

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 362

H.P. 284

House of Representatives, January 30, 2001

**An Act to Exempt Current Property Owners from Fees for Existing
Rights-of-Way Across Train Lines.**

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative RICHARDSON of Brunswick.
Cosponsored by Senator EDMONDS of Cumberland and
Representative GERZOFKY of Brunswick.

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

4 **Sec. 1. 23 MRSA §7229**, as enacted by PL 1989, c. 398, §8, is
repealed and the following enacted in its place:

6 **§7229. Maintenance charges for private crossings**

8 **1. Municipal officers.** In a municipality in which a
private way is crossed by a railroad, the municipal officers may
10 act as agents for a railroad corporation in collecting
maintenance and insurance charges from those property owners
12 using that crossing. This section does not authorize a
municipality to assess or levy these charges or to use its taxing
14 power to collect these charges.

16 **2. Exception for current property owners.** Railroad
corporations may not collect maintenance and insurance charges
18 from property owners who, on or before the effective date of this
subsection, use rights-of-way on private crossings that existed
20 prior to the effective date of this subsection.

22 **SUMMARY**

24 This bill prohibits railroad corporations from collecting
26 maintenance and insurance fees from property owners using
rights-of-way on private crossings prior to the effective date of
28 this bill.