

**CHAPTER 7****CONTROLLED ACCESS HIGHWAYS****§301. Definition**

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 department. [PL 1971, c. 593, §22 (AMD).]

**SECTION HISTORY**

PL 1971, c. 593, §22 (AMD).

**§302. Use**

The department 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 department may now lay out, establish, acquire, open, construct, improve, maintain, discontinue and regulate the use of highways within the State. The department shall 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. [PL 1971, c. 593, §22 (AMD).]

In connection with the laying out and establishment of a controlled access highway the department may take in fee or lesser estate, by purchase, gift, devise or by eminent domain under chapters 1 to 19, part or all of any part of land adjoining the highway location which, by reason of such laying out and establishment of a controlled access highway, has been severed from legal access to any public highway. [PL 1971, c. 593, §22 (AMD).]

**SECTION HISTORY**

PL 1971, c. 593, §22 (AMD).

**§303. Easements of access**

Where an existing highway has been designated as, or included within, a controlled access highway by said department, 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 department 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 department. Access to any such controlled access highway from any new highway, road or street shall be subject to the consent and approval of the department. [PL 1971, c. 593, §22 (AMD).]

**SECTION HISTORY**

PL 1971, c. 593, §22 (AMD).

**§304. Commercial enterprises prohibited**

No commercial enterprise or activity shall be authorized or conducted by the department or any agency or officer of the State within or on the property or right-of-way acquired for any controlled access highway under this chapter, except that the department may permit the erection or installation of electric power, telegraph, telephone or pipe line facilities within the controlled area. [PL 1971, c. 593, §22 (AMD).]

**SECTION HISTORY**

PL 1971, c. 593, §22 (AMD).

**§305. Signs showing service facilities**

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 department. [PL 1971, c. 593, §22 (AMD).]

**SECTION HISTORY**

PL 1971, c. 593, §22 (AMD).

**§306. Application of provisions**

This chapter does not apply to highways other than those in the state highway system as designated by the department nor to those in the compact or built-up areas of any city or town as defined in Title 29-A, section 2074, subsection 2, except with the approval of the municipal officers of the city or town wherein such compact or built-up area is situated. [PL 1995, c. 65, Pt. A, §61 (AMD); PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. C, §15 (AFF).]

**SECTION HISTORY**

PL 1971, c. 593, §22 (AMD). PL 1995, c. 65, §A61 (AMD). PL 1995, c. 65, §§A153,C15 (AFF).

**§307. Powers as supplementary and additional**

This chapter shall be considered supplementary and in addition to any and all other powers now exercised by the department. [PL 1971, c. 593, §22 (AMD).]

**SECTION HISTORY**

PL 1971, c. 593, §22 (AMD).

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