

§2074. Rates of speed

An operator shall operate a vehicle at a careful and prudent speed not greater than is reasonable and proper having due regard to the traffic, surface and width of the way and of other conditions then existing. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1. Rates of speed. Except when conditions or other regulations require a lower speed, the following are maximum rates of speed:

A. Fifteen miles per hour when traveling in a school zone:

(1) During recess;

(2) When children are going to or leaving school during school opening or closing hours. For purposes of this paragraph, school opening and closing hours are 1/2 hour before and 1/2 hour after the beginning of the school day and 1/2 hour before and 1/2 hour after the end of the school day;

(3) When school speed limit signs are flashing during school opening or closing hours; or

(4) At other times designated by a municipal traffic ordinance that regulates town ways that are classified as local by the Department of Transportation in accordance with the federal functional classification system. [PL 2001, c. 145, §3 (RPR).]

B. Fifteen miles per hour when approaching within 50 feet and in traversing an intersection when the operator's view is obstructed except when preference is given to through movement of traffic in one direction by "stop" signs or other traffic control devices or by direction of a law enforcement officer. An operator's view is considered obstructed when at any time during the last 50 feet of an approach to an intersection there is not a clear and uninterrupted view of the intersection and of the traffic on all ways entering the intersection for a distance of 200 feet from it; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. Twenty-five miles per hour in a business or residential district or built-up portion unless otherwise posted; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. Forty-five miles per hour on all other public ways unless otherwise posted; and [PL 2005, c. 577, §30 (AMD).]

E. On ways with a higher maximum speed limit, 45 miles per hour for a school bus transporting pupils to and from school. At all other times, a school bus may not exceed 55 miles per hour, except that on an interstate highway, as defined in Title 23, section 1903, subsection 3, and on the turnpike, as defined in Title 23, section 1964, subsection 9, a school bus may not exceed the posted speed limit. [PL 2009, c. 9, §1 (AMD).]

F. [PL 2005, c. 577, §31 (RP).]

[PL 2009, c. 9, §1 (AMD).]

1-A. Emergency zone. A person shall operate a vehicle at a careful and prudent speed not greater than is reasonable and proper when approaching or passing through an emergency zone, having due regard for the safety of any individual present in the emergency zone and the physical characteristics of the emergency zone.

For purposes of this subsection, "emergency zone" means any portion of a way where at least one stationary ambulance or emergency medical service, fire department, hazardous material response or police vehicle is located with emergency lights in use for the purpose of rendering medical assistance or responding to an event when the situation presents a risk of harm to a person using the way or an area immediately adjacent to the way. An emergency zone may be identified by any method reasonably visible to an approaching operator, including, but not limited to, vehicle emergency lights, signs, traffic cones, flaggers or mobile lighting.

A person who violates this subsection commits a traffic infraction punishable by a fine of not less than \$250.

[PL 2009, c. 554, §1 (NEW).]

2. Compact areas. The compact or built-up portion of a municipality is the territory contiguous to a way that is built up with structures situated less than 150 feet apart for a distance of at least 1/4 of a mile. Municipal officers may designate a compact or built-up portion by appropriate signs.

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

3. Criminal offense. A person commits a Class E crime if that person operates a motor vehicle at a speed that exceeds the maximum rate of speed by 30 miles per hour or more.

The complaint for a violation of a speed limit must specify the speed at which the defendant is alleged to have operated a motor vehicle.

[PL 1995, c. 584, Pt. B, §8 (AMD).]

3-A. Minimum fine. A person who operates a motor vehicle on the Maine Turnpike or the Interstate Highway System at a speed that exceeds the posted speed by less than 30 miles per hour commits a traffic infraction punishable by a fine of not less than \$50.

[PL 2013, c. 107, §2 (AMD).]

3-B. Fine doubled. The penalty for a violation of subsection 1, paragraph A is twice the amount of the fine designated in accordance with Title 4, section 164, subsection 12 for a speeding violation under section 2073 involving a similar excessive rate of speed.

[PL 1999, c. 308, §1 (NEW).]

4. Exception. This section does not apply to the operation of a vehicle:

A. In racing events and exhibitions at which the public does not have access to the operating area; or [PL 1995, c. 65, Pt. A, §106 (NEW); PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. C, §15 (AFF).]

B. On private land to which the public does not have access when used by or with authorization of the landowner. [PL 1995, c. 65, Pt. A, §106 (NEW); PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. C, §15 (AFF).]

[PL 1995, c. 65, Pt. A, §106 (NEW); PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. C, §15 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 65, §A106 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 1995, c. 584, §§B8,9 (AMD). PL 1999, c. 308, §1 (AMD). PL 2001, c. 145, §3 (AMD). PL 2005, c. 577, §§30,31 (AMD). PL 2009, c. 9, §1 (AMD). PL 2009, c. 554, §1 (AMD). PL 2011, c. 415, §3 (AMD). PL 2013, c. 107, §2 (AMD).

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