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No. 1059

H.P. 742

House of Representatives, March 16, 2017

An Act Concerning Bridges on Discontinued Town Ways

Submitted by the Department of Transportation pursuant to Joint Rule 204.
Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PARRY of Arundel.

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

2 **Sec. 1. 23 MRSA §563, first ¶**, as enacted by PL 2001, c. 314, §2 and affected by
3 §4, is amended to read:

4 The department shall inspect all structures on public ways.

5 **Sec. 2. 23 MRSA §566, sub-§3**, as enacted by PL 2001, c. 314, §2 and affected
6 by §4, is amended to read:

7 **3. Changes to classification or status of road.** If the department changes the
8 classification of the road carried by the structure, the responsibilities regarding the
9 structure change in accordance with this subchapter. If a municipality or county
10 discontinues a town way with a bridge, the department shall negotiate with and enter into
11 an agreement with the municipality or county or with another state agency either for the
12 municipality, county or state agency to be responsible for the ownership and possible
13 maintenance of the bridge or for the municipality, county or state agency to understand
14 that the department may remove the bridge. An inspection pursuant to section 563 may
15 occur only on a structure on a public way.

16 **SUMMARY**

17 This bill requires the Department of Transportation to enter into an agreement
18 regarding a bridge when the town way carried by the bridge is being discontinued by the
19 municipality, or county in the case of an unorganized territory. The agreement must be
20 made with the municipality or county or with another state agency and must require the
21 municipality or county or state agency to be responsible for the ownership and possible
22 maintenance of the bridge or to understand that the department may choose to remove the
23 bridge. The bill also provides that an inspection pursuant to the Maine Revised Statutes,
24 Title 23, section 563 may occur only on a bridge or minor span on a public way.