

MAINE STATE LEGISLATURE

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E I G H T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 277

H. P. 731

House of Representatives, February 4, 1937.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Burgess of Rumford by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-SEVEN

AN ACT Relating to Maintenance and Snow Removal on Highways.

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

R. S., c. 82, § 9, amended. Section 9 of chapter 28 of the revised statutes, as amended by chapter 149 of the public laws of 1935, is hereby further amended to read as follows :

‘Sec. 9. Maintenance and snow removal on state highways. Improved state highways shall be continually maintained, and the snow removed from such sections of designated state highways as the commission may determine, under the direction and control of the commission at the joint expense, as hereinafter provided, of the state and the town in which the same are located. The charge against such town for maintenance and snow removal work on its state highways shall be a fixed sum of \$100 per mile per year, excepting on such sections from which the commission deems it inadvisable to remove the snow therefrom, the charge against the town shall be a fixed sum of \$60 per mile per year for maintenance.

The snow removal work mentioned in this section shall include the plowing of these highways; the erection, maintenance, dismantling and rental of snow fence; and the sanding of icy road surfaces. It shall not

include loading and hauling snow from any compact section. The state shall not be liable for accidents while the road surface is covered with snow and ice.

To carry out the provisions of the preceding paragraph the commission is authorized to purchase or hire equipment, preferably town owned, arrange contracts, purchase snow fence, and materials, and erect or hire buildings for storage purposes.

The maintenance provisions of this act shall not apply to those sections of state highway where houses are nearer than 200 feet apart for a distance of $\frac{1}{4}$ of a mile in cities or towns whose population according to the last U. S. census exceeds 5000 inhabitants, and the snow removal provisions shall not apply to those sections of state highway where houses are nearer than 200 feet apart for a distance of $\frac{1}{4}$ of a mile in cities or towns whose population according to the last U. S. census exceeds 2000 inhabitants.

In all cases where sections of designated state highways have been constructed across wild lands (whether such wild lands are portions of unorganized townships or of organized cities, towns or plantations), the owners of which have waived all claims for damages by reason of the taking of their lands for the construction and maintenance of such highway, or have conveyed their lands to the state without compensation therefor, such sections shall be maintained and the snow removal work, if any, thereon shall be performed by the state at its own cost and expense; provided, nevertheless, that if in any instance the state highway commission, in its discretion, shall determine that despite such waiver of damages, or voluntary conveyance, the benefits to said wild lands and the owners thereof by reason of the maintenance of such highway make it equitable that the owners of such wild lands should contribute to the maintenance thereof, or the snow removal work thereon, they may so find and determine the amount of such contribution, but the sum so determined shall not exceed the maximum amounts provided in the first paragraph of this section.'