MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

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NO. 2398

H.P. 1749 House of Representatives, March 1, 1988
 Reported by Representative CARTER for the Legislative
 Task Force on Railroads pursuant to Public Law 1987, Chapter 5.
 Reference to the Committee on Transportation suggested
 and printing ordered under Joint Rule 18.

EDWIN H. PERT, Clerk

STATE OF MAINE

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

AN	ACT	ţο	Permit	Exempt	Railroad
			Cross	ings.	

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

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 C. §4, is repealed and the following enacted in its place:

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1	C. A railroad crossing on a line which has
2	limited or no rail traffic may be posted as an
3	exempt crossing by the Department of
4	Transportation by general order. The department
5	may exempt any such crossing after written notice
6	of not less than 30 days to the railroad and
7	municipality in which the crossing is located, or
8	after hearing, if requested within 30 days either
9	by the railroad, municipality or 10 or more
10	residents of the State. For each crossing which
11	is exempt pursuant to this paragraph, the
12	department may order and impose safety provisions
13	as it determines expedient or necessary. Any
14	crossing which is deemed exempt shall be posted
15	with appropriate signs which shall be erected and
16	maintained by the department; or

STATEMENT OF FACT

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18 Under current law, motor carriers transporting hazardous materials, public buses or school buses are required to stop at all railroad crossings whether 19 20 21 those crossings have any rail traffic or limited rail 22 Requiring these motor vehicles to stop at 23 these crossings is unnecessary. This bill clarifies 24 of Transportation's Department authority to 25 designate such crossings as exempt crossings. would be done after notice is provided to the railroad 26 for an opportunity for a hearing. 27

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