

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 1180

H.P. 861

House of Representatives, March 7, 2007

### **An Act To Promote Transportation Planning, Increase Efficiency and Reduce Sprawl**

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Reference to the Committee on Transportation suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative PIOTTI of Unity.  
Cosponsored by Representatives: BROWNE of Vassalboro, HOGAN of Old Orchard Beach,  
MARLEY of Portland.

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

2 **Sec. 1. 23 MRSA §4210-E** is enacted to read:

3 **§4210-E. Transportation planning incentive grants**

4 In order to encourage sound transportation planning and prevent or reduce the need  
5 for future highway improvement expenditures associated with uncontrolled development  
6 along state highway corridors, the department shall administer a program of  
7 transportation planning incentive grants as described in this section.

8 **1. Community corridor plan.** To be eligible for a grant under this section, a  
9 municipality must adopt a community corridor plan covering new development along  
10 state highways in the municipality and incorporate any land use development restrictions  
11 recommended in the plan in local ordinances. The community corridor plan and related  
12 ordinances must be designed to control new development along state highways within the  
13 municipality in a manner that maintains current speed limits and reduces the need to  
14 make costly highway improvements in the future. The department shall provide technical  
15 assistance to municipalities in developing a community corridor plan.

16 **2. Transportation incentive grants.** A municipality may apply for a grant under  
17 this section by filing with the department a copy of its community corridor plan and  
18 related ordinances, an application for a grant on a form provided by the department and a  
19 proposal describing the corridor improvements the grant will be used to fund. Authorized  
20 improvements include, but are not limited to, purchase of development rights or access  
21 along the state highway corridor, landscaping and bicycle or pedestrian facilities. The  
22 department shall award grants, within funds available, based on a competitive rating  
23 system established by the department by rule. A grant may be awarded in an amount  
24 between \$250,000 and \$750,000 based on the merits of a plan. The projected cost  
25 savings from implementation of the plan must exceed the amount of the grant as  
26 determined by the department. A municipality must pay back the original amount of the  
27 grant to the department if it repeals or revises its plan or related ordinance provisions  
28 within 10 years of a grant award without department approval.

29 **3. Rules.** The department may adopt rules to implement this section. Rules adopted  
30 pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375,  
31 subchapter 2-A.

32 **Sec. 2. Funding.** The Department of Transportation shall use \$1,500,000 each  
33 year from transportation enhancement funds or other suitable sources to fund  
34 transportation planning incentive grants on a pilot project basis during fiscal year 2007-08  
35 and fiscal year 2008-09.

36 **SUMMARY**

37 This bill establishes a program within the Department of Transportation, which is to  
38 be funded on a pilot project basis, to provide technical assistance and incentive grants to

- 1 municipalities to prevent new development along state highways and reduce the cost of
- 2 future highway improvement projects.