

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
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3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1644

6
7 H.P. 1138

House of Representatives, June 4, 1985

8 Referred to the Committee on Transportation. Sent up for concurrence
9 and ordered printed. Ordered sent forthwith.

10 EDWIN H. PERT, Clerk

Presented by Representative Theriault of Fort Kent.

11 Cosponsored by Representative Strout of Corinth, Representative
Melendy of Rockland and Representative Vose of Eastport.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Provide for Cost Sharing for
18 Maintenance of Railroad Grade and
19 Highway Bridge Crossings and the
20 Allocation and Appropriation of Funds
21 for Transportation Purposes.
22

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

25 Sec. 1. 23 MRS §2930 is enacted to read:

26 §2930. Partial reimbursement of cost

27 Notwithstanding any other provision of law, the
28 State, by or through the Department of Transporta-
29 tion, shall reimburse railroad corporations 50% of
30 the cost, incurred by those corporations, of the
31 maintenance of public at-grade railroad-highway
32 crossings, crossing protection devices, including,
33 automatic signals, gates and crossbucks and grade
34 separation structures carrying the highway over the
35 railroad.

1 For the purpose of this section, public at-grade
2 crossings shall be those crossings determined by the
3 Commissioner of Transportation to be public cross-
4 ings.

5 An annual contract shall be entered into between
6 the State and each railroad corporation to provide a
7 single one-time payment. The payment shall be based
8 on the 1983 average maintenance cost, adjusted
9 biennially by application of the United States Bureau
10 of Labor Statistics Consumer Price Index, "All Items,
11 All Urban Consumers," for public at-grade crossings
12 multiplied by the number of the crossings on each
13 railroad in the State and the 1983 average mainte-
14 nance cost, adjusted biennially by application of the
15 United States Bureau of Labor Statistics Consumer
16 Price Index, "All Items, All Urban Consumers," for
17 eligible grade separation structures multiplied by
18 the number of those structures on each railroad in
19 the State.

20 Each participating railroad corporation shall
21 submit an annual report to the department describing
22 in general terms its public grade crossing and high-
23 way over the railroad grade separation structure
24 maintenance program indicating the total costs in-
25 curring, total quantities of material used and man
26 hours used. The department may review records and
27 supporting data of the costs incurred by the railroad
28 corporations.

29 Sec. 2. Allocation. The following funds are al-
30 located from the Highway Fund to carry out the provi-
31 sions of section 1.

	<u>1985-86</u>	<u>1986-87</u>
32		
33	<u>TRANSPORTATION,</u>	
34	<u>DEPARTMENT OF</u>	
35	Railroad Assistance	
36	Program	
37	All Other	\$1,436,000 \$1,436,000

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STATEMENT OF FACT

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This is one of 4 bills submitted for the purpose of implementing recommendations made by the Governor's Committee on Rail Policy. The committee has developed several recommendations which have been submitted to the Governor and the Legislature and are designed to provide assistance to the rail industry in response to existing and developing rail transportation problems.

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Sections 1 and 2 of this bill implement the committee's recommendation that the State assume half of the cost of maintaining highway-at-grade and highway-over-bridges for which the railroads now assume 100% of the cost. It is the belief of the committee that this is a cost that should at least be shared by the State as the benefits of grade crossings and highway bridges over railroad lines goes primarily to the users of the highway system. Accordingly, it is proposed to fund this recommendation from the Highway Fund.

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