

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Transmitted by Director of Legislative Research pursuant to joint order.

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

Legislative Document

No. 1067

S. P. 453

In Senate, March 2, 1951.

Referred to the Committee on Highways, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Larrabee of Sagadahoc.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

AN ACT Amending the Controlled Access Highway Law.

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

Sec. 1. R. S., c. 20, § 5-A, repealed and replaced. Section 5-A of chapter 20 of the revised statutes, as enacted by chapter 400 of the public laws of 1949, is hereby repealed and the following enacted in place thereof:

‘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, the right of access of abutting property owners and the type and location of all access connections are determined and controlled by the commission. The commission shall, upon request, permit abutting property owners to enter such controlled access highways. Such entrances shall not exceed 10 per mile on each side of the highway and shall conform to such standards of design as regards safety and efficient utilization of the road as shall be prescribed by the commission. The commission shall judge the safety of each entrance separately, considering the use which will be made of the entrance and the sight distance. All new buildings, structures and installations shall be at least 35 feet distant from the outside line of the right of way of the highway.’

Sec. 2. R. S., c. 20, § 5-D, amended. Section 5-D of chapter 20 of the revised statutes, as enacted by chapter 400 of the public laws of 1949, is hereby amended to read as follows:

'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~~ 5-H, 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. 3. R. S., c. 20, § 5-F, repealed and replaced. Section 5-F of chapter 20 of the revised statutes, as enacted by chapter 400 of the public laws of 1949, is hereby repealed and the following enacted in place thereof:

'Sec. 5-F. Commission to issue permit. Any person whose land abuts a proposed controlled access highway may apply in writing to the commission for a permit to enter such highway and the commission shall within a period of 1 month from the receipt of such application, notify the applicant as to whether his application has been approved; and if approved, forward the plans and specifications of such entrance.'

Sec. 4. R. S., c. 20, § 5-G, repealed and replaced. Section 5-G of chapter 20 of the revised statutes, as enacted by chapter 400 of the public laws of 1949, is hereby repealed and the following enacted in place thereof:

'Sec. 5-G. Limitations of sections 5-A to 5-H. The provisions of sections 5-A to 5-H, 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. R. S., c. 20, § 5-H, additional. Chapter 20 of the revised statutes is hereby amended by adding thereto a new section, to be numbered 5-H, to read as follows:

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