

MAINE STATE LEGISLATURE

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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

17 STATEMENT OF FACT

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

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