



MaineDOT

Revised February 2007

INTRODUCTION

The purpose of this guide is to help municipal officials understand where responsibilities lie for certain actions, and where to address questions, concerns, and applications. Clarifying these issues will enable municipal officials to communicate more effectively with the Maine Department of Transportation (MaineDOT), and avoid unproductive effort. In addition, background information on several key factors is explained, so that some of the constraints under which the department operates may be better understood.

The guide primarily contains sources of information, processes, and lines of communication. Specifics, such as permitting and regulations, refer to standards and authorities such as the Maine Municipal Association and the Maine Department of Environmental Protection.

While the authors have tried to make the **Guide** as accurate as possible, it **should not be considered definitive or all inclusive**.

If you have a question about roads or transportation but do not know who you should talk to, call the Maine Local Roads Center at (207) 624-3270 or 1-800-498-9133. The staff is experienced at working with municipalities, and are familiar with most transportation issues affecting local governments. They will be able to direct you to the right person in MaineDOT. Correspondence should be forwarded to the Maine Local Roads Center, MaineDOT, Community Services Division, State House Station 16, Augusta, Maine, 04333-0016.

This guide was originally prepared in 1995 by John Noll, Penobscot Valley Council of Governments, and Don Cooper, Hancock County Planning Commission, for MaineDOT's Bureau of Planning. Reviews and edits are made by Maine Local Roads Center and the Bureau of Planning.

Working with the MaineDOT: A Guide for Municipal Officials

The MaineDOT can now be found on the World Wide Web at:

www.maine.gov/mdot/

The Community Services Division can be found at:

www.maine.gov/mdot/
[Click On Municipal Information](#)

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1.0 THE MAINE DEPARTMENT OF TRANSPORTATION

1.1 History and Overview of MaineDOT

At a time when roads were the primary focus of transportation infrastructure expansion, the Maine Highway Commission constructed and maintained Maine's transportation system. An act of the Legislature created the Maine Department of Transportation (MaineDOT) in 1972. Today, MaineDOT has responsibility across all modes of transportation including State highways and bridges; airports and aeronautics; ports and marine activity, including the State Ferry Service; railroads; public transportation; as well as bicycle and pedestrian facilities.

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1.2 Organization

MaineDOT is a cabinet level agency that consists of several bureaus and offices. The following is a brief description of each bureau and office.

1.2.1 Bureau of Planning

The Bureau of Planning is responsible for conducting systematic and comprehensive statewide transportation planning, capital improvement program development, research, and community services activities in support of the department's overall strategic goals and policies. The bureau is comprised of five operating divisions; Community Services, Policy Development and Statewide Planning, Program Development, Systems Management, and Transportation Research. See section 1.3.1

1.2.2 Bureau of Maintenance and Operations

The Bureau of Maintenance and Operations is responsible for summer and winter maintenance of State and Non-Federal aid State roads in Maine. The bureau operates through five Region Offices located in Presque Isle, Bangor, Augusta, Scarborough, and Dixfield. The Region Offices provide direction and supervision to MaineDOT crews with assignments in highway maintenance, bridge maintenance, traffic operations, maintenance paving work on selected sections of highway during the summer, and other daily functions. See section 1.3.2.

1.2.3 Office of Passenger Transportation

The Office of Passenger Transportation coordinates the passenger-related functions previously associated with MaineDOT's bus, vanpool, carpool, air, rail and marine transportation offices, including the Maine State Ferry Service. It also coordinates the department's pedestrian and bicycle programs. The office's primary responsibilities include developing public transportation solutions that are environmentally sound, cost effective and politically acceptable. See section 1.3.3.

1.2.4 Office of Freight Transportation

The Office of Freight Transportation oversees departmental initiatives that promote freight transport by highway, rail, ships and airplanes. It deals with truck issues, air freight, rail freight, marine freight, and cargo port development. In short, the office champions greater Statewide integration of freight transportation modes. See section 1.3.4.

1.2.5 Office of Communications

The Office of Communications is responsible for providing accurate and timely information to both the public and MaineDOT employees, and to facilitate effective communication between the department, and its stakeholders and customers. See section 1.3.5.

1.2.6 Bureau of Project Development (BPD)

The Bureau of Project Development (BPD) assumes responsibility for turning the Capital Work Program into completed construction projects once the budget is approved by the Legislature. The four Program Units of the BPD carry out the tasks required to complete each individual project. The tasks include advertising for bids and other work prior to the start of construction; obtaining legal title to property on which MaineDOT plans to build projects; creating the actual engineering design for the project; conducting public meetings to discuss design and supervising the actual construction of the proposed project. See section 1.3.6.

1.2.7 Capital Resource Management

The Bureau of Capital Resource Management is responsible for the department's financial management, contract procurement process and document management. See section 1.3.7.

1.2.8 Transportation Service Center

The Transportation Service Center provides human resources and financial processing services to MaineDOT. See section 1.3.8.

1.2.9 Environmental Office

The Environmental Office is responsible for proactively integrating transportation and environmental objectives and innovations in the department's plans, projects and operations. The office has several units including Surface Water Resources, Hydrology, Hazardous Waste and Groundwater, Natural Resource Identification, Wetland Mitigation, Permits and Cultural Resources, Landscaping and Project Coordination. See section 1.3.9

1.2.10 Office of Legal Services and Internal Audit

The Office of Legal Services and Internal Audit provides legal advice, opinions and representation in all facets of the law including eminent domain, personnel, tort, environmental, marine, rail, lease, and contract related issues. This office also assists in the promulgation of departmental rules. The audit division conducts both internal and external audits to ensure that departmental programs are meeting their defined goals and contractors and consultants are in compliance with Federal and State regulations. See section 1.3.10

1.2.11 Safety Office

The Safety Office provides a consistent point of contact for safety concerns to both the traveling public and the department. Primary responsibilities include development and coordination of the department's Strategic Safety Plan through policy development, performance monitoring, and training efforts. See section 1.3.11

1.2.12 Contract Procurement Office

The primary responsibilities of the Contract Procurement Office include development, training, implementation, and oversight of MaineDOT's contractual policies, procedures, and standards in the areas of Consultant Contracts, Locally Administered Projects, and State Administered Municipal Projects. See Section 1.3.12

1.2.13 Office of Engineering Quality and Oversight

The primary responsibilities of the Office of Engineering Quality and Oversight is to ensure that engineering and related technical work produced by MaineDOT is high quality, and that our 400 plus engineers and technicians have the skills and resources to produce that high quality work. See Section 1.3.13

1.3 Directory of MaineDOT Bureaus

Please note that the names of personnel assigned to particular areas of responsibility may change, as people move on and are replaced.

1.3.1 Bureau of Planning

Director: Vacant Tel: (207) 624-3300
 Assistant Director: Dale Doughty Tel: (207) 624-3313

Primary responsibilities include (1) preparing MaineDOT's long range planning documents including the department's Capital Work Program, the Mid-Range Plan and the Long-Range Plan; (2) the collection and analysis of highway data information and systems inventory data; (3) conducting statewide planning; (4) major investment studies (5) research and development of materials; (6) administration of community related programs such as the Maine Local Roads Center.

