



# 128th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2018

---

Legislative Document

No. 1688

S.P. 624

In Senate, December 22, 2017

---

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

---

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 19, 2017. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 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 DILL of Penobscot.  
Cosponsored by Representative STANLEY of Medway and  
Senators: DAVIS of Piscataquis, DIAMOND of Cumberland, JACKSON of Aroostook,  
MASON of Androscoggin, MIRAMANT of Knox, Representatives: MARTIN of Eagle Lake,  
NADEAU of Winslow, SCHNECK of Bangor.

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

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

3 **§7228-A. Easements for land that is otherwise inaccessible**

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

9 **SUMMARY**

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