

# MAINE STATE LEGISLATURE

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**EIGHTY-FOURTH LEGISLATURE**

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**House Document**

**No. 444**

H. P. 1299 House of Representatives, February 21, 1929.

Referred to Committee on Ways and Bridges and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Hawkes of Standish.

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**STATE OF MAINE**

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**IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-NINE**

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**AN ACT** Relating to the Removal of Snow From Highways  
and Town Ways.

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

Section 1. Section one of chapter two hundred and  
2 twenty-seven of the public laws of nineteen hundred and  
3 twenty-seven is hereby amended by adding to the end there-  
4 of the following: 'All snow removal petitions are to be re-  
5 ceived in the office of the state highway commission on or  
6 before November first, previous to the season's work,' so  
7 that said section, as amended, shall read as follows:

'Section 1. The state highway commission, on petition of  
2 the municipal officers of two or more towns through which

3 extends a continuous state or state-aid highway, may from  
4 year to year lay out winter routes upon such state or state-  
5 aid highways as in their judgment seem advisable for the  
6 clearance of snow therefrom for the reasonable use of  
7 motor vehicles, sleighs and sleds during such season. The  
8 state highway commission may take similar action upon  
9 petition of the municipal officers of any town with respect  
10 to any other highways or town ways. All snow removal  
11 petitions are to be received in the office of the highway  
12 commission on or before November one, previous to the  
13 season's work.'

Sect. 2. Section four of chapter two hundred and twenty-  
2 seven of the public laws of nineteen hundred and twenty-  
3 seven is hereby amended by striking out the words, "In-  
4 cluding the cost of supervision" in the third and fourth  
5 lines and inserting after the word "highways" in the fifth  
6 line, the words, 'and town ways.' This section is further  
7 amended by adding to the end thereof the following: 'said  
8 cost to include the cost of the rental of snow fence, either  
9 state or town owned and the erection, maintenance and re-  
10 moving of same at the end of the season.

Should at any time the funds for snow removal work be  
2 found inadequate for all mileage petitioned for, first con-  
3 sideration shall be given to the most travelled improved  
4 state highways and second to roads next in importance.

All payrolls for the season's snow removal are to be re-  
2 ceived at the office of the state highway commissioner on or

3 before May first, following the winter in which this work  
4 is done.

The cost of sanding the road on account of slipperiness  
2 caused from ice and the replacement of guard rail from  
3 December first to March first on the roads where snow is  
4 removed, to be charged to snow removal.

The type of snow fence, rental charges for season and all  
2 other expenditures thereto shall be subject to the approval  
3 of the state highway commission.

The state's supervision for snow removal shall be paid  
2 from the gas tax apportioned for snow removal but not in-  
3 cluded in cost to towns as heretofore in section four.

When the owners of property refuse to give their permis-  
2 sion for the erection of snow fence, the state or town may  
3 acquire the right to erect such fence on or after November  
4 first and maintain the same and remove such fence on or  
5 before May first of the following year without compensa-  
6 tion to owner. This fence shall not interfere with any  
7 driveway which the owner may wish to use during this  
8 period.' So that said section as amended shall read as fol-  
9 lows:

'Sect. 4. Towns which clear said highways and town  
2 ways to the satisfaction of said commissioner shall be reim-  
3 bursed for the cost thereof to the extent of fifty per cent  
4 of said cost, but not exceeding twenty-five dollars per mile  
5 of the highways and town ways designated as provided in  
6 section one of this act, said cost to include the cost of the

7 rental of snow fence, either state or town owned and the  
8 erection, maintenance and removing of same at the end of  
9 the season.

Should at any time the funds for snow removal work be  
2 found inadequate for all mileage petitioned for, first con-  
3 sideration shall be given to the most travelled improved  
4 state highways and second to roads next in importance.

All payrolls for the season's snow removal are to be re-  
2 ceived at the office of the state highway commissioner on or  
3 before May first, following the winter in which this work  
4 is done.

