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Testimony of Karla Black  
Deputy Executive Director

Maine Woodland Owners

Neither for Nor Against

LD 461

“An Act Regarding Private Roads”

Senator Nangle, Representative Stover and distinguished members of the Joint Standing Committee on State and Local Government, my name is Karla Black, I am the Deputy Executive Director of Maine Woodland Owners speaking today Neither for Nor Against LD 461, “An Act Regarding Private Roads.”

The bill before you today makes a change to the definition of a “private way” in Title 23 to have the same meaning as a “public easement” and creates a new definition for “private road.” The proposed amendment drafted by the Maine Alliance for Road Associations (MARA) and circulated prior to this hearing eliminates the proposed definition of a “private road” but in the foreword suggests they are still gathering in an Addendum the 30 or 40 statutes that will need to be amended to eliminate the term “private way” and replace it with the terms “public easement” or “private road.” The Addendum will be available in mid to late April.

This Committee has made helpful changes regarding roads in recent years. You know the challenges with making changes in this area. The complexity of the task of finding all of the statutes that utilize the term “private way” and determining what word to replace it with is significant. It is a task that shouldn’t be hurried. You have also recently created the Abandoned and Discontinued Roads Commission, of which I am a member, and tasked the Commission with reviewing legislation of this nature when you request such assistance.

The Abandoned and Discontinued Roads Commission met recently regarding LD 461 and recommends that this bill be held over until the next session of the legislature. This will give the Commission time to work with MARA to review the terms and the Addendum in a comprehensive fashion and provide this Committee with its substantive recommendations.

Maine Woodland Owners supports this recommendation.

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