

LEGISLATIVE TESTIMONY

In Favor of LD 461

On

Tuesday, March 28th at 1:30 PM

Andrew L. Allen
President/Administrator
Maine Alliance for Road Associations

The Maine Alliance for Road Associations (MARA) is a volunteer public service Non-profit Corporation. Our main purpose is to gather and distribute information and educational materials to road associations who are forming, or who have formed and are operating according to the Maine Private Ways Statute, §§ 3101 – 3106. In addition, we advocate for fair and equitable laws relating to private road associations and residents living on private roads in Maine.

We gauge the interests of our membership and the public through frequent email correspondence, member posts on our website Discussion Forum, and participation in our Annual Private Road Conference that is open to our members and the public.

The goals LD 461 as amended include, clarifying terminology around the term “private way”, easing Notice of Claim renewal requirements, providing for installation of pavement and maintenance of existing pavement, permitting reserve accounts, and quantifying the increasing number of Maine’s private roads with 4 or more parcels maintained privately.

MARA would like to thank Attorneys John Cunningham and Mary Denison for their pro bono work to clarify the confusing terminology surrounding the terms, “private ways”, “private roads”, and “public easements”. We had begun this process. Attorney Cunningham encouraged us to expand the number of statutes involved. Attorney Denison joined in and, as we speak, she and her paralegal team are choosing the appropriate terms for between 30 and 40 statutes with confused terminology. This will become our Addendum 1. Attorney Cunningham’s experience and expertise are responsible for most of the withdrawals. He helped us insert the “pavement installation” (2/3 majority approval), and “reserve accounts” amendments. It is remarkable that these two busy attorneys made the time to help us. MARA is grateful to both of them.

We favor LD 461 because we believe the changes we propose are in the best interests of private road associations and residents living on private roads in Maine. Thank you for this time. Do you have any questions?