

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 1731

H.P. 1239

House of Representatives, January 3, 2006

An Act To Require That New Road Construction or Repair Include Sidewalks or Bikeways or Both

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 28, 2005. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CRAVEN of Lewiston.
Cosponsored by Senator ROTUNDO of Androscoggin and
Representatives: FAIRCLOTH of Bangor, O'BRIEN of Lewiston.

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

4 Sec. 1. 23 MRSA §613 is enacted to read:

6 §613. Construction of bikeways and pedestrian ways along state roads

8 1. Bikeways and pedestrian ways along highways required.
10 Bikeways and pedestrian ways must be established in conjunction with the construction or reconstruction of any state, state-aid or town highway.

12 2. Standards. The Department of Transportation shall establish construction standards and a uniform system of providing signs to indicate bikeways and pedestrian ways.

14 3. ADA compliance. All bikeways and pedestrian ways established pursuant to this section must comply with the federal Americans with Disabilities Act of 1990.

16 4. Exception. Notwithstanding subsection 1, bikeways and pedestrian ways are not required to be established if one or more of the following conditions are met:

18 A. The establishment of the bikeways and pedestrian ways would be contrary to public safety;

20 B. The cost of the bikeways and pedestrian ways would be excessively disproportionate to the need or probable use; or

22 C. Other available means or factors indicate an absence of need for the bikeways and pedestrian ways.

24 **SUMMARY**

26 This bill requires bikeways and pedestrian ways to be
28 established in conjunction with the construction or
30 reconstruction of a state road.
32