



**THE MAINE SENATE**  
**131st Legislature**

**Testimony of Senator Richard A. Bennett**

**LD 1634, "An Act to Grant Municipalities the Authority to Set Certain Lower Motor Vehicle Speed Limits Without a Department of Transportation Speed Study "  
25 April 2023**

Senator Chipman, Representative Williams and members of the Committee on Transportation, I am Senator Rick Bennett of Oxford, and I have the honor of serving 14 communities in Western Maine in the State Senate. I am pleased to present LD 1634, "An Act to Grant Municipalities the Authority to Set Certain Lower Motor Vehicle Speed Limits Without a Department of Transportation Speed Study."

This bill gives municipalities local control by allowing them to more efficiently lower speed limits.

Currently, in order to lower speed limits on local roads, towns and cities must receive permission from the Maine Department of Transportation. Additionally, in order to change the speed limit on a single road within a municipality, current Maine law requires the municipality to take over the setting of speed limits on all roads.

The bill allows municipalities to change a speed limit on a single road without taking responsibility for setting and managing speed limits on all roads within the municipality. It allows municipalities to reduce speed limits by up to 10 miles per hour in particular areas to no lower than 20 miles per hour and to make physical road changes to promote better speed limit compliance. The bill requires that municipalities that want to lower speed limits receive public input, review safety deficiencies, and report five years of data to the Legislature on motor vehicle speeds, pedestrian counts, and bicycle counts before and after the change.

Maine's current process for setting speed limits, which relies on the 85<sup>th</sup> percentile rule, is outdated and problematic. The 85<sup>th</sup> percentile rule has dominated US traffic engineering since the 1960s. The 85<sup>th</sup> percentile is the speed at or below which 85% of drivers will drive with open roads and favorable conditions. This methodology is biased toward higher speeds as a huge percentage of people drive faster than the speed limit. Several states, notably Minnesota and Oregon, have moved away from the 85<sup>th</sup> percentile rule.

Despite new technologies making cars safer, the rate of fatal car crashes has been increasing for the past several years. The number of fatal crashes increased by over 7% from 2019 to 2020 (a year where far fewer drivers were on the road) and by more than 10% from 2020 to 2021. In 2017, the NTSB reported that speeding accounts for about 10,000 deaths a year—as many as

drunk driving. Additionally, the number of pedestrian fatalities has been increasing steadily for over a decade. In the 10-year period from 2009 to 2018, pedestrian fatalities increased by 53%.

Many civil engineers hold the belief that lowering speed limits without changing the design can be dangerous. However, a growing body of evidence, including a study by the Insurance Institute for Highway Safety, disputes this belief.

Another misconception is that lowering speed limits will have negative economic impacts due to delays. However, it has been found that lowering speed limits has a negligible increase on travel time.

There are numerous other positive impacts from lowering speeds limits. Slower speed limits make streets feel safer for people who walk and bike. This has positive economic and environmental effects.

Thank you. I would be happy to answer any questions.