

MAINE STATE LEGISLATURE

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

Legislative Document

No. 80

S. P. 49

In Senate, January 17, 1957.

Referred to Committee on Highways. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Cole of Waldo.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Obstructions to View at Railroad Crossings.

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

Sec. 1. R. S., c. 46, § 91, amended. Section 91 of chapter 46 of Revised Statutes, as amended by section 2 of chapter 36 of the public laws of 1955 is hereby further amended to read as follows:

'Sec. 91. Municipal Officers, County Commissioners or State Highway Commission, on order of commission, to remove obstructions; 10 days' notice to be given to interested parties. At every crossing of a highway or other way **excepting state and state aid highways** and a steam railroad at grade and at every crossing of a highway or other way **excepting state and state aid highways and an electric railroad at grade**, the municipal officers of the town or county commissioners in the case of unorganized places in which the crossing is located are given authority and are required, when by order directed to do so by the Public Utilities Commission, after 10 days' notice to all persons interested, to remove embankments and other obstructions within highway limits and to enter upon private property and properly trim, cut down or remove, and from time to time as may be necessary to keep trimmed, cut down and removed, bushes, trees, fences, signboards and encroachments which obstruct the view of an engine, train or car by a traveler at or near any such crossing **and at every crossing on state highways and state aid highways to remove fences and encroachments which obstruct the view of an engine, train, or car by a traveler at or near any such crossing, and on such crossings on state and state aid highways, when by order of the Public Utilities Commission, directed to do so, the State Highway Commission shall remove and properly trim, cut down or remove bushes, trees, and signboards which obstruct the view of an engine, train or car by a traveler**

at or near such crossing, and shall from time to time as may be necessary keep obstructions removed therefrom. The authority of the Commission in any order and of the municipal officers ~~or~~, county commissioners, or the State Highway Commission acting thereunder shall not extend beyond the land bounded by a line from a point 300 feet on either side of any such crossing measured along the highway or other way ~~or beyond~~ and a point 300 feet on either side of any such crossing measured along the railroad right-of-way, the purpose ~~herein~~ being to enable a traveler on any such way, when such traveler is 300 feet or less distant from any such crossing, to have a fair view of an approaching train, engine or car from one or more angles continuously from the time such train, engine or car is 300 feet from such crossing until it has passed over the same.'

Sec. 2. R. S., c. 46, § 92, amended. Section 92 of chapter 46 is hereby amended by adding at the end thereof the following sentence:

'Any expense incurred by the State Highway Commission to properly trim, cut down or remove and from time to time as may be necessary to keep trimmed, cut down and removed, bushes, trees and signboards, shall be borne by said State Highway Commission.'