

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2008

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Legislative Document

No. 2199

S.P. 847

February 7, 2008

### **An Act To Ensure Landowner Access to Land That Is Intersected by a Railroad**

(AFTER DEADLINE)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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 MARRACHÉ of Kennebec.

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

2 **Sec. 1. 23 MRSA §7229**, as enacted by PL 1989, c. 398, §8, is repealed and the  
3 following enacted in its place:

4 **§7229. Maintenance charges for private crossings**

5 **1. Bisected property.** A railroad corporation shall provide and maintain a private  
6 crossing for property that is owned by the same owner and is located on both sides of the  
7 railroad.

8 **2. Fees prohibited.** A railroad corporation may not collect maintenance and  
9 insurance charges under subsection 1 from a private property owner who uses a right-of-  
10 way on a private crossing to access the owner's property.

11 **SUMMARY**

12 This bill requires railroad corporations to provide and maintain private crossings on  
13 land bisected by the railroad. It also prohibits railroad corporations from collecting  
14 maintenance and insurance fees from property owners using rights-of-way on private  
15 crossings.