

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
2001

CHAPTER 312

S.P. 144 - L.D. 488

An Act to Correct an Error in the Bureau of Parks and Lands Statute**Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 12 MRSA §1881, sub-§2, as enacted by PL 1997, c. 678, §13, is amended to read:

2. Existing roads. Existing private roads within the waterway remain privately owned as existing. The bureau may direct the discontinuance ~~or~~ and relocation of any portion of such a road that is within the restricted zone at the expense of the bureau. When the bureau directs the discontinuance of a road and the landowner does not request the relocation of the road at the time of the bureau's directive, the bureau is not obligated to relocate that road.

See title page for effective date.

CHAPTER 313

H.P. 503 - L.D. 643

An Act to Allow Municipalities to Lower Certain Speed Limits**Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 29-A MRSA §2075, sub-§3, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

3. Municipal authority. A Except as provided in this subsection, a municipality may not alter a speed limit or enact or enforce a regulation contrary to this Title. A municipality may:

- A. Regulate traffic by means of signal devices or other appropriate methods on a way on which traffic is heavy or continuous;
- B. Limit traffic to one-way traffic on a way, subject to Title 23, section 1351;
- C. Regulate speed of vehicles in public parks by erecting at all entrances to the park adequate signs giving notice of the special speed regulations; ~~and~~
- D. With the approval of the Department of Transportation and the Chief of the ~~Maine~~ State Police, increase ~~or~~ decrease the speed limit on through ways by erecting ~~adequate~~ standard signs giving notice of the speed limit; in accord-

ance with the latest edition of the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration; and

E. Subject to the provisions of this paragraph, if it is a qualifying municipality, set speed limits on qualifying roads. As used in this paragraph, "qualifying municipality" means a municipality that has a population of 2,500 or more as measured by the latest decennial United States census or that employs a professional engineer licensed in this State. As used in this paragraph, "qualifying road" means a town way that is classified as local by the Department of Transportation in accordance with the federal functional classification system.

If a qualifying municipality decides to set speed limits in accordance with this paragraph, the municipality shall provide written notice of that determination to the Commissioner of Transportation and shall set speed limits for all qualifying roads in that municipality.

Unless otherwise approved as provided in paragraph D, speed limits set by a municipality must be in 5-mile-per-hour increments within the following ranges:

- (1) From 20 to 25 miles per hour, inclusive, regarding roads in a business or residential district or a compact area, except that the lower limit may be set at 15 miles per hour on roads on islands not accessible by road or dead end roads less than 1/4 mile in length; and
- (2) From 30 to 50 miles per hour, inclusive, regarding roads in all other areas.

Prior to establishing a speed limit, the municipality must perform a traffic investigation that reviews the factors identified in the applicable sections of the Manual on Uniform Traffic Control Devices. The municipal officers shall validate that speed limit in accordance with the procedure for establishing municipal traffic ordinances set forth in Title 30-A, section 3009, post standard speed limit signs in accordance with the Manual on Uniform Traffic Control Devices and provide written notice of that speed limit zone to the Commissioner of Transportation on forms approved by the Department of Transportation.

The Department of Transportation may require a municipality with a population of 5,000 or more as measured by the latest decennial United States census that has not provided written notice to the department that the municipality will set speed limits in accordance with this paragraph to provide the department with all data necessary to set