

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 1978

S.P. 772

December 18, 2007

**An Act To Require the Department of Transportation To Recover
for the Highway Fund Any Money Recovered from Those
Responsible for Doing Damage to State Roads and Bridges**

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

Received by the Secretary of the Senate on December 18, 2007. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 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 MILLS of Somerset.

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

2 **Sec. 1. 23 MRSA §709, is enacted to read:**

3 **§709. Recovery for damage to transportation infrastructure**

4 A person who damages transportation infrastructure is liable to the State for the
5 amount necessary to repair such damage, and the Department of Transportation shall
6 assess and recover compensation from such persons. Notwithstanding any law to the
7 contrary, funds recovered pursuant to this section must be deposited in an account in the
8 department and used for the benefit of transportation infrastructure.

9 As used in this section, “transportation infrastructure” means infrastructure related to
10 all modes of transportation, including highways, bridges, railroads, ferries, mass transit,
11 airports and bicycle and pedestrian facilities, as well as all buildings, utilities, facilities
12 and other appurtenances related to such modes.

13 **SUMMARY**

14 This bill requires the Department of Transportation to pursue compensation for
15 damage done to transportation infrastructure, which includes highways and bridges and
16 related buildings. All funds for damages recovered by the department must be used for
17 the benefit of transportation infrastructure.