



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 645

S.P. 238

In Senate, March 3, 2015

**An Act To Create a Transportation Planning Incentive for
Communities Located on Peninsulas**

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator LANGLEY of Hancock.
Cosponsored by Representative KUMIEGA of Deer Isle and
Senators: BAKER of Sagadahoc, COLLINS of York, ROSEN of Hancock, Representatives:
CHAPMAN of Brooksville, HUBBELL of Bar Harbor, MAKER of Calais, MALABY of
Hancock.

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

2 **Sec. 1. 23 MRSA §73, sub-§7**, as enacted by PL 2011, c. 610, Pt. B, §2, is
3 amended to read:

4 **7. Priorities, service levels, capital goals and reporting.** The Department of
5 Transportation shall classify the State's public highways as Priority 1 to Priority 6
6 corridors using factors such as the federal functional classification system, regional
7 economic significance, heavy haul truck use and relative regional traffic volumes and as
8 provided by section 73-B. The department shall also establish customer service levels
9 related to safety, condition and serviceability appropriate to the priority of the highway,
10 resulting in a system that grades each highway as Excellent, Good, Fair, Poor or
11 Unacceptable.

12 To provide a capital transportation program that is geographically balanced and that
13 addresses urban and rural needs, the department shall include the following goals as part
14 of its capital improvement plans and program delivery. The goals are to:

15 A. By 2022, improve all Priority 1 and Priority 2 corridors so that their safety,
16 condition and serviceability customer service level equals Fair or better;

17 B. By 2027, improve all Priority 3 corridors so that their safety, condition and
18 serviceability customer service level equals Fair or better;

19 C. By 2017, implement a pavement program for all Priority 4 corridors that
20 maintains their ride quality customer service level at Fair or better;

21 D. Continue the light capital paving program on a 7-year cycle for Priority 5
22 corridors outside compact areas as defined in section 754; and

23 E. By 2015, develop and implement a similar asset priority and customer service
24 level system of measurement for all major freight and passenger transportation assets
25 owned or supported by the department, including capital goals.

26 The department shall report to the joint standing committee of the Legislature having
27 jurisdiction over transportation matters by March 1st of each odd-numbered year
28 quantifying progress realized and time that has elapsed since the goals were established.
29 The department shall recommend any remedial actions, including additional funding or
30 revisions to the goals, that the department determines to be necessary or appropriate.

31 **Sec. 2. 23 MRSA §73-B** is enacted to read:

32 **§73-B. Transportation planning incentive for communities located on peninsulas**

33 **1. Transportation planning incentive.** The department shall assign a higher
34 priority classification as provided by section 73 for a state or state aid highway located on
35 a peninsula if the relevant municipality or group of municipalities develops a 10-year
36 work plan that describes and addresses local and regional transportation infrastructure
37 needs and considers the regional effect of the capital improvement of the state or state aid
38 highway.

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2. Rules. The Commissioner of Transportation shall adopt rules to implement this section. The rules must provide flexibility in order to achieve the purpose of this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

3. Report. Beginning January 15, 2016, and biennially thereafter, the Commissioner of Transportation shall report to the joint standing committee of the Legislature having jurisdiction over transportation matters on implementation and operation of this section.

SUMMARY

In order to promote partnerships, including interlocal agreements under the Maine Revised Statutes, Title 30-A, chapter 115, among municipalities located on state and state aid highways on peninsulas and to address the unique transportation needs of municipalities located on peninsulas with one road in and out, this bill requires the Department of Transportation to assign a higher priority classification for a state or state aid highway located on a peninsula if the relevant municipality or group of municipalities develops a 10-year work plan that describes and addresses local and regional transportation infrastructure needs and considers the regional effect of the capital improvement of the state or state aid highway.