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An Act To Require That Railroads Grant Easements to Owners of Land That is Otherwise Inaccessible

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

Sec. 1. 23 MRSA §7228-A is enacted to read:

§ 7228-A. Easements for land that is otherwise inaccessible

An owner of a parcel of land that is accessible only by a private way that crosses or is crossed by a railroad may request that the railroad company grant an easement that provides the right to pass over the railroad at the crossing for the purpose of accessing the parcel of land. Upon receiving the request, the railroad company shall grant the easement for reasonable consideration.

SUMMARY

This bill allows an owner of land that is accessible only by a private way that crosses or is crossed by a railroad track to request from the railroad company an easement that authorizes the owner to cross the track at the crossing for the purpose of accessing the land. When the railroad company receives the request, this bill requires it to grant the easement for reasonable consideration.