<u>For Information About:</u>	<u>Contact:</u>	<u>Telephone:</u>
Adopt-A-Highway	Pete Coughlan	(207) 624-3270
Clean Air Act Compliance	Nathan Howard	(207) 624-3310
Highway Classification	Pete Coughlan/Fred Hutchinson	(207) 624-3270
Long-Range Plan	Gerald Audibert	(207) 624-3315
Maine Local Roads Center	Pete Coughlan/Jerry Douglass	(207) 624-3270
Major Transportation Investment Studies	Ray Faucher	(207) 624-3299
Mid Range Plan	Martin Rooney	(207) 624-3317
MPO Coordinator	Michael Laberge	(207) 624-3280
Municipal Salt/Sand Buildings	Pete Coughlan	(207) 624-3270
Noise Policy Administration	Raymond Faucher	(207) 624-3299
Program Development (Capital Plan)	Bill Croce	(207) 624-3282
Project Scoping	Darryl Belz	(207) 624-3275
Public Involvement	Susan Angle	(207) 624-3447
Regional Planning Coordination	Gerald Audibert	(207) 624-3315
Research	Dale Peabody	(207) 624-3305
Sensible Transportation Policy	Gerald Audibert	(207) 624 3315
Systems Management	Rick Dubois	(207) 624-3312
Bridge Management	James Foster	(207) 624-3267
Pavement Management	Robert Skehan	(207) 624-3304
Road Inventory & Mapping	Julie Chizmas	(207) 624-3295
Transportation Analysis	Ed Hanscom	(207) 624-3300
Transportation Enhancement Program	Duane Scott	(207) 624-3309
Urban Rural Initiative Program (URIP)	Fred Hutchinson	(207) 624-3270

1.3.2 Bureau of Maintenance and Operations

Director: David Bernhardt
 Assistant Director: Mike Burns

Tel: (207) 624-3600
 Tel: (207) 624-3600

Responsible for highway and bridge maintenance, and traffic control devices and signs. Duties are carried out primarily through five Region Offices Statewide. Because Region Offices have primary authority/responsibility over activities in their area, most questions can be handled at that level.

<u>For Information About:</u>	<u>Contact:</u>	<u>Telephone:</u>
Highway stats., traffic counts	Debbie Morgan	(207) 624-3606
Data crash records	Greg Costello	(207) 624-3618
Junkyard Regulations	DEP	(207) 287-2651 or 2654
Official Business Directional Signs and other Roadside Signs	Bob Sinclair	(207) 624-3611
Traffic Engineering Traffic Signal Design and Review of Engineering Plans	Bruce Ibarguen	(207) 624-3620
Entrance & Driveway location/relocation	Region Office	
Collector road construction projects	Region Office	
Maintenance improvement schedules	Region Office	
Roadside rest areas	Region Office	
Winter road conditions	Region Office, 511, or website	
Review of Development Projects generating ≥ 100 trips at peak hour Speed Limits	Region Traffic Engineer Region Traffic Engineer	

Regions:

Bridge Maintenance

Highway Maintenance

Motor Transport Services

Radio Operations

Traffic Engineering

1.3.3 Office of Passenger Transportation

Director: Ronald Roy

Tel: (207) 624-3250

The Office of Passenger Transportation coordinates the passenger-related functions previously associated with MaineDOT's bus, vanpool, carpool, air, rail and marine transportation offices, including the Maine State Ferry Service. It also coordinates the department's pedestrian and bicycle programs. The office's primary responsibilities include developing transportation alternatives that are environmentally sound, cost effective and politically acceptable.

For Information About:

Contact:

Telephone:

Air Transportation

Russ Charette

(207) 624-3238

Ferries

Jim MacLeod

(207) 596-2243

Public Transportation

Barbara Donovan

(207) 624-3245

Multimodal/Administration

Barbara Donovan

(207) 624-3245

Non-Motorized Transportation
(Bicycles & Pedestrians)

Dan Stewart

(207) 624-3252

Passenger Rail

Nate Moulton

(207) 624-3563

Planning & Development

Russ Charette

(207) 624-3238

1.3.4 Office of Freight Transportation

Director: Robert D. Elder

Tel: (207) 624-3560

The Office of Freight Transportation oversees departmental initiatives that promote freight transport by highway, rail, ships and airplanes. It deals with truck issues, air freight, rail freight, marine freight, and cargo port development. In short, the office champions greater Statewide integration of freight transportation modes.

<u>For Information About:</u>	<u>Contact:</u>	<u>Telephone:</u>
Air Freight	Kim King	(207) 624-3566
Cargo Ports	Vacant	(207) 624-3564
Rail/Freight Intermodal	Tracy Perez	(207) 624-3248
Motor Carriers	Tim Bolton	(207) 624-3559
Navigation/Pilotage	Vacant	(207) 624-3564
Small Harbors/Dredging	Kevin Rousseau	(207) 624-3565

1.3.5 Office of Communication

Director: Herb Thomson

Tel: (207) 624-3030

The MaineDOT Office of Communications responds to news media inquiries; oversees production and distribution of news releases, informational materials, brochures, signage, public service messages, public events, surveys, and other communications products; manages distribution of public information related to MaineDOT transportation projects and programs; provides mapping, photography, videography, audio/visual support, hearing plans, and desktop-publishing services for the department; manages the MaineDOT Internet and Intranet websites; maintains the department's library of transportation information; operates the mailroom/stockroom for the Augusta Headquarters; and produces printed materials for both external and internal consumption. The office also participates in the determination of internal communications needs, and in the development of internal communications policies and programs, including coordination, production, and distribution of information to employees.

Divisions:

Public Information

Media Services

Mapping Services

MaineDOT Library

Webmaster

Mailroom/Stockroom and Reprographic Services

1.3.6 Bureau of Project Development

Director: Kenneth Sweeney

Tel: (207) 624-3400

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Assistant Director: Joyce Taylor

(207) 624-3350

For Information About:

Contact:

Telephone:

Bridge projects

Jim Tukey

(207) 624-3490

Capital Resources and Performance

Tammy Chase

(207) 624-3338

Highway Projects

Jeff Adams

(207) 624-3539

Materials Testing & Exploration

Bruce Yeaton

(207) 624-3482

Multimodal projects

Norm Baker

(207) 624-3420

Project advertising and contracting
Specifications

Scott Bickford

(207) 624-3533

Property Office

William Pulver

(207) 624-3551

Civil Rights Office

Holly Anderson

(207) 624-3349

Divisions:

Bridge Program

Capital Resources

Civil Rights Office

Contracts and Specifications

Highway Program

Material Testing and Exploration

Multimodal Program

Property Office

1.3.7 Capital Resource Management

Director: Karen Doyle

Tel: (207) 624-3200

1.3.8 Transportation Service Center

Director: Alan Brigham

Tel: (207) 624-3120

For Information About:

Contact:

Telephone:

Financial Processing

Doreen Corum

(207) 624-3139

Human Resources

Ann Twombly

(207) 624-3058

1.3.9 Environmental Office

Director: Kathleen B. Fuller

Tel: (207) 624-3100

For Information About:

Contact:

Telephone:

Scenic Byways Program

Robert LaRoche

(207) 624-3094

Community Gateways Program

Kent Cooper

(207) 624-3085

Roadside Vegetation Management

and Landscaping

Robert LaRoche

(207) 624-3094

Erosion and Sedimentation Control and

BMP's and Stormwater Management

Peter Newkirk

(207) 624-3072

Fish Passage Policy

Richard Bostwick

(207) 624-3079

Fish Passage Design Guide

Charles Hebson

(207) 624-3073

Surface Water Quality Protection Program

Christopher Rushton

(207) 624-3219

Environmental Management Systems

Dwight Doughty

(207) 624-3103

Historic Resources

David Gardner

(207) 624-3105

1.3.10 Office of Legal Services and Audit

Acting Director: Toni Kemmerle, Esq.

