# MAINE STATE LEGISLATURE

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## 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

**Legislative Document** 

No. 537

H.P. 381

House of Representatives, February 9, 2017

An Act To Provide an Exemption from Road Association Payments for Landowners Whose Primary Access Is Not over the Road

Reference to the Committee on Judiciary suggested and ordered printed.

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative WADSWORTH of Hiram. Cosponsored by Senator HAMPER of Oxford and

Representatives: GRIGNON of Athens, HARRINGTON of Sanford, KINNEY of Limington, ORDWAY of Standish, PIERCE of Dresden.

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

 Sec. 1. 23 MRSA §3107 is enacted to read:

### §3107. Exemption when nonprimary road access

Notwithstanding any other provision of this subchapter, an owner of a parcel of land benefited by a road that does not serve as the primary access route to the owner's parcel of land is exempt from all payments or assessments under this subchapter for repairs or maintenance relating to that road if that owner notifies the owners of all other parcels benefited by that road, prior to the determination by the road association to undertake the repair or maintenance, that the road does not serve as the primary access route to the owner's parcel of land. For purposes of this section, "road" means a private road, private way or bridge subject to the provisions of this subchapter.

12 SUMMARY

This bill provides an exemption from road association payments for an owner of a parcel of land benefited by a private road, private way or bridge that does not serve as the primary access route to the land. The owner is exempt from all payments or assessments for repairs or maintenance determined to be undertaken by the road association as long as the owner notifies the owners of all other parcels benefited by the road, way or bridge prior to the determination by the road association to undertake the repair or maintenance.