

**Annual List of Rulemaking Activity**  
**Rules Adopted January 1, 2018 to December 31, 2018**  
*Prepared by the Secretary of State pursuant to 5 MRS §8053-A, sub-§5*

**Agency name:** Department of Transportation  
**Umbrella-Unit:** 17-229  
**Statutory authority:** Resolve 2015 ch. 86; 23 MRS §52  
**Chapter number/title:** Ch. 601, Rules Relating to Maine State Ferry Service  
**Filing number:** 2018-208  
**Effective date:** 9/29/2018  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

This new rule will address the secure transport of medical samples by the Maine State Ferry Service (MSFS) to and from the islands that are serviced by the MSFS.

**Basis statement:**

This rule has been adopted on September 12, 2018 in response to the "Resolve 2015, ch. 8, To Improve the Safety of Ferries in the State" (LD 1468 127th Maine Legislature, Filing Number S-374) ("the Resolve"). The Resolve directs the Department of Transportation ("MaineDOT") to adopt routine technical rules providing for safe and secure the transport of medical diagnostic samples on Maine State Ferry Services (MSFS) Vessels.

**Fiscal impact of rule:**

The MaineDOT does not anticipate a negative fiscal impact by this rule.

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**Agency name:** Department of Transportation  
**Umbrella-Unit:** 17-229  
**Statutory authority:** 23 MRS §52; 35-A MRS §2503(16); 23 CFR §645.211  
**Chapter number/title:** Ch. 261, Utility Accommodation Rules  
**Filing number:** 2018-261  
**Effective date:** 12/1/2018  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

This is an update of an existing routine technical rule. MaineDOT updates this rule every few years to reflect changes in Highway engineering design standards and requirements, Highway permitting requirements, and changes in the types of utilities and their construction and accommodation requirements. These rules set standards for permitting and locating utility facilities within the corridors of all state and state-aid highways.

**Basis statement:**

The rule has been amended to provide clarifications that address the permitting and physical location of facilities for the 5G wireless deployment currently underway in the State of Maine, technical revisions for utility accommodation including material types, offsets in state and state aid highway rights-of-way, and location permitting of pole locations. Section 4, “Definitions”, has been updated to include several new definitions and clarifications to existing definitions. Section 5, “Location Permits”, includes updates regarding the requirements for location permits in Compact Areas and clarifications regarding the following sections: Facilities Around Bridges, Location Plans, Attachment to MaineDOT Highway Structures, Permit-by-Rule, Field Layout for Utility Poles and Utility Pole Structures and definitions of Private Facilities. Section 6, “Highway Opening Permits”, updates the section on Proposed Work Information required. Section 7, “Facility Maintenance Obligations”, includes updates regarding Financial Responsibility for Design Changes in Maine Department of Transportation Projects. Section 10, “Underground Installations”, includes an update to the section on materials that may be used for underground conduits. Section 11, “Aboveground Installations”, updates to this section involve clarifications to the following sections: Support Structures, Use of Existing Department Poles or Structures, Offsets, Site Specific Conditions, and Minimum Corridor Offsets for Utility Poles.

**Fiscal impact of rule:**

Minimal.