

# MAINE STATE LEGISLATURE

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(EMERGENCY)

SECOND REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 2291

S.P. 844

In Senate, March 16, 1984

Submitted by the Department of Transportation pursuant to Joint Rule 24.

Referred to the Committee on Transportation. Sent down for concurrence and ordered printed.

Presented by Senator Danton of York. JOY J. O'BRIEN, Secretary of the Senate

Cosponsors: Representative Carroll of Limerick, Representative Nadeau of Lewiston and Representative Strout of Corinth.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-FOUR

RESOLVE, Authorizing and Directing the Department of Transportation to Continue to Study and Report on the Condition of State and Local Bridges on the Local and Collector Systems and to Recommend Strategies for Improving their Overall Condition.

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

Whereas, safe and efficient highway transportation depends upon a system of well-maintained state and local bridges; and

Whereas, in general there is insufficient information on the condition of short spans, especially on the local road system; and

1           Whereas, the information that is available  
2 suggests that a problem exists; and

3           Whereas, these bridges represent potential haz-  
4 ards to the traveling public and potential liabilities  
5 ties to municipalities; and

6           Whereas, many municipalities have difficulty in  
7 raising the financial resources to adequately recon-  
8 struct and maintain local bridges; and

9           Whereas, in the judgment of the Legislature,  
10 these facts create an emergency within the meaning of  
11 the Constitution of Maine and require the following  
12 legislation as immediately necessary for the preser-  
13 vation of the public peace, health and safety; now,  
14 therefore, be it

15           **Study to be conducted. Resolved:** That the De-  
16 partment of Transportation shall continue its study  
17 of the overall condition of state and local bridges,  
18 including those located on town ways and on the state  
19 collector system. The study shall determine the  
20 sufficiencies of these bridges, using accepted engi-  
21 neering criteria. The study shall take into consider-  
22 ation such factors as traffic volume. The department  
23 is further directed to fully consider bridges with  
24 clear spans of at least 10 feet, but not more than 20  
25 feet; which bridges are not eligible for federal  
26 bridge reconstruction or rehabilitation funds; and be  
27 it further

28           **Strategy developed. Resolved:** That the Depart-  
29 ment of Transportation, with the advice and assist-  
30 ance of the Maine Municipal Association, develop an  
31 overall strategy for the management of state and lo-  
32 cal bridges. Such a strategy shall take into consid-  
33 eration the needs and abilities of municipalities.  
34 The strategy shall include alternate methods of fi-  
35 nancing reconstruction and maintenance; the transfer-  
36 ring of custody to appropriate levels of government;  
37 the determination of levels and type of maintenance  
38 to be performed by the State and local governments  
39 regardless of bridge ownership; and the investigation  
40 of innovative and promising alternate methods of  
41 maintenance and reconstruction; and be it further

1           **Report required. Resolved:** That the Department  
2 of Transportation submit a report to the joint stand-  
3 ing committee of the Legislature having jurisdiction  
4 over transportation by February 1, 1985, on the over-  
5 all condition of state and local bridges. The report  
6 shall outline possible strategies to correct any de-  
7 ficiencies that may be determined to exist.

8           **Emergency clause.** In view of the emergency  
9 cited in the preamble, this resolve shall take effect  
10 when approved.

11   STATEMENT OF FACT

12           Preliminary study conducted by the Department of  
13 Transportation has verified that there are serious  
14 deficiencies in the sufficiency and capacity of cer-  
15 tain of the state's older bridges. Many of these  
16 bridges are between 10 feet and 20 feet in length,  
17 bridges which are not eligible for federal bridge in-  
18 spection, rehabilitation or replacement funds. In ad-  
19 dition, many of these bridges are currently the re-  
20 sponsibility of the towns and may be located either  
21 on town ways or on the state aid system. The State  
22 has custody of many of the bridges on town ways.  
23 There is often no relationship between bridge owner-  
24 ship and ownership of the adjacent roadway.

25           The purpose of this resolve is to direct the De-  
26 partment of Transportation to continue a study to de-  
27 termine the needs of these and other bridges. The de-  
28 partment would gather the missing information neces-  
29 sary to provide for a complete understanding of the  
30 scope of the problem and would submit a report  
31 outlining possible long-term strategies to provide  
32 the greatest overall benefit for the least possible  
33 cost. The department is further directed to accept  
34 input from the towns through the Maine Municipal As-  
35 sociation with respect to the local bridges. The pro-  
36 posed strategies shall include alternate funding for-  
37 mulas, as well as proper custodial and maintenance  
38 responsibilities.

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