Tel: (207) 624-3024

Manager of Audit: Donna Ferenc

(207) 624-3038

Provides legal advice, opinions and representation in all facets of the law including eminent domain, personnel, tort, environmental, marine, rail, lease, and contract related issues. This office also assists in the promulgation of departmental rules. The audit division conducts both internal and external audits to ensure that departmental programs are meeting their defined goals and contractors and consultants are in compliance with Federal and State regulations.

1.3.11 Safety Office

This office provides a consistent point of contact for safety concerns to both the traveling public and the department. Primary responsibilities include development and coordination of the department's Strategic Safety Plan through policy development, performance monitoring, and training efforts.

Director: Bradford Foley

Tel: (207) 624-3359

Management Areas:

Occupational Safety

Operational Safety

Performance Analysis

Planning

Occupational Safety Training

Employee Wellness

1.3.12 Contract Procurement Office

Primary responsibilities of this office include development, training, implementation, and oversight of MaineDOT's contractual policies, procedures, and standards in the areas of consultant contracts, locally administered projects, and State administered municipal projects.

Director: Todd Pelletier

Tel: (207) 624-3324

For Information About:

Contact:

Telephone:

Procurement Support

Gale Lizotte

(207) 624-3529

Information and Municipal
Coordination

Steve Harris

(207) 624-3329

Contract Compliance

Kelly Curtis

(207) 624-3039

Areas of Coordination:

Consultant Contracts

Locally Administered Projects

MaineDOT Administered Municipal Projects

1.3.13 Office of Engineering Quality and Oversight

Primary responsibilities of this office are to ensure that engineering and related technical work produced by MaineDOT is high quality, and our 400 plus engineers and technicians have the skills and resources to produce the high quality work.

Assistant to the Chief Engineer: Chip Getchell, P.E.

Tel: (207) 624-3016

Technical Support: Jackie Guimond

(207) 624-3017

Management Areas:

Constructability Reviews

Design Exceptions

Engineering Council (Chair)

Contracting/Labor Issues

Engineering Policies, Standards, and Best Practices

OPEGA Liaison

Fiscal Notes (OFPR liaison)

Value Engineering

1.4 Region Offices of Maintenance and Operations

Northern Region:

Region 5, P.O. Box 1178 (Rice Street), Presque Isle, Maine 04769
Contact: Bob Watson, Region Manager Tel: (207) 764-2060
Brent Bubar, Region Engineer
Jim McGinnis, Traffic Engineer

Eastern Region:

Region 4, P.O. Box 1208 (219 Hogan Rd.), Bangor, Maine 04401
Contact: Jerry Waldo, Region Manager Tel: (207) 941-4500
Terry Hannan, Region Engineer
Victor Smith, Traffic Engineer

Western Region:

Region 3, P.O. Box 817, (U.S. Route 2), Dixfield, Maine 04224
Contact: Norm Haggan, Region Manager Tel: (207) 562-4228
Mark Hume, Region Engineer
Brian Keezer, Traffic Engineer

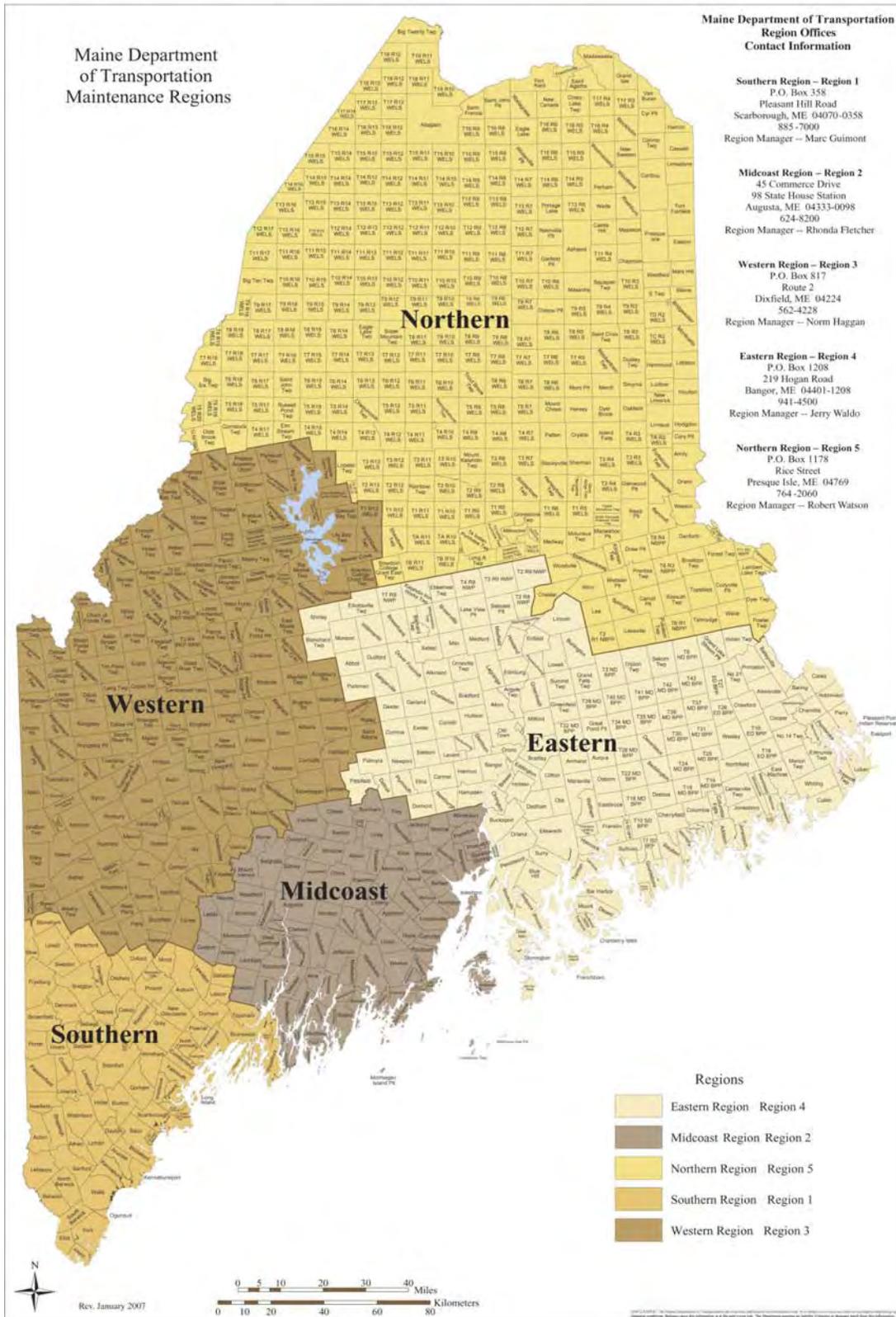
Mid Coast Region:

