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An Act To Update Accessibility Requirements on Highways

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

Sec. 1. 23 MRSA §706, as amended by PL 1987, c. 604, §§1 and 2, is further amended to read:

§ 706. Curbs

1. Location or construction. The Department of Transportation shall develop or approve standards for the location or construction of curbs on each side of a way in the business district or area as defined by the department; of any municipality for which curbs have been prescribed. ~~Prior to October 1, 1988, these standards shall be adopted in a form to fully implement the specifications in the American National Standards Institute publication "Specifications for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People" (ANSI A 117.1, 1986).~~

2. Federal compliance. ~~Standards set developed by the Department of Transportation for curb ramping under subsection 1 shall not apply to any existing curb on October 3, 1973; but shall apply, to the extent reasonable, to all new curb construction and to all replacement curbs constructed in order to allow reasonable access to crosswalks after that date and prior to October 1, 1988, and shall apply to any new construction or reconstruction commenced after October 1, 1988~~ must comply with applicable federal standards.

3. Physically handicapped; adequate ramping. ~~Adequate and reasonable access shall be provided for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks throughout the State.~~

SUMMARY

This bill amends the section of law governing the location and construction of curbs in order to align the language to federal requirements and comply with the federal Americans with Disabilities Act of 1990.