

MAINE STATE LEGISLATURE

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N I N E T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 1031

H. P. 726

House of Representatives, March 3, 1959

Referred to the Committee on Public Utilities. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mrs. Kilroy of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

**AN ACT Clarifying Law Relating to Location of Ways Crossing Railroad
Tracks.**

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

R. S., c. 96, § 48, amended. The first 2 sentences of section 48 of chapter 96 of the Revised Statutes are amended to read as follows:

'Town ways and highways may be laid out across, over or under any railroad track or through or across any land or right-of-way of any railroad corporation ~~used for station purposes~~, except that no such location shall be legal or effective, nor shall any such way be constructed, unless the Public Utilities Commission, on application of the municipal officers of the city or town wherein such way is located, the State Highway Commission or the parties owning or operating the railroad shall, upon notice and hearing, determine that such way shall be permitted to cross such track or land or right-of-way of any railroad corporation ~~used for station purposes~~. Said Public Utilities Commission shall have the right to refuse its said permission or to grant the same upon such terms and conditions as it may prescribe, including the manner and conditions in accordance with which the way may cross such track or land or right-of-way of any railroad corporation ~~used for station purposes~~ and may determine whether the expense of building and maintaining so much of said way as is within the limits of such railroad corporation shall be borne by such railroad corporation, or by the city or town in which such way is located, or by this State, or said Public Utilities Commission may apportion such expense equitably between such railroad corporation and the city, town or State.'