Region 2, State House Station 98, 45 Commerce Drive, Augusta, Maine 04333
Contact: Rhonda Fletcher, Region Manager Tel: (207) 624-8200
John Devin, Region Engineer
Dave Allen, Traffic Engineer

Southern Region:

Region 1, P.O. Box 358 (Pleasant Hill Rd., Scarborough), Scarborough, Maine 04070-0358
Contact: Marc Guimont, Region Manager Tel: (207) 885-7000
David Sherlock, Region Engineer
Vacant, Traffic Engineer

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1.5 Planning, Public Participation, and Project

The "Sensible Transportation Policy Act (STPA)," approved by Maine voters in 1991 required MaineDOT to establish a public participation process that is effective, timely, and efficient. The Regional Transportation Advisory Committee (RTAC) process, created by the Transportation Policy Advisory Committee & STPA Rule, played an integral role in facilitating a higher degree of public participation during the formulation of transportation policy than ever before. While this method has worked well and served its purpose for more than a decade, MaineDOT has expanded upon the committee's success by broadening the scope of our public outreach and involvement process in 2004. To this end, MaineDOT has partnered with Regional Planning and Development Organizations (RPOs) to develop public outreach strategies that:

- are tailored specifically to their region
- are consistent with the requirements of the STPA
- encourage stronger regional partnerships
- increase grassroots and local government involvement
- provide opportunities for interested former RTAC members to participate, and
- develop a more consistent Statewide approach.

RPOs are organized to represent each of Maine's Economic Development Districts (EDDs). They have the expertise to develop broad based regional goals and integrate transportation planning with land use planning and economic development. RPOs are empowered to collect and summarize information from citizens, municipalities and regional stakeholders in order to make recommendations on regional and Statewide needs and priorities to MaineDOT. They must develop public involvement plans that are approved by MaineDOT, are consistent with the STPA, that broadly and fairly represent the region as a whole, and that provide opportunities for input from the general public, local officials, Metropolitan Planning Organizations, and regional stakeholders. RPOs must update/maintain their public involvement plan on an annual basis to ensure it meets the character of their region. They may utilize a number of tools for public outreach. These may include (but are not limited to) public forums, surveys, open house meetings, and the use of various committees.

At the request of MaineDOT, RPOs develop Regional Transportation Needs Assessments. RPOs must solicit direct input from the public and regional stakeholders on transportation, land use and economic development priorities in their region, and synthesize that information into Regional Needs Assessments for consideration in MaineDOT's Long-Range (20 years) Plan and the EDDs Comprehensive Economic Development Strategy.

MaineDOT primarily utilizes three planning documents:

- The Long-Range (20 year) Plan outlines overall transportation, demographic and socioeconomic trends and projections and the anticipated future transportation issues

facing the State. It sets the vision, goals and objectives for MaineDOT to pursue over the next 20 years. Significant public involvement is undertaken to ensure the Long Range Plan will meet the needs of the people of Maine.

- The Six Year Plan identifies candidate capital improvement projects that meet the vision, goals and objectives identified in the Long Range Plan. This document is financially constrained and lists candidate projects designated for completion over the next three biennia. The plan is updated every other year and is intended to also be a useful tool for municipal capital planning and budgeting (most MaineDOT projects require a municipal funding match). This process allows the prioritization of projects over a Six year time frame, and also serves as an effective conduit for projects to be placed in the Biennial Work Plan.
- The Capital Work Plan (formerly the Biennial Transportation Improvement Program, or BTIP) provides a listing of the capital improvement projects that are anticipated to be funded in the upcoming biennium. Generally, these projects are drawn from the Six Year Plan. At the same time, an additional two years worth of candidate improvement projects are incorporated into the Six Year Plan. The Capital Work Plan provides a snapshot of all projects and their prospective funding sources. It is submitted to the Maine Legislature along with the MaineDOT biennial transportation budget request. The Legislature utilizes the Capital Work Plan as a reference tool while reviewing and acting on MaineDOT's budget request.

Once MaineDOT's budget is approved, the department's Bureau of Project Development (BPD) assumes responsibility for turning the Capital Work Plan into completed projects. When a highway or bridge project is completed, the Bureau of Maintenance and Operations (M&O) becomes responsible for the project's maintenance and preservation.

The Capital Work Plan must be consistent with the Federally required Statewide Transportation Improvement Plan (STIP). The STIP is a multi-year, multimodal program of transportation projects consistent with all other transportation plans developed within the State. It lists all projects that MaineDOT intends to undertake with funds from the Federal Highway Administration and the Federal Transit Authority. The STIP has a four year life and is updated biennially.

Municipalities should contact their Regional Planning Organization to become familiar with the land use, transportation and economic development objectives and strategies for their region. By working closely with the RPOs, communities can better understand the transportation planning process and also gain insight into the potential for candidate projects they are considering to be implemented.

Municipalities and interested citizens can insure a greater degree of involvement in the transportation planning process by coordinating with their RPOs, attending or participating in

scheduled RPO events and expressing their viewpoint during the public comment portion of meetings. RPOs are required to make available frequent and adequate notice of meetings and agendas to interested citizens, stakeholders and municipalities in Maine.

For more information on the public involvement process and how to get involved, contact MaineDOT regional manager within your location. See section 1.4. Additional information can also be obtained from the RPO's. See section 3.1.1.

1.5.1 Metropolitan Planning Organizations (MPO's)

The Federal Highway Act requires that a Metropolitan Planning Organization (MPO) be designated for each urbanized area defined by the U.S. Census. The designation is based on population density. The MPO is responsible for insuring that the urbanized area has a continuing, cooperative, and comprehensive transportation planning process. The process must result in plans and programs that consider all transportation modes and support metropolitan community development and social goals. These plans and programs must lead to the development and operation of an integrated, intermodal transportation system that facilitates the efficient, economic movement of people and goods. MPOs must coordinate with MaineDOT when planning projects in urbanized areas.

There are presently four MPOs in the State of Maine: Androscoggin Transportation Resource Center (ATRC); Bangor Area Comprehensive Transportation Study (BACTS), Kittery Area Comprehensive Transportation Study (KACTS); and Portland Area Comprehensive Transportation Study (PACTS). The MPOs consist of municipal and State officials who serve on policy, planning and/or technical committees. The committees meet on a regular basis to establish priorities and allocate specific categories of Federal transportation related funds to the area.

The passage of Federal authorizing legislation (ISTEA and TEA 21) in 1991 and 1998 has increased and strengthened the transportation planning process. Responsibilities of the MPOs include:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- Increase the safety and security of the transportation system for motorized and nonmotorized users;
- Increase the accessibility and mobility options available to people and for freight;
- Protect and enhance the environment, promote energy conservation, and improve quality of life;

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- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- Promote efficient system management and operation; and
- Emphasize the preservation of the existing transportation system.

For more information on Metropolitan Planning Organizations in Maine, call MaineDOT's MPO Coordinator, at (207) 624-3300 or contact any of the following:

ATRC: Don Craig, Director - 783-9186 - E-mail: dcraig@avcog.org
BACTS: Rob Kenerson, Director - 942-6389 - E-mail: rkenerson@emdc.org
KACTS: Tom Reinauer, Director - 324-2952 - E-mail: treinauer@smrpc.org
PACTS : John Duncan , Director - 774-9891 - E-mail: jduncan@gpcog.org

2.0 SOME COMMON QUESTIONS AND ANSWERS

Many municipalities have common questions of MaineDOT. We've included many of them in this section and have provided appropriate responses as well.

