MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 299

H.P. 235

House of Representatives, January 21, 1997

An Act to Prohibit the Department of Transportation from Classifying a Road as a Town Way if 4,000 or More Vehicles Travel the Road Daily.

(EMERGENCY)

Reference to the Committee on Transportation suggested and ordered printed.

JOSEPH W. MAYO, Clerk

Presented by Representative FOSTER of Gray. Cosponsored by Representatives: CARLETON of Wells, DEXTER of Kingfield, GERRY of Auburn, McKEE of Wayne, NICKERSON of Turner, SNOWE-MELLO of Poland. Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

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Whereas, the classification of a road that carries significant traffic as a town way may create significant problems, which may be difficult to resolve once created; and

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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,

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

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Sec. 1. 23 MRSA §53, sub-§1, as enacted by PL 1981, c. 702, Pt. Z, §1, is amended to read:

20 Classification. The department shall cause charts and maps to be made showing the location and mileage of all highways 22 in the State, and shall classify the highways of the State, and may, from time to time, amend that classification, namely: First, state highways, which-mean meaning a system of connected 24 main highways throughout the State which that primarily serve 26 arterial or through traffic; 2nd, state aid highways, which-mean meaning those highways not included in the system of state 28 highways which that primarily serve as collector and feeder routes connecting local service roads to the arterial state highway system; and 3rd, town ways, which-mean meaning all other 30 highways not included in the first 2 classes, 32 maintained by the towns and primarily serve as local service roads providing access to adjacent land. The criteria to be used in the classification of highways shall must be considered 34 rulemaking and subject to Title 5, chapter 375, subchapter II. The department may not classify as a town way any road that, on 36

average, serves 4,000 or more vehicles per day.

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

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SUMMARY

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This bill prohibits the Department of Transportation from classifying a road as a town way if that road serves 4,000 or more vehicles per day on average.