

# MAINE STATE LEGISLATURE

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N I N E T I E T H            L E G I S L A T U R E

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Legislative Document

No. 226

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S. P. 180.

In Senate, January 29, 1941.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Snow of Piscataquis.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-ONE

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AN ACT Concerning Certain State Highways.

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

**P. L., 1939, c. 283, amended.** Chapter 283 of the public laws of 1939 is hereby amended to read as follows :

**‘Sec. 1. State highway commission may lay out and construct parkways and freeways.** ~~The governor and council with the special authorization of the legislature may direct the state highway commission is hereby~~ **authorized to lay out and construct any state highway or parts thereof as a parkway or a freeway road, as herein defined.’**

**‘Sec. 2. Term “parkway”, defined.** Under the provisions of this act, a “parkway” shall be any ~~trunk line~~ **highway or parts thereof** receiving special treatment in landscaping and marginal planting, and which shall be especially designed for and devoted exclusively to the use and accommodation of non-commercial motor vehicle traffic, and to which access may be allowed only at highway intersections designated by the state highway commission ~~and designed by it so as to eliminate cross traffic of vehicles.’~~

**‘Sec. 3. Term “freeway”, defined.** Under the provisions of this act, a “freeway” shall be any ~~trunk line~~ **highway or parts thereof which shall be**

designed ~~for to~~ separate through high speed non-commercial motor vehicle traffic from commercial, and slow speed and local non-commercial vehicular traffic by the use of independent traffic lanes; and which shall be designed to restrict the cross traffic of vehicles to which abutters shall have no right or easement of access, by reason of the fact that their property abuts upon such highway, except that the state highway commission is hereby authorized to permit a right or easement of access to abutting land owners which shall be limited to private use.'

'Sec. 4. Service roads, overpasses and underpasses may be laid out and constructed. As an adjunct of any parkway or freeway, as herein defined the state highway commission is authorized to lay out and construct roads or drives, hereby designated as service roads, to provide access ~~from~~ for areas adjacent to a parkway or freeway; and to provide for the restriction or elimination of cross traffic on such parkway or freeway ~~whenever it, in its discretion, shall deem the same to be necessary in the public interest,~~ by the construction of underpasses and overpasses, **Wherever it, in its discretion, shall deem the same to be necessary in the public interest.'**

'Sec. 5. Land and rights in land may be purchased or taken. The state highway commission is authorized to purchase or take any land or rights in land necessary or required for the lay out, alteration, extension, widening, change of grade, or improvement of such parkways, freeways, ~~or~~ service roads, **underpasses and overpasses** in the same manner ~~and pursuant to the provisions of~~ **provided by** the statutes relating to the taking and purchase of land for state and state aid highways. ~~All provisions of the statutes relating to state and state aid highways and not inconsistent with the provisions of this act shall apply to such parkways, freeways or service roads.'~~

'Sec. 6. Law relating to state and state aid roads not inconsistent, shall apply to parkways, freeways, service roads, underpasses and overpasses. All provisions of the statutes relating to state and state aid highways, not inconsistent with the provisions of this act, shall apply to such parkways, freeways, service roads, underpasses and overpasses.'

'Sec. 7. Constitutionality of act. If any section, subsection, sentence, clause, or phrase of this act is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the act.'