State-Related

- Q. How do I find out who is responsible for maintaining a particular highway in my town?**
- A. Call the Region Manager at your Regional Office. See section 1.4 for telephone numbers and the map on the following page.
- Q. The State road in our town needs improvement, not just a maintenance paving job. How do we get it done?**
- A. Call the Region Manager at your local Regional Office. The Manager will be able to tell you if any work is scheduled. If none is scheduled, the municipal office can contact the Bureau of Planning at 624-3300. Also when MaineDOT sends its biennial municipal solicitation form to each town, it's extremely important to fill it out and send it in.
- Q. What's a "State Aid" road?**
- A. From a maintenance perspective, a "State Aid" road in a non-compact town is a State road which is plowed/sanded by the municipality and maintained in the summer by the MaineDOT. A "State Highway" is maintained year round by MaineDOT. From a classification perspective, a "State Aid" road is typically a "Collector" road, which feeds into the Arterial Highway network.
- Q. When a town has an ordinance that regulates Official Business Directional Signs, how will MaineDOT control and place the signs?**
- A. The MaineDOT will, when there is a difference between their regulations and the town regulations, use the stricter of the two. See section 3.6 for more background information.
- Q. A road sign was knocked down during an accident at the intersection of a town-road and a State-highway. Who should I contact in order to get the sign replaced?**
- A. Call the Region Manager at your local Regional Office. Unless your municipality has taken over all maintenance responsibilities for State-highways, the MaineDOT will replace the sign. The Region Manager will be able to tell you if the town is responsible. See section 1.4 for telephone numbers and section 3.6 for more background information.
- Q. Can we take advantage of State purchases of items such as culverts, signs, paving, and graders?**

- A. Yes, any political sub-division (town, city, county, school district, water or sewer district), is entitled to take advantage of the bid prices from State purchasing of supplies, material, and equipment only if the vendor has agreed to this arrangement. Call the State Bureau of Purchases at (207) 624-7340, to get a list of the contracts for municipalities. The list shows what items are available, and is updated regularly. See section 4.2 for more information. The items are also on the website at:
<http://www.maine.gov/purchases/agencyinfo/index.htm>

Q. Is there a source of used equipment that municipalities can tap into?

- A. Yes. State Surplus Property, ranging from graders and dump-trucks to computers and furniture, is available. The property is auctioned twice a year, and municipalities have the chance to offer a price on items before they go to public bid. A range of the smaller items, such as chairs, desks, and computers, are also available more frequently at the Central Warehouse on Leighton Road in Augusta. For more information, call the Surplus Property Section, at (207) 287-3641 or see
<http://www.maine.gov/bgs/centralserv/surplus/index.htm>.
See section 4.2 for more information.

Q. There is a very dangerous curve on a State-road in our town. Who do we talk to get the situation remedied?

- A. Call the Region Traffic Engineer at your local Regional Office. He will be able to examine the crash accident statistics for the location in question and visit the site. If improvement of the curve is warranted, he will recommend that it should be included in the department's work program. See section 1.4 for telephone numbers.

Q. Our town feels that the present State Highway System Designation of a road has changed, and would like to request a review of the road. Who do we contact?

- A. Call Community Services Division at (207) 624-3270. The State Highway System designations are State Highway, State-Aid Highway, and Townway. Town officials should submit a request in writing to the Commissioner of MaineDOT.

Q. The police department needs updated node reference maps for identifying accident locations within our town. Where can I get these maps?

- A. Call the Mapping Division at (207) 624-3296, and request node reference maps of your town.

Q. Someone wants to put a driveway or entrance and culvert onto a rural State or State aid road, how do they do that?

- A. Call the Region Traffic Engineer and see section 3.3.6. They will need to get a State permit and follow current access management regulations as shown here:
<http://www.maine.gov/mdot/planning-process-programs/access-mngmnt.php>

Q. A culvert is blocked on what I believe is a State-maintained road. Who do I call?

A. Call the Region Manager at your local Regional Office. See section 1.4 for telephone numbers.

Town Roads

Q. Our town uses so-called "State rates" in its contracts for highway work. Where can we get up-to-date rate information?

A. Rate information is available through the Maine Local Roads Center at (207) 624-3270 or on its website at <http://www.maine.gov/mdot/community-programs/laborrates.php>. "State rates" are a standard set of equipment and operator hiring rates. Many municipalities use the rates to prepare cost estimates for projects.

Q. A stretch of town-road needs reconstruction. Who in MaineDOT can advise the town on how to proceed?

A. Call the Maine Local Roads Center, (207) 624-3270, to talk about the problem and options for reconstruction. Staff from the Center or personnel from the local Maintenance Region Office may be able to come out, take a look, and offer some advice. Call the Center or the Region Manager at your local Maintenance Regional Office. See section 1.4 for telephone numbers.

Q. Our town needs a road maintenance plan. How do we develop one?

A. Call the Maine Local Roads Center, at (207) 624-3270. The center offers training specifically in managing local roads from the basic concepts through to a very effective computer-aided Road Surface Management System (RSMS). See section 3.11 for more information.

Q. We need an ordinance for local road design. How do we find acceptable standards and put them into an effective ordinance?

A. Call the Maine Local Roads Center at (207) 624-3270. The center is active in promoting appropriate construction standards for local roads, so as to ensure the wise investment of town and State moneys for their construction and maintenance. The staff can help with reviewing and advising on new or existing ordinances.

Q. Someone has put up a brick mailbox/concrete post in the right-of-way of a town-road. How do we get it removed?

A. Such a fixture constitutes a "deadly fixed object" and a potential town liability. Call the Maine Local Roads Center at (207) 624-3270 or the Maine Municipal Association at (800) 452-8786. The Maine Local Roads Center has a handbook on the correct

installation of mailboxes which includes the US Post Office requirements and a sample letter to send to the homeowner.

Q. Our town "posts" roads in the spring, but we are not sure we are doing it properly. We want to protect our roads, but on the other hand, we do not want to hamper the businesses in town. Who can give us guidance?

A. Both the Maine Municipal Association and the Maine Local Roads Center have information on posting roads. The center has an information package that includes what the law says; how to go about posting roads; appropriate signs; and how to enforce the

regulations. Call Maine Local Roads Center at (207) 624-3270, or Maine Municipal Association at (800) 452-8786.

Q. It has been determined that the town is presently maintaining roads that are designated Private Ways. Is this legal?

A. If you're plowing/maintaining private roads, STOP! If you're not, DON'T START! For additional information, please contact Maine Local Roads Center at (207) 624-3270 or Maine Municipal Association at (207) 623-8428.

Traffic Issues

Q. We have a speeding problem on one of our roads. How can we stop it?

A. Very often, speeding is an enforcement problem. Reducing the speed limit, in the absence of increased enforcement efforts, is usually ineffective. However, there are situations where certain local roads can be altered to incorporate features that will slow traffic. Larger and brighter signs, road striping, flashing lights, rumble strips, pavement grooving, speed humps, and road narrowing are some of the techniques known as traffic calming that have been used successfully in various situations. Call the Maine Local Roads Center at (207) 624-3270 for more information.

