

STATE OF MAINE

v.

ROBERT J. FOURNIER

Submitted on Briefs January 30, 2012
Decided February 28, 2012

Panel: ALEXANDER, LEVY, SILVER, MEAD, GORMAN, and JABAR, JJ.

MEMORANDUM OF DECISION

Robert J. Fournier appeals from the entry of a judgment in the District Court (Ellsworth, *Mallonee, J.*) that he committed a traffic offense for driving forty-four miles per hour in a fifteen-mile-per-hour zone. At the time Fournier was stopped for speeding, a school zone speed limit sign was flashing, and the stop occurred during school opening hours. Contrary to Fournier's contentions, he was required to obey the school zone speed limit, notwithstanding that the sign included the statement "when children are present" and the State did not prove there were any children present. The relevant statute provides that the speed limit is fifteen miles per hour "[w]hen school speed limit signs are flashing during school opening or closing hours." 29-A M.R.S. § 2074(1)(A)(3) (2011).

The entry is:

Judgment affirmed.

On the briefs:

Zachary Brandmeir, Esq., Bangor, for appellant Robert J. Fournier

William B. Entwisle, Asst. Dist. Atty., Prosecutorial District No. VII,
Ellsworth, for appellee State of Maine

Violations Bureau case number TI-2010-0688658
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