

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 Streamline the Laws Related to Transportation

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

**Sec. 1. 23 MRSA §704, sub-§6**, as amended by PL 2003, c. 571, §2, is further amended to read:

**6. Access denied.** ~~The~~ Notwithstanding any other provision of this Title, the Department of Transportation and the municipalities shall deny ingress to and egress from property abutting ~~thea~~ controlled access highway ~~when access rights have been acquired~~ established by the department pursuant to chapter 7, except that the Commissioner of Transportation may allow access for the development of state and state aid highways and may allow access upon a determination by the commissioner that such access will not adversely affect public safety and will not have a significant negative impact on the mobility of through-travelers. ~~The commissioner may approve or deny a relocation of an existing break in a control of access consistent with the rules adopted pursuant to subsection 2.~~

**Sec. 2. 23 MRSA §4209, sub-§1**, as amended by PL 2009, c. 130, §1, is further amended to read:

**1. Geographic regions.** The Department of Transportation shall divide the State into a number of geographic regions for regional distribution of state-administered transportation funds. Upon designation of the geographic regions, a regional public transportation agency must be selected from each region to formulate a ~~biennial regional operations plan~~ quinquennial locally coordinated plan for regional transit as required by federal law. ~~Selection of~~ The Department of Transportation shall select regional public transportation agencies must be by the Department of Transportation in collaboration with the committee established in subsection 1-A opportunity for input from transit stakeholders including passenger transportation providers, social service organizations, the Department of Health and Human Services, the Department of Labor and the United States Department of Transportation, Federal Transit Administration. The Department of Transportation shall establish a schedule for submittal of the ~~biennial regional operations plan~~ and shall reference these plans in its biennial transportation improvement plan ~~submitted to the Legislature~~ quinquennial locally coordinated plans for regional transit.

**Sec. 3. 23 MRSA §4209, sub-§1-A**, as enacted by PL 2009, c. 130, §2, is repealed.

**Sec. 4. 23 MRSA §4209, sub-§2**, as amended by PL 2009, c. 130, §3, is further amended to read:

**2. Quinquennial locally coordinated plan for regional transit.** ~~The~~ biennial ~~quinquennial locally coordinated plan for regional operations plan~~ transit submitted by each regional public transportation agency must provide for the following:

A. Maximum feasible coordination of funds among all state agencies that sponsor transportation in the region;

- B. Development and maintenance of a permanent and effective public transportation system, with particular regard to riders who are low-income or elderly or who have disabilities;
- C. Participation of private transit operators in the service, to the greatest extent possible;
- D. Conformity with general operations requirements as may be prescribed by the commissioner; and
- E. Compliance with any appropriate federal regulations, including but not limited to the federally required locally coordinated plan.

In years in which no ~~biennial~~quinquennial plan is required, amendments to the effective operations may be submitted. Approval of each locally coordinated plan for regional operations plan~~transit~~ must be by the Department of Transportation ~~in collaboration with the committee~~opportunity for input from transit stakeholders. Upon approval, all agencies, groups or organizations named to participate in the provision of service in accordance with ~~the locally coordinated plans for regional operations plan~~transit are eligible to receive funds administered by the Department of Transportation and the Department of Health and Human Services.

**Sec. 5. 23 MRSA §4209, sub-§3, ¶A**, as amended by PL 1987, c. 428, §2, is further amended to read:

- A. Planning and technical assistance, information transfer, capital and operations planning, performance monitoring and evaluation, quality assurance, accounting, assistance with management information systems and service reporting to a ~~regional operations~~locally coordinated plan drafter or transportation provider and securing of provider compliance with the requirements of other state agencies in these areas;

**Sec. 6. 23 MRSA §4209, sub-§3, ¶C**, as amended by PL 1987, c. 428, §2, is further amended to read:

- C. Operating assistance to transportation providers in an amount up to 1/2 of the operating deficit incurred in fulfillment of the ~~biennial~~quinquennial locally coordinated plan for regional operations plan~~transit~~; and

**Sec. 7. 23 MRSA §4209, sub-§4**, as amended by PL 2009, c. 130, §4, is repealed and the following enacted in its place:

**4. New service.** The Department of Health and Human Services and the Department of Labor shall ensure that any new service to be provided is adequately funded to cover the costs of the transportation component of the service.

**Sec. 8. 23 MRSA §4209, sub-§5**, as enacted by PL 1979, c. 505, §4, is amended to read:

**5. Intercity service.** Intercity service ~~shall be~~is service designated as such in a public transportation plan developed by the department. Intercity service planning ~~shall~~must fulfill the requirements set forth in subsection 2 and ~~shall~~must address public transportation needs that cannot be met by ~~regional operations~~locally coordinated planning. The State may contribute to the nonfederal costs of intercity service.

**Sec. 9. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 23, in the title headnote, the word "highways" is amended to read "transportation" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

**Sec. 10. Maine Revised Statutes, Title 23.** The Department of Transportation shall work with the Office of Policy and Legal Analysis and the Revisor of Statutes to examine the organization and structure of, and the language contained in, the Maine Revised Statutes, Title 23 and develop recommendations regarding reorganizing or updating that Title or a portion or portions of that Title. The Department of Transportation shall submit those recommendations to the Joint Standing Committee on Transportation no later than December 4, 2013.

## SUMMARY

This bill makes the following changes to the laws related to transportation.

1. It affords the Department of Transportation more flexibility to grant exceptions to the prohibition against allowing access to controlled access highways to allow access when the Commissioner of Transportation determines that such access will not adversely affect public safety and will not have a significant negative impact on the mobility of through-travelers.

2. It amends transit-related provisions related to public transportation administration.

3. It directs the Department of Transportation to work with the Office of Policy and Legal Analysis and the Revisor of Statutes to examine the organization and structure of, and the language contained in, the Maine Revised Statutes, Title 23 and develop recommendations regarding reorganizing or updating that Title or a portion or portions of that Title. The Department of Transportation is directed to submit those recommendations to the Joint Standing Committee on Transportation no later than December 4, 2013.