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TRANSPORTATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1072, L.D. 1674, “An Act to Require and Encourage Safe and Interconnected Transportation Construction Projects”

Amend the bill by striking out the title and substituting the following:

'An Act to Require and Encourage Safe and Interconnected Transportation'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 23 MRSA §73, sub-§4, as amended by PL 2011, c. 655, Pt. JJ, §9 and affected by §41 and amended by c. 657, Pt. W, §5, is further amended by enacting at the end a new last blocked paragraph to read:

The Department of Transportation shall adopt rules, to the extent possible, to ensure that all persons are safe on public ways, including bicyclists, pedestrians, persons of all ages and abilities, transit users and motor vehicle users, and that all persons have safe and efficient access to the transportation system. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 23 MRSA §73, sub-§7, as amended by PL 2021, c. 239, §1, is further amended to read:

7. Priorities, service levels, asset management goals and reporting. The Department of Transportation shall classify the State's public highways as Priority 1 to Priority 5 using factors such as safety metrics, crash data, the federal functional classification system, regional economic significance, heavy haul truck use and relative regional traffic volumes. The department shall also establish customer service levels related to safety, condition and serviceability appropriate to the priority of the highway, resulting in a system that grades each highway as Good, Fair or Poor.

To provide a capital transportation program that is geographically balanced and that addresses urban and rural needs and meets customer expectations and transportation system needs, the department shall include the following goals as part of its asset management and work plan preparation. The goals are to:

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1 A-1. Maintain Priority 1 highways in accordance with the department's federally
2 required transportation asset management plan and the department's customer service
3 measures so that no more than 15% of the highways are rated as Poor;

4 B-1. Maintain Priority 2 and Priority 3 highways so that no more than 15% of the
5 highways are rated as Poor; and

6 D. Continue the light capital paving program on a 7-year cycle for Priority 4 highways
7 outside compact areas as defined in section 754.

8 The department shall report to the joint standing committee of the Legislature having
9 jurisdiction over transportation matters by March 1st of each odd-numbered year
10 quantifying the status of each of the goals. The department shall recommend any remedial
11 actions, including additional funding or revisions to the goals, that the department
12 determines to be necessary or appropriate.

13 **Sec. 3. 29-A MRSA §2073, sub-§5** is enacted to read:

14 **5. Roadway and intersection safety evaluation.** At the request of a municipality,
15 the department shall perform a safety evaluation of an existing roadway or intersection,
16 using a multidisciplinary team of personnel, that estimates potential road safety issues and
17 identifies opportunities for improvements. The department shall provide a full report of
18 the results of the evaluation to the municipality.

19 **Sec. 4. Report.** The Department of Transportation shall evaluate how speed limits
20 are set and develop recommendations for changes to state, county and municipal street
21 design standards, state laws and municipal ordinances to achieve the goal of eliminating all
22 traffic fatalities and serious injuries by 2035. By January 3, 2024, the department shall
23 report its findings and recommendations, including any suggested legislation, to the Joint
24 Standing Committee on Transportation. The committee may report out a bill related to the
25 report to the Second Regular Session of the 131st Legislature.

26 **Sec. 5. Rulemaking.** In its initial adopting of rules to implement the Maine Revised
27 Statutes, Title 23, section 73, subsection 4, the Department of Transportation shall
28 incorporate, as applicable, the department's Complete Streets Policy completed in 2014 and
29 revised in June 2019 and all policy documents and standard practices related to the
30 following community-based initiatives: the Municipal Partnership Initiative, the Village
31 Partnership Initiative, the Business Partnership Initiative and the Planning Partnership
32 Initiative.'

33 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
34 number to read consecutively.

35 **SUMMARY**

36 This amendment:

37 1. Directs the Department of Transportation to adopt rules to ensure that all persons,
38 including bicyclists, pedestrians, persons of all ages and abilities, transit users and motor
39 vehicle users, are safe on the State's public ways and that all persons have safe and efficient
40 access to the transportation system. It directs the department, in adopting those rules, to use
41 the Complete Streets Policy completed in 2014 and revised in June 2019 and all policy
42 documents and standard practices related to the following community-based initiatives: the

1 Municipal Partnership Initiative, the Village Partnership Initiative, the Business
2 Partnership Initiative and the Planning Partnership Initiative;

3 2. Adds safety metrics and crash data to the considerations under the department’s
4 priorities, service levels, asset management goals and reporting;

5 3. Provides that, at the request of a municipality, the department must perform a road
6 safety evaluation; and

7 4. Requires, by January 3, 2024, that the department report to the Joint Standing
8 Committee on Transportation on the department's evaluation of how speed limits are set;
9 provide recommendations for changes to state, county and municipal street design
10 standards, state laws and municipal ordinances to achieve the goal of eliminating all traffic
11 fatalities and serious injuries by 2035; and report any findings related to speed limits or
12 traffic fatalities and recommendations, including suggested legislation. The committee may
13 report out a bill related to the report to the Second Regular Session of the 131st Legislature.

14 **FISCAL NOTE REQUIRED**

15 **(See attached)**