

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Establish a Railroad Crossing Information Council**

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

**Sec. 1. 5 MRSA §12004-I, sub-§92** is enacted to read:

**92.**

Public Advocate

Not Authorized

35-A MRSA §1712

Railroad Crossing  
Information Council

**Sec. 2. 35-A MRSA §1712** is enacted to read:

### **§ 1712. Railroad Crossing Information Council**

**1. Establishment.** The Railroad Crossing Information Council, as established by Title 5, section 12004-I, subsection 92 and referred to in this section as "the council," is created to serve as a repository of information concerning the establishment or maintenance of private railroad crossings, and to provide information and assistance to persons regarding private crossings of railroads.

**2. Members.** The council is composed of:

A. The Public Advocate; and

B. Four members appointed by the Governor to serve 3-year terms that expire December 31st:

(1) One member who is a representative of the railroad industry;

(2) One member who is a representative of the insurance industry;

(3) One member who is a representative of the real estate industry; and

(4) One member who is a resident of this State and who is not and has never been employed in the railroad industry.

Members under paragraph B may be reappointed for subsequent terms. A vacancy must be filled for the remainder of the unexpired term in the same manner as an original appointment.

**3. Chair.** The Public Advocate is chair of the council.

**4. Duties.** The council shall gather and compile information regarding the process of and standards associated with establishing private railroad crossings, including but not limited to costs associated with installation, maintenance and insurance of private railroad crossings and contract terms. The council may provide advice and assistance to persons who request information on how to establish a private railroad crossing. The council may facilitate or mediate private railroad crossing disputes with the consent of the concerned parties. The council may take any other appropriate actions consistent with the purposes of this section.

**5. Staffing and expenses.** The Public Advocate within budgeted resources, shall provide reasonable staff support as requested by the council. Members of the council are not entitled to compensation as provided in Title 5, section 12004-I.

Effective July 18, 2008