

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

S.P. 23 - L.D. 31

An Act to Allow the Commissioner of Transportation to Reduce Speed Limits at Construction Sites with Input from Municipalities and Utilities

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

Sec. 1. 29-A MRSA §2073, sub-§1, as amended by PL 2013, c. 107, §1, is further amended to read:

1. Authority to regulate. Except as provided in section 2075, ~~subsection~~ subsections 2 and 2-A and notwithstanding section 2074, subsection 1, the Commissioner of Transportation, with the approval of the Chief of the State Police, may:

- A. Restrict the maximum rate of speed on a public way where a speed limit will minimize the danger of accident, promote the free flow of traffic, conserve motor fuel or respond to changes in federal laws;
- B. Increase the maximum rate of speed on a public way where higher speeds are warranted to promote the normal and reasonable movement of traffic; or
- C. Make an adjustment of maximum rates of speed. An adjustment under this paragraph is exempt from the provisions of the Maine Administrative Procedure Act.

The commissioner may not set maximums that exceed 60 miles per hour or, on the interstate system or other divided controlled-access highways, 75 miles per hour.

The commissioner may not set maximums for the Maine Turnpike.

Sec. 2. 29-A MRSA §2075, sub-§2-A is enacted to read:

2-A. Public ways under construction; municipal and utility construction activities. The Commissioner of Transportation may implement the guidance of a municipality or utility engaging in a construction project on a public way to temporarily reduce the posted speed limit of the section of the public way where the municipal or utility construction project is located when construction workers are present. The commissioner shall adopt rules to implement this subsection, including rules that at a minimum establish the criteria that must be met before the commissioner may reduce a posted speed limit. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.