

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 917

H. P. 734

House of Representatives, March 5, 1975

Referred to the Committee on Local and County Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Jacques of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to Snow Removal on Accepted Ways.

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

Sec. 1. 23 MRSA § 1002, first 2 sentences, as amended by PL 1971, c. 593, § 22, are further amended to read:

The department, on petition of the municipal officers of 2 or more towns through which extends a continuous state aid highway ~~or town way~~, may from year to year lay out winter routes over such state aid highways ~~or town ways~~ as in their judgment seem advisable for the clearance of snow therefrom for the reasonable use of motor vehicles, sleighs and sleds during such season. The department may take similar action upon petition of the municipal officers of any town with respect to any other state aid highways ~~or town ways~~.

Sec. 2. 23 MRSA § 1002, 2nd ¶, first sentence, as amended by PL 1971, c. 593, § 22, is further amended to read:

Petitions already, or in the future, received from the municipal officers and approved by the department covering state aid highways ~~and town ways~~ shall be effective until the department shall have received and approved written recommendations from said municipal officers of proposed changes.

Sec. 3. 23 MRSA § 1003, as amended by PL 1971, c. 593, § 22, is further amended to read:

§ 1003. Towns to keep routes clear of snow; sanding

Towns through which extends such a system of winter routes approved and accepted by the department in accordance with section 1002 shall, through and by their board of municipal officers, keep said state aid highways ~~and~~

~~town ways~~ cleared of snow during the winter season or such part of the year as the department may direct, so that they may be reasonably usable by motor vehicles, sleighs and sleds. Snow on such state aid highways ~~and town ways~~ shall be removed to the outside edges of the shoulders of the road, and in a manner satisfactory to the department whose judgment shall be final. The towns shall sand the state aid highways ~~and town ways~~ to the satisfaction of the department, and in case the towns fail to sand the highways to the satisfaction of the department, the said department shall be authorized to make arrangements for the proper sanding and the cost of such sanding done by the department shall be paid by the towns and the State shall reimburse the towns on the same basis as other snow removal and sanding accounts.

Sec. 4. 23 MRSA § 1005, sub-§ 1, first ¶, as last amended by PL 1971, c. 593, § 22, is further amended to read:

Towns, organized plantations and unincorporated townships which clear state aid highways ~~and town ways~~ to the satisfaction of the department, and when necessary apply sand, gravel or other materials to a width of not less than 7 feet through the center of the road within a reasonable length of time after surface of the road becomes slippery, shall be reimbursed for the cost thereof on the highways ~~or town ways~~ designated as provided in section 1002, as follows.

Sec. 5. 23 MRSA § 1006, as amended by PL 1971, c. 593, § 22, is further amended to read:

§ 1006. Discontinuance on certain highways

The department may at any time for cause discontinue the clearance of snow in whole or in part from any highway ~~or town way~~ laid out as provided in section 1002.

Sec. 6. 23 MRSA § 1007, first sentence, as amended by PL 1971, c. 593, § 22, is further amended to read:

When any town upon any of the winter routes designated and supervised by the department under chapters 1 to 19 shall, in the judgment of the department, unreasonably fail to either raise, appropriate or pay its proportional part of the cost of snow removal through or in said town, or shall without cause fail to assist in keeping open any highway ~~or town way~~ as designated in section 1002 in said town, the department shall cause said highway ~~or town way~~ through or in said town to be kept open at the expense of the State.

FISCAL NOTE

It is estimated that this bill would result in savings of approximately \$1,743,000 for the 2 fiscal years 1976 and 1977 to the General Highway Fund.

STATEMENT OF FACT

This bill eliminates the partial reimbursement by the State to the local communities for costs incurred for winter maintenance on town ways. The State would continue to provide the present rate of reimbursement to local communities for costs of winter maintenance on state aid roads.