

# MAINE STATE LEGISLATURE

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(New Draft of H.P. 684, L.D. 925)  
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1718

H.P. 1259 House of Representatives, June 2, 1987  
Reported by Representative STROUT from the Committee on  
Transportation and printed under Joint Rule 2.

EDWIN H. PERT, Clerk

Original bill sponsored by Representative STROUT of  
Corinth. Cosponsored by Representatives NADEAU of Lewiston,  
CALLAHAN of Mechanic Falls, and Senator CAHILL of Sagadahoc.

STATE OF MAINE

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

AN ACT Relating to Local Bridges.

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

Sec. 1. 23 MRSA §608-A, sub-§§4 and 11, as en-  
acted by PL 1985, c. 480, §§7 and 10, are amended to  
read:

4. Local bridges. "Local bridges" means bridges  
located on town ways or state-aid highways. Excluded  
from this subchapter are railroad bridges, bridges  
over the Maine Turnpike, ~~the Interstate Highway--Sys-~~  
~~tem-and~~ bridges on over federally designated highways  
and bridges for which the State is responsible that  
are on state-aid highways that are designated as fed-  
eral-aid highways.

1           11. Time of approval. "Time of approval" means  
2 the date on which the town approves the preliminary  
3 design and, authorizes the improvement and notifies  
4 the Department of Transportation of its decision.  
5 When appropriate, notification shall be accompanied  
6 by initial funding from the town.

7           Sec. 2. 23 MRSA §608-B, first ¶, as enacted by  
8 PL 1985, c. 480, §§7 and 10, is amended to read:

9           On and after July 1, 1986, bridges determined to  
10 be of satisfactory condition shall become the respon-  
11 sibility of the unit of government that is respon-  
12 sible for the adjacent roadway, except for the excep-  
13 tions in section 603. The State shall be responsible  
14 for all such bridges on state and state-aid highways  
15 and towns shall be responsible for all such bridges  
16 on town ways, except for bridges over the Maine Turn-  
17 pike which shall be the responsibility of the Maine  
18 Turnpike Authority and ~~Interstate--Highway--System~~  
19 bridges over federally designated highways which  
20 shall be the responsibility of the State.

21           Sec. 3. 23 MRSA §609, as enacted by PL 1985, c.  
22 480, §§7 and 10, is amended to read:

23 §609. Approval to proceed

24           The department shall inform the town or county of  
25 the estimated cost of the bridge improvement, includ-  
26 ing their estimated share of the cost. The town may  
27 either cancel the improvement request or issue ap-  
28 proval to proceed. Approval to proceed shall be ac-  
29 companied by initial funding. Town and county per-  
30 centages of cost become fixed at this time. After  
31 town officials are authorized to raise the local  
32 share of the estimated cost of the bridge improve-  
33 ment, the department shall proceed with the necessary  
34 engineering and other work. The department shall se-  
35 lect the appropriate construction procedure in ac-  
36 cordance with standard procedures. In accordance  
37 with established procedures, the chief engineer may  
38 authorize construction by town forces.

39           Sec. 4. 23 MRSA §610-G, as enacted by PL 1985,  
40 c. 480, §§7 and 10, is repealed and the following en-  
41 acted in its place:

1     §610-G. Local bridges on federal systems

2             The local cost share for local bridges on feder-  
3     ally designated systems shall not exceed the local  
4     share as governed by the current cost-sharing provi-  
5     sions for the appropriate highway system.

6                             STATEMENT OF FACT

7             The purpose of this new draft is to clarify that  
8     the State is responsible for all bridges over feder-  
9     ally designated highways.

10            This new draft also makes clear that, for town  
11   way bridges on a federally designated highway, the  
12   town's share of the cost of any capital improvement  
13   will not exceed the cost as calculated under the lo-  
14   cal bridge program.

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