Q. What traffic signs should a town buy, and how far from the hazard should they be placed?

A. For advice, call the Region Traffic Engineer at your local Regional Office. See Section 1.4 for telephone numbers.

Q. Where do we get information about striping town-roads?

A. Call the Maine Local Roads Center, at (207) 624-3270. The staff will be able to help you with the standards to follow for striping. The Region Traffic Engineer may help with particular field questions on striping certain roads. See Section 1.4 for telephone numbers.

Q. We need traffic volume counts on our roads. Where do we get this information, and can someone help us do our own counts?

A. For traffic volume data, call the Traffic Monitoring Section of the Traffic Engineering Division at (207) 624-3620. This section will be able to give you the most up-to-date information available, and advise you about traffic data and counts. The counts are also on the MaineDOT website at <http://www.state.me.us/mdot/traffic-counts/traffic-monitoring.php>

Q. Our town has a problem with vehicles not slowing for pedestrians in crosswalks. Can the town put up portable barrels or cones to require vehicles to stop for pedestrians?

A. Although many of these devices may “work” it’s important to realize that they could lead to serious, complicated, liability problems for the town. Before you place any devices in the middle of a road, contact the Maine Local Roads Center at (207) 624-3270. Traffic

control on all public ways is governed by the “Manual on Uniform Traffic Control Devices” (MUTCD). See section 3.9

Q. How do I know if a particular development being proposed at the town planning board meeting requires a Maine D.E.P. “Site Location of Development Permit” or a “MaineDOT Traffic Permit”, or both?

A. See section 3.3.7 or 4.4.5. If the proposed development creates an unvegetated surface area which results in having three or more acres covered by the footprint of buildings, parking areas, roads, sidewalks, etc., then a D.E.P. Site Location of Development Permit would be required. If the proposed development generates 100 or more “passenger car equivalents” (PCE’s) at peak hour, then a traffic permit would be required. For those development projects that are expansions of existing facilities, then only the additional trips at peak hour that occur after July 1, 1997 would be counted and applied to the 100 trip threshold. Call the Region Traffic Engineer for questions and advice.

Q. How do I know whether or not a proposed development generates 100 “passenger car equivalents” or more at peak hour?

A. Call MaineDOT Regional Traffic Engineer and ask him / her to look up the anticipated trip generation for the proposed land use. See section 1.4 for telephone numbers. He / she will check the copy of the Institute of Traffic Engineer’s (I.T.E.) “Trip Generation” book and estimate the number of trips expected to be generated at peak hour.

Q. How do I get a copy of the I.T.E. “Trip Generation” book?

A. MaineDOT uses the latest edition to calculate anticipated trip generation for proposed development projects. This book has trip-generation rates for over 120 different land-use

categories. The book costs \$165.00 and is available through I.T.E.; 525 School Street S.W. Suite 140; Washington, DC, 20024-2729. Telephone number (202) 554-8050 or Fax (202) 863-5486.

Funding

Q. What are a municipality's options for funding a transportation project?

A. The options depend on the location of the proposed project to a great extent, and the type of project. A wise course of action would be to discuss the project with staff at the Bureau of Planning (207) 624-3300, or at the Office of Freight Transportation (207) 624-3560 or the Office of Passenger Transportation at (207) 624-3250, at an early stage in the development of the project. See section 4.1 for more information.

Q. Did the Urban Rural Initiative Program (URIP) change how much money a town gets from the State or who maintains which roads?

A. Yes and No. Every town receives at least the same amount as FY 99, or a higher amount. No maintenance changes occurred.

Q. How much money will we be receiving in Urban/Rural Initiative Program (URIP) this year?

A. For up to date information on this, call the Community Services Division at (207) 624-3270.

Q. My town / city auditor needs verification of the funds we received from the URIP. Who do I contact to receive verification of the funds received over the past year?

A. This information is available upon a written request to the Community Services Division

Q. I understand that our town is now going to be partly responsible for repair costs on a State Aid road going through town. Is that true ?

A. Under the new URIP policy developed jointly by MMA and MaineDOT in 1999, a town will be responsible for 1/3 of the costs for capital improvements on State Aid MINOR collector roads in town. MaineDOT will provide the remaining 2/3 and will retain the maintenance responsibilities. See Section 4.1.1.0

3.0 GETTING HELP FROM THE DEPARTMENT

3.1 Transportation Planning Assistance

Assistance to municipalities for transportation planning is generally available from three sources: RPOs, consultants, and MaineDOT. The choice will depend on several factors including cost, the type of expertise required, the magnitude of the work, and the need to involve MaineDOT to ensure implementation of any recommendations. Requests related to transportation projects or planning studies generally must compete with other projects Statewide, depending upon available resources. Very often transportation planning efforts are cooperative ventures, drawing on the strengths of a combination of planning professionals, who work with a municipality and its residents.

MaineDOT does not need to be involved in a project if all of the following conditions are met: 1) the implementation of recommendations would be carried out by the municipality alone; 2) it would not require alterations to MaineDOT- maintained infrastructure; 3) transportation impacts would be local in their extent; and 4) State and/or Federal funds will not be sought. Otherwise, MaineDOT will be involved. Both consultants and Regional /Planning Organizations are used to working with MaineDOT in assisting municipalities.

3.1.1 Regional Councils of Governments / Planning Commissions

The advantage of using Regional Planning Organizations for transportation planning assistance is that they draw on a very broad base of local knowledge, covering all aspects of those factors that control the demand for travel and transport, such as land use, and local demographic trends. They are also familiar with changes in land use and demographics in neighboring towns that may affect your community. The level of expertise in transportation planning and the degree of specialization of staff varies considerably between agencies. For locally oriented transportation planning, a Regional Council/Planning Commission would be a sound choice. They have a regional perspective which is important to transportation systems. Dues-paying member communities usually receive free, or reduced-rate, transportation planning assistance. For larger projects beyond its capabilities or resources, a Regional Council/Planning Commission could advise a municipality about obtaining the services of a consultant, or assist in developing a joint Regional Council/ MaineDOT project. Additional information can be obtained from the following RPOs:

Northern Maine Development Commission
302 Main Street
PO Box 779
Caribou, ME 04736
(800) 427-8736

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<http://www.nmdc.org/indexv2.cfm>

Penobscot Valley Council of Governments

One Cumberland Place, Suite 300

PO Box 2579

Bangor, Maine 04401-2579

(207) 942-6389

<http://www.emdc.org/>

Washington County Council of Governments

PO Box 631

Calais, Maine 04619

(888) 287-3006

<http://www.wccog.net/>

Hancock County Planning Commission

395 State Street

Ellsworth, ME 04605

(207) 667-7131

<http://www.hcpeme.org/>

Mid Coast Regional Planning Commission

166 Main Street, Suite 201

Rockland, ME 04841

(207) 594-2299

<http://www.midcoastplanning.org/>

Mid-Coast Council for Business Development and Planning

7 Park Street

Bath, ME 04530

(207) 443-5790

<http://www.mcbdp.org/>

Kennebec Valley Council of Governments

17 Main Street

Fairfield, ME 04937

(207) 453-4258 ext 25

<http://www.kvcog.org/>

Androscoggin Valley Council of Governments
125 Manley Road
Auburn, ME 04210
(207) 783-9186
<http://www.avcog.org/>

Greater Portland Council of Governments
68 Marginal Way, 4th Floor
Portland, ME 04101
(207) 774-9891
<http://www.gpcog.org/>

Southern Maine Regional Planning Commission
21 Bradeen Street, Suite 304
Springvale, ME 04083
(207) 324-2952
<http://www.smrpc.org/>

3.1.2 Consultants

The great strength of consultants is that they can employ whatever specialist professionals are necessary for the project. However, their approach is project-oriented; when the job is completed, the client/consultant relationship ends, and the team of professionals are likely to be dispersed. A consultant would be a good choice to carry out a well-defined project that will have a definite end, and where the expectations of the client are well articulated. One possible disadvantage of consultants is that they may lack direct local knowledge. To overcome this shortfall, consultants sometimes use the local Regional Planning Organization to carry out the public outreach segment of the project, or as a source of local planning data.

