

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 907

S.P. 396

In Senate, March 11, 2025

**An Act to Amend the Law Governing Zoning Ordinance Variances
for Persons with Permanent Disabilities**

Received by the Secretary of the Senate on March 5, 2025. Referred to the Committee on Housing and Economic Development pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LIBBY of Cumberland.
Cosponsored by Senators: MARTIN of Oxford, NANGLE of Cumberland, Representative:
WADSWORTH of Hiram.

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

2 **Sec. 1. 30-A MRSA §4353, sub-§4-A, ¶B,** as enacted by PL 2009, c. 342, §1, is
3 amended to read:

4 B. If authorized by the zoning ordinance establishing the board, the board may grant
5 a variance to an owner of a dwelling who resides in the dwelling and who is a person
6 with a permanent disability for the construction of a place of storage and parking for a
7 ~~noncommercial vehicle owned by that person and no other purpose. The width and~~
8 ~~length of the structure may not be larger than 2 times the width and length of the~~
9 ~~noncommercial vehicle.~~ The owner shall submit proposed plans for the structure with
10 the request for the variance pursuant to this paragraph to the board.

11 The person with the permanent disability shall prove by a preponderance of the
12 evidence that the person's disability is permanent.

13 ~~For purposes of this paragraph, "noncommercial vehicle" means a motor vehicle as~~
14 ~~defined in Title 29-A, section 101, subsection 42 with a gross vehicle weight of no~~
15 ~~more than 6,000 pounds, bearing a disability registration plate issued pursuant to Title~~
16 ~~29-A, section 521 and owned by the person with the permanent disability.~~

17 **SUMMARY**

18 This bill amends the municipal land use regulation law governing zoning adjustments
19 by removing restrictions on the type of vehicle a person with a permanent disability may
20 own in order for that person to obtain a zoning ordinance variance to construct a structure
21 for the storage and parking of the vehicle. It also removes restrictions on the size of the
22 structure.