

MAINE STATE LEGISLATURE

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Amendment Name: Amendment CA (H-860) (LD 2064 2020)

Date: 9/1/2020

Date:

(Filing No. H-)

TRANSPORTATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1466, L.D. 2064, Bill, “An Act To Amend the Laws Governing Local Bridges”

Amend the bill by striking out all of section 2.

Amend the bill by striking out all of sections 3 and 4 and inserting the following:

Sec. 3. 23 MRSA §566, sub-§1, as enacted by PL 2001, c. 314, §2 and affected by §4, is amended to read:

1. Changes to structures. If a structure is improved in a manner that affects ~~whether it is defined as~~ changes a culvert or a minor span or to a bridge, the responsibilities set forth in this subchapter regarding the structure do not change unless the department determines that there exists a reasonable engineering basis for the improvement and the department approves the design plans and specifications of the improvement prior to the construction. The department may approve improvements to a structure only if the improvements are made in accordance with department standards and sealed by a professional engineer licensed under Title 32, chapter 19 to practice in this State. After construction, the department shall inspect the structure, and, if the structure is found to conform with the approved design, the department shall accept responsibility for the structure. If the inspection reveals the structure was not improved in accordance with the department-approved design, the municipality shall make any necessary corrections to the structure required by the department before the department accepts responsibility for the structure.

Sec. 4. 23 MRSA §566, sub-§2, as enacted by PL 2001, c. 314, §2 and affected by §4, is amended to read:

2. New structures. If a municipality constructs a new bridge on a town way, the department shall assume the responsibilities set forth in the subchapter only if the department determines that there is a reasonable engineering basis for the bridge, as opposed to a minor span, and if the department approves the design and construction of the bridge prior to the construction of the bridge. The department may approve the design and construction of a bridge only if the bridge is designed in accordance with

COMMITTEE AMENDMENT

1 department standards and sealed by a professional engineer licensed under Title 32,
2 chapter 19 to practice in this State. After construction, the department shall inspect the
3 bridge. If the inspection reveals the bridge was not constructed in accordance with the
4 department-approved design, the municipality shall make any necessary corrections to the
5 bridge required by the department before the department accepts responsibility for the
6 bridge.'

7 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
8 section number to read consecutively.

9 **SUMMARY**

10 This amendment removes the provision of the bill that states the Department of
11 Transportation's payment of the remaining portion of the cost of a capital improvement to
12 a bridge on a town way is subject to available funds. The amendment also makes minor
13 changes to clarify provisions in the bill and clarifies that, if a culvert or a minor span is
14 changed into a bridge, that change is subject to the department's approved design plans
15 and specifications.

16 **FISCAL NOTE REQUIRED**

17 **(See attached)**



129th MAINE LEGISLATURE

LD 2064

LR 3026(02)

An Act To Amend the Laws Governing Local Bridges

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium cost increase - Highway Fund

Potential current biennium cost increase - Other Special Revenue Funds

Potential current biennium cost increase - Federal Expenditures Funds

Fiscal Detail and Notes

Costs to the Department of Transportation could increase if the department needs to accept responsibility for a structure currently maintained by a municipality. No estimate of any potential cost is made at this time.