



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 636

S.P. 211

In Senate, February 16, 2017

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**An Act To Require the Department of Transportation To Use 3rd-party Certified Examiners for Lead Inspections**

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Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator JACKSON of Aroostook.

Cosponsored by Senators: BELLOWS of Kennebec, CHIPMAN of Cumberland, GRATWICK of Penobscot, MIRAMANT of Knox, Representative: McLEAN of Gorham.

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

2 **Sec. 1. 23 MRSA §4245** is enacted to read:

3 **§4245. Third-party lead inspection**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
5 following terms have the following meanings.

6 A. "Lead inspection" means a surface-by-surface assessment to determine the  
7 presence of lead-based paint.

8 B. "Lead inspector" means a person licensed or certified by the Department of  
9 Environmental Protection pursuant to Title 38, chapter 12-B to conduct lead  
10 inspections.

11 C. "State lead inspector" means a lead inspector employed by the department to  
12 conduct lead investigations.

13 D. "Third-party lead inspector" means a lead inspector who is not a state lead  
14 inspector.

15 **2. Contract with 3rd-party lead inspector.** The department shall enter into a  
16 contract with a 3rd-party lead inspector to conduct a lead inspection for each project to  
17 construct, demolish or maintain transportation infrastructure.

18 **SUMMARY**

19 This bill requires the Department of Transportation to enter into a contract with a 3rd-  
20 party lead inspector to conduct a lead inspection for each project to construct, demolish or  
21 maintain transportation infrastructure.