

**§2085. Designated no-passing zones in residential areas**

A municipality may request the department to designate a segment of a state or state aid highway in that municipality as a no-passing zone if the highway is outside the compact area of an urban compact municipality, as defined in Title 23, section 754. Such a request must be in writing to the commissioner and may be made only with the approval of the municipality's legislative body. A request is limited to segments of 2-lane ways in primarily residential areas and must be accompanied by a map showing the location of the proposed no-passing zone or zones and a written explanation of the need for such a zone in each location. The commissioner shall approve such a request unless the commissioner determines that granting such a request will unreasonably restrict the efficient flow of traffic or result in a threat to public safety in that location. The commissioner shall notify the municipality in writing of the commissioner's decision within 30 days of receiving the written request from the municipality. If a request is denied, the notification must state the specific reasons for the denial. A municipality whose request is denied may request the department to hold a public hearing within that municipality for the purpose of receiving public input on the requested change. The department shall hold the hearing within 30 days after a request is made and must inform the municipality of its final decision within 30 days after the hearing is held. [PL 1999, c. 753, §5 (AMD).]

As soon as practicable after approving a municipal request, the department shall ensure that double, solid, yellow center lines are painted along the entire length of the no-passing zone. [PL 2007, c. 400, §10 (AMD).]

A no-passing zone is not enforceable until the painting required by this section is completed. A motor vehicle operator who passes another motor vehicle traveling in the same direction in a no-passing zone commits a traffic infraction. [PL 2007, c. 400, §10 (AMD).]

**REVISOR'S NOTE:** §2085. Passengers restricted to passenger compartment of pickup truck (As enacted by PL 1999, c. 311, §1 is REALLOCATED TO TITLE 29-A, SECTION 2088)

**REVISOR'S NOTE:** §2085. Riding in trunk prohibited (As enacted by PL 1999, c. 183, §12 is REALLOCATED TO TITLE 29-A, SECTION 2086)

**REVISOR'S NOTE:** §2085. Transporting dogs in open vehicle regulated (As enacted by PL 1999, c. 254, §26 is REALLOCATED TO TITLE 29-A, SECTION 2087)

**SECTION HISTORY**

RR 1999, c. 1, §§39-41 (RAL). PL 1999, c. 171, §1 (NEW). PL 1999, c. 183, §12 (NEW). PL 1999, c. 254, §26 (NEW). PL 1999, c. 311, §1 (NEW). PL 1999, c. 753, §5 (AMD). PL 2007, c. 400, §10 (AMD).

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