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Legislative Document

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H.P. 1004

House of Representatives, April 7, 2021

An Act To Establish Trail until Rail Corridors

Received by the Clerk of the House on April 5, 2021. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT
Clerk

Presented by Representative BELL of Yarmouth.

Cosponsored by Representatives: ARFORD of Brunswick, GROHOSKI of Ellsworth, RIELLY of Westbrook, SACHS of Freeport, WARREN of Hallowell.

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

2 **Sec. 1. 23 MRSA §7107**, as enacted by PL 2003, c. 498, §4, is amended to read:

3 **§7107. Dismantling of state-owned track**

4 Except as provided in this section, the Department of Transportation may not dismantle
5 or contract with a state agency or private entity for the dismantling of state-owned track.
6 When the department, in consultation with a regional economic planning entity ~~and a~~
7 ~~regional transportation advisory committee established in accordance with rules adopted~~
8 ~~under section 73, subsection 4 or an advisory committee created pursuant to section 4206,~~
9 determines that removal of a specific length of rail owned by the State will not have a
10 negative impact on a region ~~or on future economic opportunities for that region~~ and is in
11 the public interest, the Commissioner of Transportation shall seek review by the joint
12 standing committee of the Legislature having jurisdiction over transportation matters prior
13 to removal.

14 **Sec. 2. 23 MRSA §7107-A** is enacted to read:

15 **§7107-A. Trail until rail corridors**

16 **1. Definition.** As used in this section, unless the context otherwise indicates, "trail
17 until rail corridor" means a state-owned rail corridor that is authorized for interim use as a
18 multi-use trail and that allows for rail service to be reestablished in the future as provided
19 in subsection 6.

20 **2. Authorization of design and engineering studies.** A public or private entity may
21 conduct a design and engineering study to determine the cost and feasibility of multi-use
22 trail development on a designated trail until rail corridor and shall comply with all trail
23 until rail corridor access protocols established by the Department of Transportation.

24 **3. Corridor modifications.** The tracks and ties on a trail until rail corridor may be
25 dismantled, or the surface modified, for public use of the trail until rail corridor as a multi-
26 use trail. The Department of Transportation shall consult with municipal authorities in the
27 modification of a trail until rail corridor.

28 **4. Trail until rail corridor designations.** The following state-owned railroad lines
29 are designated as trail until rail corridors:

30 A. The Calais Branch rail corridor from railroad mile post 168.95 at Washington
31 Junction in Hancock to railroad mile post 268.55 in Calais;

32 B. The Lower Road rail corridor from railroad mile post 30.0 in Brunswick to railroad
33 mile post 63.002 in Augusta;

34 C. The Mountain Division Line from railroad mile post 15.6 in Standish to railroad
35 mile post 51.15 in Fryeburg; and

36 D. Effective January 1, 2022, the St. Lawrence and Atlantic rail corridor from railroad
37 mile post 1.74 in Portland to railroad mile post 25.96 in Auburn.

38 **5. Additional trail until rail corridor designations.** In addition to the trail until rail
39 corridors designated pursuant to subsection 4, when the Department of Transportation
40 determines that it is in the public interest of the State to designate state-owned railroad lines
41 as trail until rail corridors, the Commissioner of Transportation shall seek review by the

1 joint standing committee of the Legislature having jurisdiction over transportation matters
2 pursuant to section 7107 prior to making that designation.

3 **6. Restoring train service on a trail until rail corridor.** The Department of
4 Transportation may reconstruct railroad infrastructure and restore train service on a trail
5 until rail corridor if, when the department determines that it is in the public interest of the
6 State to restore train service on a trail until rail corridor, the Commissioner of
7 Transportation seeks review by the joint standing committee of the Legislature having
8 jurisdiction over transportation matters pursuant to section 7107 prior to the reconstruction
9 of the railroad infrastructure needed for train service restoration.

10 **SUMMARY**

11 This bill authorizes the use of 4 state-owned railroad lines as trail until rail corridors
12 for interim use as multi-use trails. It allows for modifying the railroad tracks and ties for
13 public use and also for restoring train service on those lines.