

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1583

S. P. 684

In Senate, April 27, 1949.

Reported by Senator Crosby of Franklin from Committee on Ways and Bridges and printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

**AN ACT Providing for the Construction, Maintenance and Improvement of
Controlled Access Highways.**

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

R. S., c. 20, §§ 5-A-5-G, additional. Chapter 20 of the revised statutes is hereby amended by adding thereto the following new sections to be numbered sections 5-A to 5-G, inclusive, to read as follows:

'Sec. 5-A. Controlled access highways defined. A controlled access highway is a highway on which, in the interest of safety and efficiency of operation, abutting property owners have no right of direct access and on which the type and location of all access connections are determined and controlled by the commission.

Sec. 5-B. Regulation of use of controlled access highways. The commission shall have full power and authority to lay out, establish, acquire, open, construct, improve, maintain, discontinue and regulate the use of controlled access highways within this state in the same manner or manners in which said commission may now lay out, establish, acquire, open, construct, improve, maintain, discontinue and regulate the use of highways within the state. The commission shall also have any and all other additional authority and power relative to such controlled access highways as

they now respectively possess relative to highways, including the authority and power to acquire or accept title to the lands or rights-of-way needed for the same.

Sec. 5-C. Easements of access; how extinguished, or regulated. Where an existing highway has been designated as, or included within, a controlled access highway by said commission, existing easements of access may be so extinguished by purchase or by taking under eminent domain, in accordance with any existing method now exercised by said commission in purchasing or taking land for highway purposes. Access to such controlled access highway from any existing highway, road or street may be regulated and restricted by the commission. Access to any such controlled access highway from any new highway, road or street shall be subject to the consent and approval of the commission.

Sec. 5-D. Commercial enterprises prohibited. No commercial enterprise or activity shall be authorized or conducted by the commission or any agency or officer of the state within or on the property or right of way acquired for any controlled access highway under the provisions of sections 5-A to 5-G, inclusive, except that the commission may permit the erection or installation of electric power, telegraph, telephone or pipe line facilities within the controlled area.

Sec. 5-E. Signs designating location of service facilities may be erected. The location of service, fuel and recreational facilities may be indicated to the users of any controlled access highway by appropriate signs erected within the right of way, at or near the junction of such access roads as may be provided. The size, style, specifications and location of such signs shall be determined by the commission.

Sec. 5-F. Limitations of sections 5-A to 5-G. The provisions of sections 5-A to 5-G, inclusive, shall not apply to highways other than those in the state highway system as designated by the commission nor to those in the compact or built up areas of any city or town as defined in section 102 of chapter 19 except with the approval of the municipal officers of the city or town wherein such compact or built up area is situated.

Sec. 5-G. Interpretation of sections 5-A to 5-G. The provisions of sections 5-A to 5-G, inclusive, shall be considered supplementary and in addition to any and all other powers now exercised by the commission.'