

**§2073. Authority to regulate speeds**

**1. Authority to regulate.** Except as provided in section 2075, 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; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

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 [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

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. [PL 2013, c. 107, §1 (AMD).] [PL 2023, c. 19, §1 (AMD).]

**2. Municipal request.** If a municipal request to the Department of Transportation to change a speed limit is denied, the department shall inform the municipality in writing of the reasons for that denial and shall offer to meet with the municipal officials in that municipality to review those reasons. The municipality may request the department to hold a public hearing within the municipality to provide the department with the views of the public on the requested speed limit change. The department shall:

A. Hold the hearing within 30 days of the request; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Inform the municipality of a final decision on the requested speed limit change within 30 days after the hearing. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).] [PL 1999, c. 160, §1 (AMD).]

**3. Prohibition.** A person may not operate a vehicle in excess of maximum speeds fixed pursuant to this section, as long as notice of changes in speed limits has been given by signs erected by the Department of Transportation. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

**4. Other ways.** The Department of Transportation is not required to erect speed signs on a town way, unimproved state aid highway or on a way constructed to interstate standards. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

**5. Roadway and intersection safety evaluation.** At the request of a municipality, the department shall perform a safety evaluation of an existing roadway or intersection, using a multidisciplinary team of personnel, that estimates potential road safety issues and identifies opportunities for improvements. The department shall provide a full report of the results of the evaluation to the municipality. [PL 2023, c. 237, §3 (NEW).]

Notwithstanding the provisions of Private and Special Law 1865, chapter 532, section 8-A, speed limits within the limits of the property owned by or under the control of the University of Maine System must be established by the Department of Transportation and the Maine State Police as provided in this section. The speed limits must be posted by the University of Maine System in accordance with written directions or policies of the Department of Transportation. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

The Department of Transportation and the Maine State Police may establish speed limits within the limits of the property owned by or under the control of the Midcoast Regional Redevelopment Authority in Brunswick, established in Title 5, section 13083-G, and the Loring Development Authority of Maine in Limestone, established in Title 5, section 13080. The speed limits must be posted by the Midcoast Regional Redevelopment Authority and the Loring Development Authority of Maine in accordance with written directions or policies of the Department of Transportation. [PL 2017, c. 23, §1 (NEW).]

#### SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1999, c. 160, §1 (AMD). PL 2011, c. 415, §2 (AMD). PL 2013, c. 107, §1 (AMD). PL 2017, c. 23, §1 (AMD). PL 2023, c. 19, §1 (AMD). PL 2023, c. 237, §3 (AMD).

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