

Senator Carney, Representative Harnett, Ladies and Gentlemen of the Judiciary Committee:

My name is Roberta Manter, and I am here representing TWO organizations. I am a Board member for the Maine Alliance for Road Associations, (MARA,) and I am the founder of Maine ROADWays, which is an acronym for Residents & Owners on Abandoned & Discontinued Ways.

The interests of the two groups overlap, but are not identical. MARA represents the interests of road associations, usually on private subdivision roads. Most are dead ends, and are not subject to general public use. Maine ROADWAYS represents people on roads that were once town or county ways, and which often were through roads. Many remain open to unrestricted public use, but are no longer kept in repair by the public. Members of both organizations have an interest in keeping access to their property passable, and neither type of road is kept passable at public expense.

In 2017, both organizations worked successfully with the Judiciary Committee on an amendment to Title 33, section 173, requiring a real estate disclosure when the access to property is not kept in repair by the public. Road associations have benefitted because they are now contacted by realtors for information about the road association when property changes hands. This makes it easier to keep their member list up to date. Sellers benefit by finding buyers who want the privacy these roads offer. A good fit makes for a happy customer. Buyers are not taken by surprise when they receive a bill for road association dues, or, in the case of discontinued roads, when the first snowfall arrives and no plow truck appears. Maine ROADways has also seen a benefit in that we get fewer contacts from people who already bought property without being aware that the access was not kept in repair by the public. It's a win-win piece of legislation.

Last year before the COVID shutdown, we helped craft a bill that will be resubmitted to Judiciary this session as L.D. 192, An Act To Define the Responsibilities of Residential Property Owners for the Maintenance and Repair of Private Roads. The purpose of this bill is to assure lenders that access to property on a private road has a mechanism for being kept in repair. A number of interests worked long and hard to find wording that works for their differing needs, while still achieving the desired purpose. We look forward to getting this bill passed this session. Thank you for your time.