires that a public meeting be advertised and held before the restrictions are imposed. The bill also shifts the responsibility to the State Police for enforcing restrictions placed on all roads in the State.