

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 363

S. P. 109

In Senate, January 23, 1975

Referred to Committee on Public Utilities. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Cianchette of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to Experimental Signs at Railroad Crossings.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Department of Transportation in cooperation with the U. S. Department of Transportation maintains a Research and Development Facility at Pittsfield which is the only computer-controlled data acquisition system of its kind in the United States; and

Whereas, it is in the national interest for safety of the public to implement the best possible railroad grade crossing warning sign system; and

Whereas, the data that could be obtained at the Maine Facility would be used by 25 participating states at 65 grade crossing sites; and

Whereas, the scheduling for the basic observations at the Maine Facility and sequential evaluations in the 25 participating states was made for 1975 thus mandating commencement early in the year; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

35 MRSA, § 821 is amended by adding at the end the following new paragraph:

The Commissioner of Transportation may temporarily erect experimental signs at certain grade crossings in lieu of the signboards with the words "Railroad Crossing" thereon as required in this section for the purpose of conducting research for the development of improved signs. The erection of experimental signs by the Department of Transportation at a particular crossing shall relieve the railroad company using that crossing from any liability in damages which might otherwise arise against that company by the temporary removal or temporary obliteration of the railroad company signboard required by this section. The erection and removal of the temporary signs shall be at the expense of the Department of Transportation and the removal and reinstallation of signboards with the words "Railroad Crossing" thereon shall also be at the expense of the Department of Transportation.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

FISCAL NOTE

The expense of erecting and removing the temporary signs, as well as the expense of the removal and reinstallation of existing signboards, is to be 100 percent federally funded, processed by the Department of Transportation, as is the case with the other activities of this facility.

STATEMENT OF FACT

This bill would relieve a railroad from maintaining "Railroad Crossing" signs required by statute at the site at which the Commissioner of Transportation might erect experimental signs for the purpose of a national safety study conducted in the interest of improved warning signs.