3.1.3 Maine Department of Transportation

MaineDOT gives daily transportation planning advice through its Planning Division. When a municipality wishes to address a transportation problem that has great significance, either because of its location or its Statewide or regional importance, MaineDOT may, if its resources allow, become directly involved in its study. The process of planning a project with MaineDOT may require considerable discussion within the community and with MaineDOT to clarify the priorities of the community and the need for the study. The local Regional Planning Organization is well equipped to help in this process.

In addition, the department and Regional Planning Organizations can assist communities with corridor planning for scenic byways; access management; mobility preservation; congestion management; comprehensive planning and transportation capital improvement planning. The department's Local Road Center can also help with its "Road Surface Management System" (RSMS) program to assist towns in setting up a multi-year local road maintenance plan.

The advantages of direct MaineDOT involvement are: there is no direct local cost; the department has transportation specialists that can be assigned as necessary; and implementation arising from the planning will be State-facilitated. MaineDOT will often supplement its planning efforts by using Regional Planning Organizations, particularly for public outreach, local demographic, economic and land use issues, and other subject areas where the local Regional Planning Organization is knowledgeable. MaineDOT also will use consultants on occasion, especially for projects requiring a high degree of professional specialization.

3.2 Bridges

The "local bridge law" is found in 23 MRSA § 561 to 568. All municipalities should conduct annual inspections or more frequent inspections if serious defects are noted of their local bridges and budget for their maintenance, repair, and replacement activities. MaineDOT inspects all bridges biennially and provides the inspection results on its website at <http://www.State.me.us/mdot-stage/brmgmt/homepage.php>. Municipal personnel should follow up MaineDOT safety inspection and schedule routine maintenance for the bridges. The actual law is as follows:

***"Municipal-maintained structures.** For a structure for which a municipality has maintenance responsibility, the department shall advise the municipality of its inspection findings, noted deficiencies and recommendations regarding posting or closure. The municipality has sole responsibility and authority to determine whether a structure must be posted or closed, except that the department may close the structure in cases of emergency or when the department reasonably determines closure is necessary to protect the traveling public from imminent hazard. If the department becomes aware of deficiencies in a structure that could impact posting or closure decisions, the department shall promptly notify the municipality. The municipality is responsible for all costs and expenses related to the posting and closure, including any needed notifications, procedures, signing and barricades.*

Upon request by municipal officials, MaineDOT provides limited engineering advice on the maintenance, repair, reconstruction, and replacement of bridges. The advice may include recommendations, methods of accomplishing the work, and sketches if needed. However, complete plans cannot be provided. Some field guidance is usually available from either the Augusta Bridge Maintenance Office at (207) 624-3580, or the Regional Bridge Maintenance Manager at your Regional Maintenance Office.

MaineDOT's preferred approach to posting weight limits on local bridges is advisory. However, MaineDOT is authorized by law to close a public bridge in order to protect the public. Posting

protects both the public investment and the municipality from liability. All signing must be done in accordance with the Manual for Uniform Traffic Control Devices (MUTCD) to ensure legal posting. Signing includes an advance warning sign and a weight limit sign at the bridge.

For specific information about bridge maintenance and capital improvement funding see section 4.1.9

For more information contact MaineDOT Bridge Management Section at (207) 624-3300, or the Bridge Maintenance Staff of your local Regional Office.

3.3 Highway Right-of-Way Issues

3.3.1 Definition of Right-of-Way

The long history of highway construction in the state of Maine (beginning in the 1700's) has left a legacy of highway rights-of-way that range from those having full legal and physical definition, through the ill defined, to the completely undefinable. Because a considerable amount of the "State Highway System" itself consists of highways that were originally laid out by the counties and towns (so-called designated State Highways), there are, on occasion, some limited sections of the State Highway System on which it may be difficult to define the actual limits of the highway right-of-way. MMA's "Municipal Road Manual" contains an excellent description of the various types of highway right-of-way and a discussion of their implications. Generally, the older a road is and the less improved it is, the greater the possibility that its right-of-way is poorly defined. In instances where original road layout records have been lost by fire, have been not preserved, or are otherwise not available, the responsible governing body can claim a "prescriptive easement" to that area defined as "wrought portion." The so-called "wrought portion" consists of the roadway, shoulders, ditches and slopes. To determine the status and extent of local highway rights-of-way, a municipality may need to research its town records for road layouts, subdivision plans and miscellaneous surveys, and consult deeds on file at the Registry of Deeds. The most comprehensive data bank of County and State Highway road records in the State is located at MaineDOT in Augusta. It has particularly extensive research data on original county roads and much of the "State Highway System." For more information call (207) 624-3460.

3.3.2 Project Right-of-Way

When MaineDOT undertakes a project such as rehabilitation, reconstruction, or new construction, all right-of-way related activities are dealt with in a manner prescribed by the department's Right-of-Way Manual. These include activities such as the preparation of right-of-way maps, appraisals, negotiations, acquisition of land and rights in land, and the relocation of

displacers. For more information and project-specific details, contact the Property Office in Augusta at (207) 624-3460.

3.3.3 Control of Activities within State Highway Rights-of-Way

In addition to the usual traffic controls on the paved portion of the highway right-of-way, other activities on the non-paved portion of the right-of-way are controlled by the department. (See 23 M.R.S.A. §1401). For example, no permanent structures and/or encroachments such as buildings, gasoline pumps and tanks or other obstructions can be erected or installed within any portion of the highway right-of-way. The Federal Highway Administration also has a "Clear Zone Policy" that sets standards on Federally funded highway improvements. An important consideration is the possible blocking or restriction of sight-lines at access points to the highway, and providing space for vehicles to run off the highway in the event of a crash. For information on prohibited activities within the highway right-of-way, please contact the Traffic Engineering in Augusta at (207) 624-3611.

3.3.4 Utilities

Installations of utility facilities are allowed within the highway right-of-way if approved by MaineDOT. All utilities must follow the standards in the department's "Utility Accommodations Manual" found at www.maine.gov/mdot/utilities/utilities-home.php. Utility companies or corporations, municipalities, or private individuals must apply to MaineDOT region representative responsible for Location and Opening Permits who is located in the region in which the proposed facilities will reside. A map showing all the municipalities in each of MaineDOT regions is presented at <http://www.State.me.us/mdot/utilities/regionsmap.php>. The permitting representatives for each of the regions are presented at <http://www.State.me.us/mdot/utilities/contacts/general.php>. For more information on the application procedure, please see the above website or contact MaineDOT Utility Engineer at (207) 624-3488.

