MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 414

S.P. 118

In Senate, February 10, 2011

An Act To Allow Landowners Road Access

Reference to the Committee on Transportation suggested and ordered printed.

Joseph G. Carleton Jr.
JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator GOODALL of Sagadahoc. Cosponsored by Representative MacDONALD of Boothbay and Representatives: CLARKE of Bath, OLSEN of Phippsburg.

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

- **Sec. 1. 23 MRSA §704, sub-§10,** as enacted by PL 2005, c. 188, §1, is amended to read:
- 10. Requirements waived. The department may shall waive the requirements of rules adopted pursuant to this section and may shall issue a permit for a driveway when the property abuts no other road affording vehicular access to a person's property, the property has at least 50 feet of frontage on a state highway or state aid highway and the property is outside the compact area of an urban compact municipality. The department may not deny a person the right to build on or to have vehicular access to property owned by that person unless the access is determined inconsistent with access management safety standards. The department may impose reasonable restrictions on vehicular access to improve safety, except that these restrictions may not include modifications to the state highway or state aid highway.

14 SUMMARY

This bill requires the Department of Transportation to waive certain requirements in rule and issue a permit for a driveway when no other location exists for vehicular access to a property and the property has at least 50 feet of frontage on a state highway or state aid highway. This bill also authorizes the department to impose reasonable restrictions on vehicular access to a person's property to improve safety, except that these restrictions may not include modifications to the state highway or state aid highway.