**17**

**DEPARTMENT OF TRANSPORTATION**

**2015 – 2016 Regulatory Agenda**

October 29, 2015

AGENCY UMBRELLA-UNIT NUMBER: **17-229**

AGENCY NAME: **Maine Department of Transportation**

**CONTACT INFORMATION FOR THE AGENCY: RULE-MAKING LIAISON**: Toni L. Kemmerle, 16 State House Station, Augusta, ME 04333-0016. Telephone: (207) 624-3020. E-mail: [Toni.Kemmerle@Maine.gov](mailto:Toni.Kemmerle@Maine.gov) .

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA**: None.

**EXPECTED 2015-2016 RULE-MAKING ACTIVITY:**

New Rule (*adopt, proposed* **CHAPTER 208)**:Rules for the Selection of Interchange and Supplemental Guide Signs for the MaineDOT

STATUTORY AUTHORITY: PL 2013 – Ch. 529 and 549,126th Maine Legislature, Second Regular Session and 23 M.R.S.A. §52

PURPOSE: Defines entities eligible for supplemental guide signs on the interstate system.

SCHEDULE FOR ADOPTION: Fall 2015.

AFFECTED PARTIES: Entities seeking supplemental guide signs on the Interstate highway system in Maine; consultants doing design work for the aforementioned

CONSENSUS-BASED RULE DEVELOPMENT (Information on any planned use of as outlined in 5 MRSA §8051-B): not anticipated.

CONTACT PERSON for this chapter: Stephen Landry, State Traffic Engineer, (207) 624-3632, [Stephen.Landry@Maine.gov](mailto:Stephen.Landry@Maine.gov) .

New Rule (*adopt, proposed* **CHAPTER 110):** Urban Compact Area Definition Rule

STATUTORY BASIS: 23 M.R.S.A. §52 and §4206

PURPOSE: This new rule will establish the procedures by which the Department will set urban compact boundaries around urban compact areas as defined by 23 MRSA §754 and §2.

SCHEDULE FOR ADOPTION: Fall/Winter, 2015-2016

AFFECTED PARTIES: Maine Urban Compact Municipalities.

CONSENSUS-BASED RULE DEVELOPMENT (Information on any planned use of as outlined in 5 MRSA §8051-B): not anticipated

CONTACT PERSON for this chapter: Peter Coughlan, Director, Division of Community Services, (207) 624-3266 or [Peter.Coughlan@Maine.gov](mailto:Peter.Coughlan@Maine.gov) .

**CHAPTER 300** *(amend)*: Rules and Regulations for the Use of the Interstate Highway System

STATUTORY BASIS: 23 MRSA §52

PURPOSE: Update, revise and clarify MaineDOT's rules for use of the interstate systems. Adds All-Terrain Vehicles to list of entities not allowed on the system and extends no swimming and jumping to all bridges along the interstate corridor.

SCHEDULE FOR ADOPTION: Fall/Winter 2015-2016

AFFECTED PARTIES: Interstate users

CONSENSUS-BASED RULE DEVELOPMENT (Information on any planned use of as outlined in 5 MRSA §8051-B): not anticipated.

CONTACT PERSON for this chapter: Stephen Landry, State Traffic Engineer, (207) 624-3632, [Stephen.Landry@Maine.gov](mailto:Stephen.Landry@Maine.gov) .

**CHAPTER 301** *(amend)*:Rules and Regulations for Use of U.S. Route 1, Brunswick-Bath

STATUTORY BASIS: 23 MRSA §52

PURPOSE: Update, revise and clarify MaineDOT's Rules for use of the interstate systems. Adds All-Terrain Vehicles to list of entities not allowed on the system and extends no swimming and jumping to all bridges along Route 1 in this area.

SCHEDULE FOR ADOPTION: Fall/Winter 2015-2016

AFFECTED PARTIES: Route 1 users.

CONSENSUS-BASED RULE DEVELOPMENT (Information on any planned use of as outlined in 5 MRSA §8051-B): not anticipated.

CONTACT PERSON for this chapter: Stephen Landry, State Traffic Engineer, (207) 624-3632, [Stephen.Landry@Maine.gov](mailto:Stephen.Landry@Maine.gov) .

**NEW RULE** *(adopt)*: Rules Restricting Heavy Loads on Closed Ways

STATUTORY AUTHORITY: 29-A M.R.S.A. §2395, as amended by P.L. 2013, c. 55, §1, eff. October 9, 2013.

PURPOSE: In the past, rules adopted by MaineDOT for the protection of ways (**"**Rules and Regulations Restricting Heavy Loads on Closed Ways") pursuant to 29-A MRSA §2395 were exempt from the provisions of the *Maine* *Administrative Procedure* *Act*, Title 5, chapter 375. effective October 9, 2013 such rules have been designated routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. The Department will now adopt rules in accordance with the *Administrative Procedures Act* and the requirements of 29-A M.R.S.A. §2395, as amended by P.L. 2013, c. 55, §1. The Department also plans to amend certain provisions of these Rules.

SCHEDULE FOR ADOPTION: Fall/Winter 2015-2016.

AFFECTED PARTIES: Persons and other entities traveling on ways designated for special protection in accordance with rules adopted by MaineDOT.

CONSENSUS-BASED RULE DEVELOPMENT (Information on any planned use of as outlined in 5 MRSA §8051-B): not anticipated.

CONTACT PERSON for this chapter: Dale Doughty, Director of Maintenance and Operations, (207) 624-3600, [Dale.Doughty@Maine.gov](mailto:Dale.Doughty@Maine.gov) .

**CHAPTER 205** *(amend)*: Rules and Regulations for Administering the *Maine Traveler Information Services Act*

STATUTORY BASIS: 23 MRSA Chapter 21 §1901-1925

PURPOSE: These amendments are intended to clarify and correct some inconsistencies in the language of the rule.

SCHEDULE FOR ADOPTION: Fall/Winter, 2015-2016

AFFECTED PARTIES: The traveling public; business entities seeking to locate signs on or along Maine’s highway system; consultants doing design work for the aforementioned, Maine Municipal Association.

CONSENSUS-BASED RULE DEVELOPMENT (Information on any planned use of as outlined in 5 MRSA §8051-B): not anticipated

CONTACT PERSON for this chapter: Stephen Landry, State Traffic Engineer, (207) 624-3632, [Stephen.Landry@Maine.gov](mailto:Stephen.Landry@Maine.gov) .

**CHAPTER 106** *(repeal)*: Rules for the Transportation Planning Incentive Funding Program

STATUTORY AUTHORITY: 23 M.R.S.A. §73-A.

PURPOSE: The statutory basis for this rule has been repealed, and the rule is no longer needed.

SCHEDULE FOR ACTION: Fall/Winter 2015-2016.

**CHAPTER 700** *(repeal)*: Transit Bonus Payment Program Rules

STATUTORY AUTHORITY: 23 M.R.S.A. §1807

PURPOSE: The statutory basis for this Rule has been repealed, and the rule is no longer needed.

SCHEDULE FOR ACTION: Fall/Winter 2015-2016.