

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
114TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1154, L.D. 1608, Bill, "An Act to Clarify the Traffic Movement Standards under the Site Location and Development Law"

Amend the bill by striking out all of the title and inserting in its place the following:

**'An Act to Clarify the Traffic Movement Standards under the Site Location of Development Laws'**

Further amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

**'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and**

**Whereas, the change to the traffic standard of the site location of development laws is needed in advance of the 1990 construction season; and**

**Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,**

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

**38 MRSA §484, sub-§2, as repealed and replaced by PL 1989, c. 502, Pt. B, §50, is amended to read:**

**2. Traffic movement.** The developer has made adequate provision for traffic movement of all types into, out of or within the development area. The board shall consider traffic movement both on-site and off-site. Before issuing a permit, the board shall determine that any traffic increase attributable to the proposed development will not result in unreasonable

2 congestion or unsafe conditions on a road in the vicinity of the  
3 proposed development. The Department of Transportation shall  
4 provide the board with an analysis of traffic movement of all  
5 types into, out of or within the development area. In making its  
6 determination under this subsection, the board shall consider the  
7 analysis provided by the Department of Transportation;

8 **Emergency clause.** In view of the emergency cited in the  
9 preamble, this Act takes effect when approved.

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#### FISCAL NOTE

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13 This bill formalizes current practice. It is anticipated  
14 that all costs associated with this bill would be absorbed by the  
15 Department of Transportation and the Department of Environmental  
16 Protection utilizing existing resources.'

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#### STATEMENT OF FACT

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23 This amendment replaces the original bill. The amendment  
24 codifies the existing procedure used by the Department of  
25 Environmental Protection and the Department of Transportation to  
26 evaluate the impacts of traffic under the site location of  
development laws.

Reported by the Committee on Energy and Natural Resources  
Reproduced and distributed under the direction of the Clerk of the  
House

1/12/90

(Filing No. H-731)