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Testimony of the Maine Municipal Association

In Opposition to

LD 427 – An Act to Prohibit Mandatory Parking Space Minimums in State and Municipal Building Codes

March 6, 2025

Sen. Curry, Rep. Gere and distinguished members of the Housing and Economic Development Committee, my name is Rebecca Graham, and I am submitting testimony in opposition to LD 427, at the direction of MMA's Legislative Policy Committee (LPC). Our LPC is composed of municipal officials from across Maine, elected by their peers to represent communities with vastly different enforcement staff, resources and capacities.

As drafted, this bill takes a hatchet to planning processes where a local scalpel is necessary. Setting aside the obvious violation of Maine's constitutional home rule authority to regulate parking, and that the mandate preamble that would be necessary to amend all parking ordinances in every municipality should LD 427 pass, this bill would outlaw sensible requirements such as the need to provide handicapped parking spaces large enough to accommodate wheelchair vans in all public spaces. Recommendations with no authority for enforcement will simply exclude any disability challenges for unequal public access, appropriate handicapped parking and ability to enforce parking rules which will apply to all land use applications not narrowly to one area or type of building as drafted.

The Maine Uniform Building Code establishes the bare minimum necessary for the life and safety of individuals in the built environment which includes adequate ingress and egress between pedestrian and vehicle areas, along with slip and fall prevention. These are not recommendations; these are bare minimums. Additionally, the drafted bill would negate any parking setbacks to protect traffic flow or improve public safety for entering traffic on busy streets.

In a state with no robust public transportation, the bill would further make it hard to require defined standing areas necessary at airports to manage licensed taxis and ride share pick ups that can cause congestion between all other commuting traffic, bus parking, the size and width of parking spaces inside a proposed garage development, or requirements to build for future transportation needs in low income housing developments and guarantee vehicle charging infrastructure is present.

It's not clear what problem this bill seeks to remedy. For all of these reasons, officials ask that you allow those who live with the consequences of bad development to use their existing authority to meet their needs for parking in balance with their residents and their needs. Municipalities have the ability and right to reduce parking where it is appropriate, and these are conversations that are local in need and nature. There is no one size that fits all approach to parking that is needed, regardless of the policy view, the bare minimums that protect traffic flow, and provide access for all should not be recommendations.