

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1329

H.P. 937

House of Representatives, March 12, 2007

An Act To Allow Municipalities To Set Speed Limits on Certain Roads

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BROWNE of Vassalboro.
Cosponsored by Senator SAVAGE of Knox and
Representatives: AYOTTE of Caswell, CARTER of Bethel, CEBRA of Naples, CLEARY of
Houlton, CRAY of Palmyra, THOMAS of Ripley.

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

2 **Sec. 1. 29-A MRSA §2075, sub-§3, ¶E,** as amended by PL 2003, c. 92, §3, is
3 further amended to read:

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

11 If a ~~qualifying~~ municipality decides to set a speed ~~limits~~ limit in accordance with this
12 paragraph, the municipality shall provide written notice of that determination to the
13 Commissioner of Transportation ~~and shall set speed limits for all qualifying roads in~~
14 ~~that municipality.~~

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

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

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

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

30 The Department of Transportation may require a municipality with a population of
31 5,000 or more as measured by the latest decennial United States census that has not
32 provided written notice to the department that the municipality will set a speed ~~limits~~
33 limit on a qualifying road in accordance with this paragraph to provide the
34 department with all data necessary to set such a speed ~~limits~~ limit. The nature, extent
35 and form of that data must be acceptable to the department and may include, without
36 limitation, the reason for the request, length and location of the proposed speed zone,
37 road width, number of driveways in that zone, traffic volume, posted speed,
38 prevailing speed as measured by radar, accident history and speed enforcement
39 efforts; and

SUMMARY

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This bill makes it easier for a municipality to set a speed limit on a local road and allows a small municipality to set such a limit.