

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2219

H.P. 1624 House of Representatives, February 10, 1988
Submitted by the Department of Transportation pursuant to
Joint Rule 24.

Reference to the Committee on Transportation suggested
and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative McPHERSON of Eliot.

Cosponsored by Senator DOW of Kennebec, Representatives
MACOMBER of South Portland and SOUCY of Kittery.

STATE OF MAINE

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

1 AN ACT to Permit the Department of
2 Transportation to Exempt Certain Railroad
3 Crossings from Requirements to Stop.
4

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

7 29 MRSA §998-B, sub-§3, ¶C, as enacted by PL
8 1985, c. 812, Pt. C, §4, is repealed and the following
9 enacted in its place:

10 C. A railroad crossing on a line having no or

1 limited rail traffic may be posted as an exempt
2 crossing by the Department of Transportation by
3 general order. The department may exempt that
4 crossing after providing written notice within 30
5 days to the railroad and municipality in which the
6 crossing is located or, after hearing, if
7 requested within 30 days either by the railroad,
8 municipality or 10 or more residents of the
9 State. For each exempt crossing, the department
10 may order and impose safety provisions as it deems
11 expedient or necessary. Any exempt crossing shall
12 be posted with appropriate signs which shall be
13 erected and maintained by the department; or

14 STATEMENT OF FACT

15 Under current law, public buses, school buses or
16 motor carriers transporting hazardous materials are
17 required to stop at all railroad crossings, including
18 those crossings having little or no rail traffic.
19 Requiring these motor vehicles to stop at these
20 crossings is unnecessary. This bill clarifies the
21 Department of Transportation's authority to designate
22 such crossings as exempt crossings. This exemption
23 would be ordered after notice is provided to the
24 railroad for an opportunity for a hearing.

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