

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Impose Service Requirements on Railroads That Receive Funds from the Department of Transportation

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

Sec. 1. 23 MRSA §5145 is enacted to read:

§ 5145. Service agreement

1. Service agreement required. A railroad company that accepts funds, except funds for grade crossings, from the Department of Transportation, including, but not limited to, state bond funds, industrial rail access program funds or federal funds administered by the department, shall sign a service agreement with the department.

2. Service standard. A service agreement signed pursuant to subsection 1 must contain a provision that requires the railroad company to meet a service standard that requires the railroad company to move any loaded car released to the railroad company by a shipper within the State within 48 hours of the time of release to the point of interchange with the next railroad company to handle the car. A service agreement must contain a provision that requires the railroad company to meet this service standard for 85% or more of the cars over a 12-month period.

3. Railroad company to provide record to department. A railroad company that signs a service agreement pursuant to subsection 1 shall provide to the Department of Transportation annually a record generated by its car-tracking system to show its adherence to the requirements described in subsection 2. If a railroad company fails to meet these requirements, the railroad company shall pay the department \$50 per late car.

The department and the railroad company shall reach an agreement regarding, and state in the service agreement, the number of years for which the railroad company is required to provide the record described in this subsection.

SUMMARY

This bill requires that a railroad company that receives funds from the State meet and demonstrate compliance with certain service requirements or pay a penalty.