

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1363

S.P. 477

March 13, 2007

**An Act To Amend the Laws Governing Access to State and State
Aid Highways To Permit Traffic Safety and Rest Area Exceptions**

Reference to the Committee on Transportation suggested and ordered printed.

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

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DAMON of Hancock.

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

2 **Sec. 1. 23 MRSA §704, sub-§6**, as amended by PL 2003, c. 571, §2, is further
3 amended to read:

4 **6. Access denied.** The Department of Transportation and the municipalities shall
5 deny ingress to and egress from property abutting the highway when access rights have
6 been acquired by the department, except that the Commissioner of Transportation may
7 allow access for the development of state and state aid highways, for traffic safety, for
8 operational benefits that do not diminish traffic safety and for rest areas and may approve
9 a relocation of an existing break in a control of access consistent with the rules adopted
10 pursuant to subsection 2.

11 **SUMMARY**

12 This bill establishes types of access from property abutting a highway that the
13 Commissioner of Transportation may allow in addition to access for the development of
14 state and state aid highways. Under this bill, the Commissioner of Transportation may
15 allow access to highways for traffic safety and for rest areas, such as fueling, food service
16 and rest stops for passenger and commercial motor vehicles located within or through an
17 area or areas for which the Department of Transportation has purchased access rights.
18 This bill also authorizes the commissioner to allow access within or through an area or
19 areas for which the department has purchased access rights for operational benefits, such
20 as preserving mobility of the state or state aid highway to or from which access is
21 proposed, so long as traffic safety is not diminished.