



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 778

S.P. 222

In Senate, February 12, 2019

**An Act To Create the Fund for Municipalities To Improve
Pedestrian Safety**

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LIBBY of Androscoggin.
Cosponsored by Representative BRYANT of Windham and
Senators: CHIPMAN of Cumberland, DIAMOND of Cumberland, FARRIN of Somerset,
MIRAMANT of Knox, Representatives: AUSTIN of Skowhegan, CLOUTIER of Lewiston,
SHEATS of Auburn.

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

2 **Sec. 1. 23 MRSA §75** is enacted to read:

3 **§75. Fund for Municipalities To Improve Pedestrian Safety**

4 **1. Establishment.** The Fund for Municipalities To Improve Pedestrian Safety,
5 referred to in this section as "the fund," is established as a program account in the
6 Highway Fund within the department. The fund must be used for pedestrian safety
7 improvements, including, but not limited to, lights, paint, signs, speed bumps and
8 reconstruction of intersections. The department shall administer the fund.

9 **2. Revenue.** The fund receives the following revenue:

10 A. Amounts from uncommitted balances in the Multimodal Transportation Fund as
11 provided in section 4210-B; and

12 B. Other funds from any public or private source received for use for any of the
13 purposes for which the fund has been established.

14 **3. Distribution and use of funds.** A municipality or a group of municipalities may
15 apply for funding under this section. Up to 80% of project costs for pedestrian safety
16 improvements as determined by the department may be financed from the fund with the
17 remainder of the costs provided by the municipality or group of municipalities. Up to
18 100% of project costs for pedestrian safety improvements as determined by the
19 department may be financed from the fund if the project is located within an area
20 identified by the department as a dangerous intersection under rules adopted pursuant to
21 subsection 4 based on pedestrian crash data with any remainder of the costs provided by
22 the municipality or group of municipalities. The department shall authorize funding
23 amounts, within available funds, based on a competitive rating system established by the
24 department by rule.

25 **4. Rules.** The Commissioner of Transportation shall adopt rules to implement this
26 section, including rules that establish criteria for determining dangerous intersections
27 pursuant to subsection 3. Rules adopted pursuant to this subsection are major substantive
28 rules as defined in Title 5, chapter 375, subchapter 2-A.

29 **5. Report.** Beginning January 15, 2020 and biennially thereafter, the Commissioner
30 of Transportation shall report to the joint standing committee of the Legislature having
31 jurisdiction over transportation matters on the implementation and operation of this
32 section. The department shall notify municipalities of the availability of the report under
33 this subsection and pedestrian crash data the department uses pursuant to subsection 3.

34 **Sec. 2. 23 MRSA §4210-B, sub-§1,** as amended by PL 2011, c. 649, Pt. E, §2, is
35 further amended to read:

36 **1. Establishment of fund.** The Multimodal Transportation Fund, referred to in this
37 section as "the Multimodal Transportation Fund" is established as an Other Special
38 Revenue Funds program through the Department of Administrative and Financial
39 Services. ~~Funds~~ Except as provided by subsection 8, funds appropriated, allocated,

1 transferred or deposited in the account accrue interest earnings that must be used within
2 the Multimodal Transportation Fund.

3 **Sec. 3. 23 MRSA §4210-B, sub-§8** is enacted to read:

4 **8. Transfers from fund.** At the close of each fiscal year, the State Controller shall
5 transfer to the Fund for Municipalities To Improve Pedestrian Safety, established in
6 section 75, the uncommitted balance in the Multimodal Transportation Fund unallocated
7 surplus account. For purposes of this subsection, "uncommitted balance in the
8 Multimodal Transportation Fund unallocated surplus account" means the amount
9 remaining in the Multimodal Transportation Fund unallocated surplus account at the
10 close of the fiscal year after the deduction of all allocations, budgeted financial
11 commitments and adjustments considered necessary by the State Controller.

12 **SUMMARY**

13 This bill establishes the Fund for Municipalities To Improve Pedestrian Safety as a
14 program account in the Highway Fund within the Department of Transportation. The bill
15 provides that the fund must be used for pedestrian safety improvements, such as lights,
16 paint, signs, speed bumps and reconstruction of intersections. The bill also provides that
17 a municipality or a group of municipalities may apply for funding from the fund. Up to
18 80% of project costs for pedestrian safety improvements may be financed from the fund
19 with the remainder of the costs provided by the municipality or group of municipalities,
20 except that up to 100% of proposed project costs for pedestrian safety improvements may
21 be financed from the fund if the project is located within an area identified by the
22 Department of Transportation as a dangerous intersection based on pedestrian crash data.
23 The bill also requires the department to notify municipalities of the required biennial
24 report and pedestrian crash data. Finally, the bill provides that the Fund for
25 Municipalities To Improve Pedestrian Safety receives revenue from uncommitted
26 balances in the Multimodal Transportation Fund and other funds from any public or
27 private source.