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An Act To Ensure Landowner Access to Land That Is Intersected by a Railroad

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

Sec. 1. 23 MRSA §7229, as enacted by PL 1989, c. 398, §8, is repealed and the following enacted in its place:

§ 7229. Maintenance charges for private crossings

1. Bisected property. A railroad corporation shall provide and maintain a private crossing for property that is owned by the same owner and is located on both sides of the railroad.

2. Fees prohibited. A railroad corporation may not collect maintenance and insurance charges under subsection 1 from a private property owner who uses a right-of-way on a private crossing to access the owner's property.

SUMMARY

This bill requires railroad corporations to provide and maintain private crossings on land bisected by the railroad. It also prohibits railroad corporations from collecting maintenance and insurance fees from property owners using rights-of-way on private crossings.