

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2004

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Legislative Document

No. 1654

S.P. 605

In Senate, December 11, 2003

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### An Act To Amend Transportation Laws

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Submitted by the Department of Transportation pursuant to Joint Rule 204.

Received by the Secretary of the Senate on December 11, 2003. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator HATCH of Somerset.  
Cosponsored by Representative USHER of Westbrook.

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

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**Sec. 1. 23 MRSA §704, sub-§3**, as enacted by PL 1999, c. 676, §1 and affected by §2, is amended to read:

**3. Arterial highways.** For arterial highways that lie outside the compact area of an urban compact municipality, the Department of Transportation shall limit the number, spacing, design, location and construction of driveways, entrances or approaches to ~~maintain~~ promote the maintenance of existing posted speeds and ensure safe travel.

**Sec. 2. 23 MRSA §704, sub-§6**, as amended by PL 2001, c. 301, §1, is further amended to read:

**6. Access denied.** The Department of Transportation and the municipalities shall deny ingress to and egress from property abutting the highway when access rights have been acquired by the department, except that the Commissioner of Transportation may allow access for the development of state and state aid highways and may approve a relocation of an existing break in a control of access consistent with the rules adopted pursuant to subsection 2.

**Sec. 3. 29-A MRSA §2353-A, sub-§§5 and 6**, as enacted by PL 2001, c. 687, §17, are amended to read:

**5. Report.** The Commissioner of Transportation shall report back to the joint standing committee of the Legislature having jurisdiction over transportation matters by December 31, 2004 2005 on the results of the pilot project and the approximate number of 3-axle vehicles hauling soil, unconsolidated rock material and hot bituminous concrete in the State.

**6. Repeal.** This section is repealed on December 31, 2004 2005.

**SUMMARY**

This bill amends highway entrance laws by clarifying the intent of regulations affecting maintenance of existing posted speeds on arterial highways and grants the Department of Transportation more flexibility in locating driveways and entrances within breaks in control of access areas.

The bill extends for one year the reporting and repeal date of the pilot project to simplify truck weight laws to allow sufficient time for project rulemaking and data collection by the Department of Transportation.