

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

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Legislative Document

No. 427

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H.P. 281

House of Representatives, February 4, 2025

### **An Act to Prohibit Mandatory Parking Space Minimums in State and Municipal Building Codes**

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Reference to the Committee on Housing and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative ROEDER of Bangor.

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

2 **Sec. 1. 10 MRSA §9724, sub-§5**, as amended by PL 2021, c. 524, §4, is further  
3 amended to read:

4 **5. Exception.** Except as provided in ~~subsection~~ subsections 7 and 8, this section does  
5 not prohibit the adoption or enforcement of an ordinance of any political subdivision that  
6 sets forth provisions for local enforcement of building codes. If such an ordinance does  
7 not provide for a process to appeal decisions made by building officials administering and  
8 enforcing the Maine Uniform Building Code, the Maine Uniform Energy Code or the  
9 Maine Uniform Building and Energy Code, an appeal may be taken in the same manner as  
10 provided under Title 30-A, section 4103, subsection 5. This section does not prohibit the  
11 adoption or enforcement of an ordinance of any political subdivision that sets forth the  
12 swimming pool fencing standards, without amendment, contained in Appendix G of the  
13 2nd edition of the 2009 International Residential Code.

14 A. The requirements of the Maine Uniform Building and Energy Code do not apply  
15 to:

- 16 (1) Log homes or manufactured housing as defined in chapter 951;  
17 (2) Post and beam or timber frame construction; or  
18 (3) Warehouses or silos used to store harvested crops.

19 **Sec. 2. 10 MRSA §9724, sub-§8** is enacted to read:

20 **8. Minimum parking requirements.** Notwithstanding subsection 5, paragraph A or  
21 any other provision of this chapter to the contrary, the State or a municipality may not adopt  
22 or enforce any provision of a building code, including the Maine Uniform Building Code,  
23 the Maine Uniform Energy Code or the Maine Uniform Building and Energy Code, that  
24 imposes a minimum parking requirement for a new development, land use or occupancy of  
25 land or a building. The State or a municipality may make a recommendation of a minimum  
26 amount of parking for a development, land use or occupancy of land or a building.

27 **Sec. 3. 30-A MRSA §4352, sub-§11** is enacted to read:

28 **11. Minimum parking requirements.** Notwithstanding any provision of this chapter  
29 to the contrary, the State or a municipality may not adopt or enforce any rule, code or  
30 ordinance that imposes a minimum parking requirement for a new development, land use  
31 or occupancy of land or a building. The State or a municipality may make a  
32 recommendation of a minimum amount of parking for a development, land use or  
33 occupancy of land or a building.

## 34 SUMMARY

35 This bill prohibits the State or a municipality from imposing a minimum parking  
36 requirement for any new development, land use or occupancy of land or a building, but  
37 allows the State or the municipality to make a recommendation of a minimum amount of  
38 parking.