

MAINE STATE LEGISLATURE

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TRANSPORTATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 503, L.D. 643, Bill, "An Act to Allow Municipalities to Lower Certain Speed Limits"

Amend the bill in section 1 in subsection 3 by striking out all of paragraphs D and E and inserting in their place the following:

'D. With the approval of the Department of Transportation and the Chief of the Maine State Police, increase or decrease the speed limit on through ways by erecting adequate standard signs giving notice of the speed limit, in accordance with the latest edition of the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration; and

E. Subject to the provisions of this paragraph, if it is a qualifying municipality, set speed limits on qualifying roads. As used in this paragraph, "qualifying municipality" means a municipality that has a population of 2,500 or more as measured by the latest decennial United States census or that employs a professional engineer licensed in this State. As used in this paragraph, "qualifying road" means a town way that is classified as local by the Department of Transportation in accordance with the federal functional classification system.

If a qualifying municipality decides to set speed limits in accordance with this paragraph, the municipality shall provide written notice of that determination to the Commissioner of Transportation; the qualifying municipality then may set speed limits for all qualifying roads in that municipality.

COMMITTEE AMENDMENT

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Unless otherwise approved as provided in paragraph D, speed limits set by a municipality must be in 5-mile-per-hour increments within the following ranges:

(1) From 20 to 25 miles per hour, inclusive, regarding roads in a business or residential district or a compact area, except that the lower limit may be set at 15 miles per hour on roads on islands not accessible by road or dead end roads less than 1/4 mile in length; and

(2) From 30 to 50 miles per hour, inclusive, regarding roads in all other areas.

Prior to establishing a speed limit, the municipality must perform a traffic investigation that reviews the factors identified in the applicable sections of the Manual on Uniform Traffic Control Devices. The municipal officers shall validate that speed limit published by the Federal Highway Administration in accordance with the procedure for establishing municipal traffic ordinances set forth in Title 30-A, section 3009, post standard speed limit signs in accordance with the Manual on Uniform Traffic Control Devices and provide written notice of that speed limit zone to the Commissioner of Transportation on forms approved by the Department of Transportation.

The Department of Transportation may require a municipality with a population of 5,000 or more as measured by the latest decennial United States census that has not provided written notice to the department that the municipality will set speed limits in accordance with this paragraph to provide the department with all data necessary to set such speed limits. The nature, extent and form of that data must be acceptable to the department and may include, without limitation, the reason for the request, length and location of the proposed speed zone, road width, number of driveways in that zone, traffic volume, posted speed, prevailing speed as measured by radar, accident history and speed enforcement efforts.'

SUMMARY

This amendment authorizes qualifying municipalities to increase or decrease speed limits on qualifying roads. Qualifying municipalities are municipalities that have a population of 2,500 or more as measured by the latest decennial United States census or that employ a professional engineer licensed in Maine. Qualifying roads are town ways that are

2 classified as local by the Department of Transportation in
accordance with the federal functional classification system.

4 It requires that speed limits set by a municipality be in
5-mile-per-hour increments within the following ranges: (1) from
6 20 to 25 miles per hour, inclusive, for roads in a business or
7 residential district or a compact area, except that the lower
8 limit may be set at 15 miles per hour on roads on islands not
9 accessible by road or dead end roads less than 1/4 mile in
10 length; and (2) from 30 to 50 miles per hour, inclusive,
11 regarding roads in all other areas.

12 The amendment clarifies that prior to establishing a speed
13 limit, the municipality must perform a traffic investigation.
14 The municipal officers shall validate speed limits in accordance
15 with the procedure for establishing municipal traffic ordinances
16 set forth in the Maine Revised Statutes, Title 30-A, section
17 3009, post standard speed limit signs in accordance with the
18 Manual on Uniform Traffic Control Devices and provide written
19 notice of those speed limit zones to the Commissioner of
20 Transportation on forms approved by the Department of
21 Transportation.

22 It allows the department to require a municipality with a
23 population of 5,000 or more that has not provided written notice
24 to the department that it will set speed limits to provide the
25 department with all data necessary to set speed limits.
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