



132nd MAINE LEGISLATURE

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Legislative Document

No. 1632

H.P. 1086

House of Representatives, April 15, 2025

**An Act to Provide Incentives and Amend Laws Regarding Access to
Protect Rural Highway Capacity and Promote Long-term Economic
Development**

Received by the Clerk of the House on April 11, 2025. Referred to the Committee on
Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative GERE of Kennebunkport.
Cosponsored by Senator PIERCE of Cumberland and
Representatives: ANKELES of Brunswick, DOUDERA of Camden, EATON of Deer Isle,
MONTELL of Gardiner, Senator: CURRY of Waldo.

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

2 **Sec. 1. 23 MRSA §73-B** is enacted to read:

3 **§73-B. Transportation planning incentive funding**

4 The department shall administer a program of transportation planning incentive
5 funding as described in this section.

6 **1. Community transportation plan.** To be eligible for incentive funding under this
7 section, a municipality, on its own or in collaboration with neighboring communities, must
8 adopt a community transportation plan addressing the manner in which development along
9 state transportation corridors in the municipality or municipalities is to occur. A
10 municipality that adopts a community transportation plan shall incorporate any land use
11 development strategies recommended in the plan into its local ordinances. The community
12 transportation plan and related policies, programs and ordinances must be designed to meet
13 the objectives of the Sensible Transportation Policy Act and rules adopted pursuant to that
14 Act and to the greatest practicable extent reduce the need to make costly transportation
15 capacity and retrofitting improvements in the future. The department shall provide
16 technical assistance to municipalities in developing community transportation plans
17 through regional planning councils or other agencies or consultants designated by the
18 department. For purposes of this section, "community transportation plan" means a
19 transportation plan developed by one or more communities along a state transportation
20 corridor, including, but not limited to, a community transportation plan that is part of a
21 comprehensive plan developed pursuant to Title 30-A, chapter 187, subchapter 2 that is
22 designed to strengthen the functional viability and lengthen the long-term life of state
23 transportation corridors.

24 **2. Transportation incentive funding.** A municipality or a group of municipalities
25 may apply for transportation incentive funding under this section by submitting to the
26 department a community transportation plan including relevant policies, programs and
27 ordinances, an application for incentive funding on a form provided by the department and
28 a proposal describing the transportation improvements for which the incentive funding will
29 be used. The department shall authorize incentive funding amounts, within available funds,
30 based on a competitive rating system established by the department by rule. The
31 department shall publicize available funding at least biennially. Incentive funding must be
32 commensurate with the merits of a plan and related policies, programs and ordinances and
33 for an amount that does not exceed the estimated cost of the specific investment proposal.
34 The projected transportation-related avoided costs from implementation of the community
35 transportation plan must exceed the amount of the incentive funding as determined by the
36 department in its rating system. A municipality shall pay back to the department any
37 incentive funding provided by the department under this section if the municipality repeals
38 or revises its community transportation plan or related ordinance provisions within 10 years
39 of receipt of the incentive funding, unless the repeal or revision is approved by the
40 department.

41 **3. Use of incentive funding.** A municipality or a group of municipalities may use
42 incentive funding received pursuant to this section to:

43 A. Purchase rural lands adjacent to state highways to secure access rights; and

1 to municipalities to prevent new development along state highways and reduce the cost of
2 future highway improvement projects. The bill specifies an incentive funding grant may
3 be used to purchase rural lands adjacent to the highways to secure access rights and to plan
4 the development of a public way or a town way within a municipality.