

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 838

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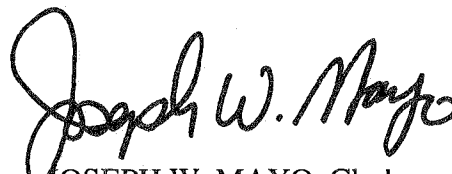
H.P. 613

House of Representatives, February 6, 1997

**An Act to Permit Towns the Option of Winter Maintenance for Roads  
That are Turned Over to the Town for That Purpose.**

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Reference to the Committee on Transportation suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative FOSTER of Gray.  
Cosponsored by Representatives: BRUNO of Raymond, CROSS of Dover-Foxcroft,  
DEXTER of Kingfield, GOOLEY of Farmington, MacDOUGALL of North Berwick,  
NICKERSON of Turner, SNOWE-MELLO of Poland.

Be it enacted by the People of the State of Maine as follows:

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4       Sec. 1. 23 MRSA §1001, as amended by PL 1981, c. 588, §2, is repealed and the following enacted in its place:

6       §1001. Maintenance and snow removal on state highways

8           1. Maintenance and snow removal; general. Improved state  
10 highways must be continually maintained and the snow removed from  
12 such sections of designated state highways as the department may  
determine, under the direction and control of the department at  
the expense of the State.

14           2. Snow removal. The snow removal work must include the  
16 plowing of sections designated pursuant to subsection 1, the  
erection, maintenance, dismantling and rental of snow fences and  
18 the sanding of icy road surfaces. It does not include loading and  
hauling snow from any compact section. The State is not liable  
20 for accidents while the road surface is covered with snow and  
ice. To carry out snow removal, the department may hire  
22 equipment, preferably town-owned, arrange contracts and erect or  
hire buildings for storage purposes. Purchases of necessary  
equipment or materials must be made as provided in section 52.

24           3. Areas not responsibility of department. Except as  
26 provided in subsection 4, the maintenance provisions of this  
section and sections 705, 751, 1003 and 1005-A do not apply to  
28 those compact or built-up sections of state highways in cities or  
towns whose population, according to the last United States  
30 census, exceeds 6,000 inhabitants and the snow removal provisions  
do not apply to those compact or built-up sections and "compact  
32 areas," as determined by the department, in which compact  
sections are intermittent and separated by a short interval or  
34 intervals of sections that are not compact, of state highways in  
cities or towns whose population, according to the last United  
36 States census, exceeds 3,500 inhabitants. The department may take  
over the snow removal on those portions of controlled access  
38 highways within compact sections as it determines advisable.

40           4. Municipal payment for snow removal. The department is  
42 responsible in a calendar year for the snow removal provisions of  
this chapter upon a mile of state highway identified under  
44 subsection 3 as a mile for which the snow removal provisions of  
this chapter do not apply to the department when a municipality  
pays the department \$600 for the cost of snow removal upon that  
46 mile of state highway.

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## SUMMARY

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This bill requires the Department of Transportation, upon payment by a municipality of \$600, to perform snow maintenance work on a mile of state highway for which such maintenance has been transferred to the municipality because of population factors.

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