

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Allow Municipalities To Set Speed Limits on Certain Roads**

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

**Sec. 1. 29-A MRSA §2075, sub-§3, ¶E**, as amended by PL 2003, c. 92, §3, is further amended to read:

~~E. Subject to the provisions of this paragraph, if it is a qualifying municipality, set a speed limitslimit on a qualifying roadsroad. 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 a speed limitslimit 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, a speed limitslimit 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 a speed limitslimit on a qualifying road in accordance with this paragraph to provide the department with all data necessary to set such a speed limitslimit. The~~

nature, extent and form of that data must be acceptable to the department and may include, without limitation, the reason for the request, length and location of the proposed speed zone, road width, number of driveways in that zone, traffic volume, posted speed, prevailing speed as measured by radar, accident history and speed enforcement efforts; and

## **SUMMARY**

This bill makes it easier for a municipality to set a speed limit on a local road and allows a small municipality to set such a limit.