

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1634

S.P. 651

In Senate, April 12, 2023

**An Act to Grant Municipalities the Authority to Set Certain Lower
Motor Vehicle Speed Limits Without a Department of
Transportation Speed Study**

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BENNETT of Oxford.
Cosponsored by Senators: CHIPMAN of Cumberland, DAUGHTRY of Cumberland,
Representatives: ANKELES of Brunswick, ZAGER of Portland, ZEIGLER of Montville.

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 by amending the 2nd blocked paragraph to read:

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

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

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

11 **Sec. 2. 29-A MRSA §2075, sub-§3, ¶E**, as amended by PL 2003, c. 92, §3, is
12 further amended by amending the 4th blocked paragraph to read:

13 The Department of Transportation may require a municipality with a population of
14 5,000 or more as measured by the latest decennial United States census that has not
15 provided written notice to the department that the municipality will set speed limits in
16 accordance with this paragraph to provide the department with all data necessary to set
17 such speed limits. The nature, extent and form of that data must be acceptable to the
18 department and may include, without limitation, the reason for the request, length and
19 location of the proposed speed zone, road width, number of driveways in that zone,
20 traffic volume, posted speed, prevailing speed as measured by radar, accident history
21 and speed enforcement efforts; ~~and~~

22 **Sec. 3. 29-A MRSA §2075, sub-§3, ¶F**, as enacted by PL 2003, c. 92, §4, is
23 amended to read:

24 F. With the approval of the Department of Transportation and the Chief of the State
25 Police, and in accordance with the latest edition of the Manual on Uniform Traffic
26 Control Devices published by the Federal Highway Administration, designate a school
27 zone to which the speed limits in section 2074, subsection 1, paragraph A apply;

28 **Sec. 4. 29-A MRSA §2075, sub-§3, ¶G** is enacted to read:

29 G. For a business or residential district, a compact area or growth area under Title
30 30-A, section 4301, subsection 6-C with a speed limit of 35 miles per hour or less, a
31 municipality:

32 (1) May change a speed limit on a single road or section of road without assuming
33 responsibility for setting or managing the speed limits on all roads within the
34 municipality;

35 (2) May lower the speed limit up to 10 miles per hour to no lower than a speed
36 limit of 20 miles per hour, including making the speed limit uniform through the
37 area, without a department study or other data requirements;

38 (3) Shall review any safety deficiencies and seek public input in a plan to lower a
39 speed limit under this paragraph prior to lowering the speed limit; and

40 (4) Shall report annually on peak traffic time and nonpeak traffic time the speeds
41 of motor vehicles, pedestrian counts and bicycle counts before and after a change

1 of a speed limit under this paragraph for a period of 5 years after the change in
2 speed limit to the joint standing committee of the Legislature having jurisdiction
3 over transportation matters; and

4 **Sec. 5. 29-A MRSA §2075, sub-§3, ¶H** is enacted to read:

5 H. Make physical changes to a road in a business or residential district, a compact area
6 or a growth area under Title 30-A, section 4301, subsection 6-C to promote better
7 compliance with a posted speed limit.

8 **SUMMARY**

9 This bill authorizes municipalities to change a speed limit on a single road or section
10 of road without assuming responsibility for setting or managing speed limits on all roads
11 within the municipality and reduce posted speed limits by up to 10 miles per hour in
12 business, residential, compact and growth areas to no lower than 20 miles per hour and to
13 make physical changes to a road in those areas to promote better compliance with posted
14 speed limits. The bill also requires a municipality that has changed a speed limit to review
15 any safety deficiencies, seek public input and report to the Legislature for a period of 5
16 years data on before and after motor vehicle speeds, pedestrian counts and bicycle counts.