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An Act To Amend the Laws Governing Access to State and State Aid Highways To Permit Traffic Safety and Rest Area Exceptions

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 23 MRSA §704, sub-§6, as amended by PL 2003, c. 571, §2, is further amended to read:

6. Access denied. The Department of Transportation and the municipalities shall deny ingress to and egress from property abutting the highway when access rights have been acquired by the department, except that the Commissioner of Transportation may allow access for the development of state and state aid highways, for traffic safety, for operational benefits that do not diminish traffic safety and for rest areas and may approve a relocation of an existing break in a control of access consistent with the rules adopted pursuant to subsection 2.

SUMMARY

This bill establishes types of access from property abutting a highway that the Commissioner of Transportation may allow in addition to access for the development of state and state aid highways. Under this bill, the Commissioner of Transportation may allow access to highways for traffic safety and for rest areas, such as fueling, food service and rest stops for passenger and commercial motor vehicles located within or through an area or areas for which the Department of Transportation has purchased access rights. This bill also authorizes the commissioner to allow access within or through an area or areas for which the department has purchased access rights for operational benefits, such as preserving mobility of the state or state aid highway to or from which access is proposed, so long as traffic safety is not diminished.