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**JUDICIARY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 381, L.D. 537, Bill, “An Act To Provide an Exemption from Road Association Payments for Landowners Whose Primary Access Is Not over the Road”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**'Sec. 1. 23 MRSA §3107** is enacted to read:

**§3107. Exemption**

**1. Exemption.** Notwithstanding any other provision of this subchapter, an owner of a parcel of land benefited by a road that does not serve as the primary access route to the owner's parcel of land is exempt from all payments or assessments under this subchapter for repairs or maintenance relating to that road if the owner agrees to not use the road for any means of access to the parcel, whether by private vehicle or any other vehicle.

For purposes of this section, "road" means a private road, private way or bridge subject to the provisions of this subchapter.

**2. Exemption claim; no responsibility for assessments; no voting rights.** To claim the exemption under subsection 1, an owner must provide written notice to the commissioner or board of the road association that the owner is claiming the exemption and agrees to not use the road. An owner who claims the exemption may not be assessed for repairs or maintenance of the road and has no voting rights in the road association while the exemption is in effect.

**3. Termination of exemption.** The exemption under this section terminates when:

A. The owner provides written notice to the road association that the owner is terminating the exemption;

B. The agreement is violated by use of the road by the owner and the road association provides written notice of the violation to the owner; or

**COMMITTEE AMENDMENT**



1 than 60 days after the transfer and is responsible for all future assessments if the  
2 exemption is not renewed.