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2 caused from ice and the replacement of guard rail from  
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4 removed, to be charged to snow removal.

The type of snow fence, rental charges for season and all  
2 other expenditures thereto shall be subject to the approval  
3 of the state highway commission.

The state's supervision for snow removal shall be paid  
2 from the gas tax apportioned for snow removal but not in-  
3 cluded in cost to towns as heretofore in section four.

When the owners of property refuse to give their permis-  
2 sion for the erection of snow fence, the state or town may  
3 acquire the right to erect such fence on or after November  
4 first and maintain the same and remove such fence on or  
5 before May first of the following year without compensa-  
6 tion to owner. This fence shall not interfere with any

7 driveway which the owner may wish to use during this  
8 period.'

Sect. 3. Section six of chapter two hundred and twenty-  
2 seven of the public laws of nineteen hundred and twenty-  
3 seven is hereby amended by inserting after the word "state"  
4 in the ninth line thereof, the words, "and the commission  
5 may in case of emergency in such towns which fail to pro-  
6 vide equipment on a road designated by the commission in  
7 accordance with section one of this act, purchase or hire  
8 such equipment to remove the snow for the season,' so that  
9 said section as amended shall read as follows:

'Sect. 6. When any town upon any of the winter routes  
2 so designated and so supervised by the state highway com-  
3 mission shall, in the judgment of the commission, unrea-  
4 sonably fail to either raise, appropriate or pay its propor-  
5 tional part of the cost of snow removal through or in said  
6 town, or shall without cause fail to assist in keeping open  
7 any highway or town way as designated in section one in  
8 said town, the state highway commission shall cause said  
9 highway or town way through or in said town to be kept  
10 open at the expense of the state, and the commission may  
11 in case of emergency in such towns which fail to provide  
12 equipment on a road designated by the commission in ac-  
13 cordance with section one of this act, purchase or hire such  
14 equipment to remove the snow for the season; and the gov-  
15 ernor, by and with the advice and consent of the council,  
16 may order the treasurer of state to withhold a sufficient

17 amount from any funds due or to become due said town to  
18 cover the payment in whole or in part of said proportional  
19 expense of said snow removal through or in said town and  
20 to apply the sums so withheld to the cost of such snow re-  
21 moval; but no such order shall issue to the treasurer that  
22 will in the opinion of the governor and council impose an  
23 undue financial burden on any town.'

Sect. 4. Section eight of chapter two hundred and twenty-  
2 seven of the public laws of nineteen hundred and twenty-  
3 seven is hereby amended by striking out the word "except"  
4 in the fourth line and the words, "on state-aid road loca-  
5 tions" in the fifth line, so that said section as amended shall  
6 read as follows:

'Sect. 8. The state shall grant no reimbursement to towns  
2 for the removal of snow as provided in this act upon high-  
3 ways or town ways where the houses are nearer than two  
4 hundred feet apart for a distance of a quarter of a mile or  
5 more.'

Sect. 5. Chapter two hundred and twenty-seven of the  
2 public laws of nineteen hundred and twenty-seven is hereby  
3 further amended by adding thereto the following sections,  
4 which shall be designated as section nine and section ten:

'Sect. 9. The state highway commission each season shall  
2 make a rental price per hour for all snow removal motor  
3 equipment which shall be approved by them as being ade-  
4 quate and economical for this work. All contracts with the  
5 towns, either by the mile or otherwise, shall be subject to

6 the approval of the highway commission. Reimbursement  
7 on this work shall be made for use of motor driven equip-  
8 ment only.

Sect. 10. All improved ways acceptable for snow re-  
2 moval shall have a width of not less than sixteen feet or  
3 may be extended to the width of the metal surface if in the  
4 judgment of the commission this is required. All unim-  
5 proved ways shall have a width of the wrought portion  
6 thereof. This width shall be the measurements between the  
7 edges of the two shoulders of the road.'