



STATE OF MAINE
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**Testimony of Nate Moulton
Maine Department of Transportation
Before the 132nd Legislature, Joint Standing Committee on Transportation**

In Opposition

LD 1612

*Resolve, Directing the Department of Transportation to Solicit Proposals for the Utilization of
Unused State-owned Railroad Lines*

Senator Nangle, Representative Crafts and members of the Joint Standing Committee on Transportation, I am Nate Moulton, Director of the Office of Freight and Business Logistics at the Maine Department of Transportation. I am before you today in opposition to LD 1612, *Resolve, Directing the Department of Transportation to Solicit Proposals for the Utilization of Unused State-owned Railroad Lines*.

LD 1612 would require MaineDOT to issue requests for proposals (RFPs) for each unused, state-owned railroad line. These RFPs would need to allow for proposals not only for traditional rail services, but also for recreational and commercial uses, such as rail bicycles.

MaineDOT currently owns approximately 130 miles of inactive rail lines, including the Berlin Subdivision, Lower Road, Mountain Division, and Calais Branch. Each of these lines has already gone through the Rail Use Advisory Council (RUAC) process under 23 MRSA §75. As this committee knows, the RUAC process was designed to evaluate the potential uses of rail corridors—whether for rail service, trails, or bikeways—and to make recommendations based on the likely benefits, costs, and feasibility of each use. For all four of these lines, the RUACs recommended interim trail use, and this committee has already passed bills authorizing that use. This bill now adds additional requirements to MaineDOT that are beyond and in some cases conflict with the RUAC process in the Rail Preservation Act.

MaineDOT's Office of Freight and Business Logistics manages the real estate and Lease and Operating Agreements for state-owned rail lines. If a rail operator expresses interest in running service on an inactive State-owned rail line, MaineDOT is always ready to engage and provide the necessary guidance and requirements for a railroad to submit a proposal. Should a legitimate proposal meeting minimum criteria—such as frequency of operations, service and safety plan, secured funding, as well as a plan for infrastructure upgrades or replacement—be submitted by a

qualified rail operator, MaineDOT would work with the rail operator to develop a Lease and Operating Agreement for rail operations on a rail line. As the Committee is aware from the recent RUAC bills, MaineDOT is currently evaluating and awaiting further information on a recently submitted proposal from a potential operator on the Lower Road rail line and has provided information, guidance, access to the line and proposal requirements to another operator who had indicated to MaineDOT that they want to submit a proposal on the Mountain Division rail line.

Additionally, this bill adds undefined recreational and commercial activities as a potential use of state-owned rail lines and subject RFP's as long as they do not preclude preservation of the rail corridors. This Committee considered and approved interim trail use in these corridors as a result of the RUAC process already in statute so there are already recreational use proposals received by MaineDOT and approved by the Committee in these corridors.

Because there is already a clear, straightforward process in place for interested parties, this legislation is unnecessary. Requiring MaineDOT to issue RFPs would add another redundant and costly step without improving the chances of rail service returning. For these reasons, we respectfully urge the committee to vote "ought not to pass" on LD 1612.

Thank you.