



# TrainRiders NORTHEAST

*Changing the way the Northeast travels*

*Founded in 1989*

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April 30, 2025

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Senator Tim Nangle, Senate Chair  
Representative Lydia Crafts, House Chair  
Joint Standing Committee on Transportation  
c/o Legislative Information Office  
100 State House Station  
Augusta, ME 04333

Re: Testimony of TrainRiders Northeast In Support of LD 1612, Resolve,  
Directing the Department of Transportation to Solicit Proposals for  
the Utilization of Unused State-owned Railroad Lines

Dear Senator Nangle and Representative Crafts:

I am the President of TrainRiders Northeast. TrainRiders is the grassroots citizens' organization that was the driving force behind the initiation of the Downeaster passenger rail service between Brunswick and Boston, and it continues to strongly support that service to this day. It also supports improvements and expansion of passenger rail service in Maine and throughout the Northeast, where such expansion is rationally justifiable as part of a balanced transportation system given current and projected economic and social conditions.

TrainRiders Northeast supports the passage of LD 1612, albeit with some changes. That bill directs MDOT to issue a request for proposals for each unused railroad line owned by the State within 180 days of the effective date of that resolve. Requiring MDOT to issue RFPs for operation of state-owned lines is very important for the viability of expanded rail service in Maine. MDOT has received the authority to remove the rails from the State-owned portion of the Mountain Division line between Standish and Fryeburg and replace those rails with a trail. MDOT is currently seeking to do the same thing with the State-owned portions of the Lower Road line between Brunswick and Augusta and the State-owned portion of the Berlin subdivision between Portland and Auburn. MDOT decided to support the removal of the rail on these lines after each went through the Rail Use Advisory Council ("RUAC") process. That process did not, however, include any active efforts by MDOT or any other State agency to determine if any railroad had the current desire to operate on that line. Nor had MDOT or any other state agency undertaken such an effort for, at the very least, many years. This is, to say the least, ironic, since the RUAC process was intended to preserve the real estate upon which rail lines existed for future rail use, if and when that

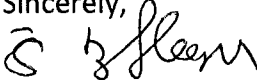
becomes desirable and feasible. That irony increased when the Conway Scenic Railroad testified to the Mountain Division RUAC that it was interested in operating on that line but was essentially ignored. This flies in the face of the purpose of the RUAC process and also fails to comply with 23 M.R.S. § 7102, in which the legislature found that "the State must take active steps to protect and promote rail transportation in order to further the general welfare." Determining whether a railroad desires to use a state-owned line before it is ripped from the ground is a minimal effort to take such "active steps." Yet, MDOT did not do that with respect to the state-owned portions of the Mountain Division, the Berlin Subdivision, or the Lower Road, even though removal of the rail from any of those lines would permanently end the possibility of their future rail use. Thus, MDOT must be required to take this additional action before removing rail from a state-owned line.

TrainRiders has three additional comments regarding this bill. First, MDOT has recently initiated discussions with the Conway Scenic Railway regarding freight rail use of the Mountain Division. It is in similar talks with Maine Switching Services (the upcoming operator of the Rockland Branch) for freight and tourist train use of the Lower Road between Brunswick and Augusta. This bill should not interfere with those discussions or any resulting use of those lines by these railroads. Accordingly, the bill should be amended to ensure that the RFP requirement does not apply to either of these lines unless and until those discussions fail to result in an agreement between MDOT and those respective railroads for operation on one or both of those lines.

Second, as currently written, the bill provides for the one-time issuance of RFPs for state-owned lines. This should be a requirement not only for those lines currently owned by the State of Maine, but also for lines the State acquires in the future.

Finally, and perhaps most importantly, there is no need for MDOT to issue an RFP for operation of a state-owned line unless MDOT has decided to remove rail from that line (presumably upon the recommendation of a RUAC). Only at that point does it become critical to gauge the interest of potential operators of that line. Thus, the bill should be changed to indicate that an RFP must be issued for a particular line only when that decision has been reached (although, of course, MDOT, in its own discretion, could also issue such an RFP at any other time).

For all these reasons, as well as others, this Committee should vote out LD 1612 as "Ought to Pass", with amendments dealing with the comments made in this letter. As always, TrainRiders appreciates this opportunity to provide the Committee with its comments and stands ready to assist the Committee in its consideration of this bill.

Sincerely,  


F. Bruce Sleeper, President  
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