

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 47

H.P. 43

House of Representatives, January 11, 2005

**An Act To Require the State To Provide Winter Maintenance on
State Aid Highways**

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative THOMAS of Ripley.
Cosponsored by Senator DOW of Lincoln and
Representatives: ANNIS of Dover-Foxcroft, DUPREY of Hampden, JOY of Crystal,
PINKHAM of Lexington Township, SHERMAN of Hodgdon, STEDMAN of Hartland,
VAUGHAN of Durham, Senator: DAVIS of Piscataquis.

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

4 **Sec. 1. 23 MRSA §1001**, as amended by PL 1999, c. 473, Pt. C,
5 §5, is further amended to read:

6 **§1001. Maintenance and snow removal on state highways and**
7 **state aid highways**

8
9 Improved state highways shall ~~shall~~ must be continually
10 maintained, and the snow removed from such sections of designated
11 state highways as the department may determine, under the
12 direction and control of the department at the expense of the
13 State. The department shall remove snow from state aid highways
14 at the expense of the State.

15
16 The snow removal work shall ~~shall~~ must include the plowing of
17 these improved state highways and state aid highways, the
18 erection, maintenance, dismantling and rental of snow fences, and
19 the sanding of icy road surfaces. It shall ~~shall~~ does not include
20 loading and hauling snow from any compact section. The State
21 shall ~~is~~ is not be liable for accidents while the road surface is
22 covered with snow and ice.

23
24 To carry out the ~~preceeding--paragraph~~ purposes of this
25 section the department is authorized to hire equipment,
26 preferably ~~town-owned~~ town-owned, arrange contracts and erect or
27 hire buildings for storage purposes. Purchases of necessary
28 equipment or materials shall ~~shall~~ must be made as provided in section
29 52.

30
31 The maintenance provisions of this section and sections 705,
32 751, 1003 and 1005-A do not apply to compact areas of urban
33 compact municipalities as defined in section 754.

34
35 **SUMMARY**

36
37 This bill requires the Department of Transportation to
38 provide winter maintenance on state aid highways at the expense
39 of the State.
40