3.3.5 Highway Opening Permits

Anyone who wishes to excavate within the right-of-way of a State-maintained highway outside of an urban compact area must first obtain a permit from the Region Manager for the area in which the work is to be done. The issued permit becomes an agreement between the applicant and MaineDOT as to the date, location, and the fee that the applicant will pay (based on the area of reinstatement of the excavation). On town-ways, excavations may be controlled by local ordinance; persons needing to excavate in the municipal right-of-way should apply to their municipal office for more information. See Liability section for Traffic Control during construction. Addresses and telephone numbers for the local MaineDOT Regional Offices are found in Section 1.4.

3.3.6 Driveway/Entrances onto State and State-Aid Roads

Anyone who wishes to construct or maintain any driveway, entrance, or approach within the right-of-way shall receive a written permit from the department. It is unlawful to construct or maintain any driveway, entrance or approach within the right-of-way of any State or State aid highway (23 MRSA § 704) that lies outside the compact area of an urban compact municipality, without a written permit from the proper municipal officials. The right-of-way is considered the full width of the right-of-way as laid out by the State, county or the municipality.

An information and application packet is available from MaineDOT Regional Office. If the proposed driveway or entrance lies within a written permit from the proper town officials is required.

In 1999, the law was changed significantly in an attempt to “manage access” on certain State highways to ensure safety of the public. Under State law 23 MRSA, Section 704 as amended in 1999, MaineDOT is directed “*and towns are authorized to make such rules and regulations as to design, location, and construction of driveways, entrances, and approaches... as will adequately protect and promote the safety of the traveling public and maintain highway drainage.*”

3.3.7 Traffic Movement Permits

In January 2000 after a change in law, a development generating more than 100 Passenger Car Equivalent (PCE) during a peak hour must receive a Traffic Movement Permit. Any developer who generates more than 100 PCE trips MUST apply to the Region Traffic Engineer in the area with jurisdiction over the project. (See section 4.4.5 for definitions) The developer then submits the application (with plans stamped or sealed by both a registered Professional Engineer and Registered Land Surveyor). After the application has been deemed complete, a meeting is set up to determine the scope of the project. Depending on the amount of trips generated (100-200 or over 200 PCE's) the developer may be required to do a traffic study as defined at the scoping meeting.

3.3.8 Culverts on State and State-Aid Roads

Anyone wishing to place culverts within the right-of-way on highways outside the compact section, shall request a permit from MaineDOT. Information can be obtained at MaineDOT Regional Offices.

When a permit is issued, the applicant shall provide, at his / her expense, a culvert satisfactory to the department, which the department shall install and maintain thereafter.

3.4 On-Street Parking Controls: Options, Enforcement

A municipality is responsible for controlling parking on all highways within its bounds. This does not apply to the Interstate System or the Maine Turnpike. Control is accomplished through local ordinance, and can be enforced by local, county, or State police. Only in particularly hazardous circumstances would MaineDOT consider imposing parking restrictions. Liaison between the municipality, local and State police, and MaineDOT Region Traffic Engineer is strongly advised in developing a plan for controlling on-street parking on town ways, and/or State-maintained roads. “No-parking signs” are generally approved and installed by the municipality because of local traffic conditions and safety concerns. MaineDOT will place “no-parking signs” on a one-time basis after enactment of the parking control ordinance on State-maintained roads. Addresses and telephone numbers for the Regional Maintenance Offices are found in section 1.4 of this guide.

3.5 Speed Limits

Request for changes (increases as well as decreases) to the speed limits on all town ways and State highways are made in writing by a municipality to MaineDOT through the Region Traffic Engineer (see section 1.4). Citizens should direct their requests through their municipality. Because MaineDOT receives so many requests for speed zone changes, a town should “screen” some of the unwarranted requests by doing a quick review. The review criteria is found on MaineDOT website (www.maine.gov/mdot/traffic-counts/traffic-monitoring.php) or by calling 624-3270. Fewer requests to MaineDOT will result in a shorter response time on warranted requests.

In 2001, the law was modified to allow any municipality over 5,000 population (by U.S. Census) or that employs a registered Professional Engineer to take the option and responsibility of setting all speed limits on its local roads only. Much more information is available on the Community Services Division website (www.maine.gov/mdot/mlrc/mlrc-home.php).

A survey of traffic speeds and characteristics of the road in question is carried out, and the Regional Traffic Engineer may recommend a new speed limit if justified. That recommendation is passed to MaineDOT’s Commissioner who, with the advice and consent of the Chief of the Maine State Police, sets the new speed limit. Consideration is given to: the design speed of the highway; the frequency of public and private access points; intersections; and degree or intersections; and degree or frequency of roadside businesses along its length; the current speed of traffic; and history of crashes on the road sections. Addresses and telephone numbers for the local Regional Offices are found in section 1.4.

3.6 Signs

Traffic signs are the responsibility of the municipalities on all locally maintained highways. MaineDOT is responsible for traffic signs on State and State aid roads. In urban compact areas, the municipality is responsible for all traffic signs except destination and route markers, and speed limit signs where the limit changes.

3.6.1 Traffic Control Signs

A traffic control sign is a way of addressing a traffic/road safety problem. A municipality should consult with the Region Traffic Engineer or a professional traffic engineer, as appropriate, to see whether a sign would be effective before installing one. All signs used for traffic control placed on State or local roads must be designed and placed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD).

Road markings (lane striping, arrows and center lines, etc.) are considered traffic control devices and while most are advisory in nature, centerline markings are now legally enforceable. Responsibility for the provision/installation/application and maintenance of traffic control devices is as follows:

3.6.1.1 On Local Roads

Traffic signs and road markings on local roads are the municipality's responsibility for installation, maintenance, and replacement. Regulatory signs, such as "Stop" and "Yield" signs can only be installed after the adoption of a local traffic ordinance authorizing their placement and use. Call MMA or the Local Roads Center for a sample ordinance. A "Stop" or "Yield" sign on a local road at its intersection with a State road is the responsibility of MaineDOT, if MaineDOT is responsible for traffic control signs on the State road.

3.6.1.2 On State Roads

Outside the urban compact areas on State and State aid roads, MaineDOT is responsible for traffic signs and road markings. Municipalities should write to the Region Traffic Engineer, outlining the problem that the traffic control device would address. In an urban compact area, the municipality is responsible for providing, installing, and maintaining all traffic signs and road markings. However, a proposed "Stop" or "Yield" sign on a State road in a compact area must be reviewed by MaineDOT Traffic Engineer.

3.6.2 Destination and Route Signs

These signs are the sole responsibility of MaineDOT. They are installed and maintained by MaineDOT. Requests for additional signs or re-signing should be directed to the Region Traffic Engineer. Requests to replace existing signs that have deteriorated, been damaged, or have fallen should be directed to the local MaineDOT Maintenance Region. Addresses and telephone numbers for the Regional Offices are found in section 1.4.

3.6.3 “Special” Warning Signs:

“Children At Play”, “Deaf Person”, “Disabled Person”, “Horse Crossing” etc.

On the surface, the use of these signs appears to provide some “safety” to children, disabled folks, and animals. However, the driving public does not react favorably or positively to these signs in most cases. In the late 1990’s, MaineDOT changed its policy on the installation and maintenance of these signs. It is virtually impossible for MaineDOT to keep track of every disabled person, playing child, and crossing horse in every town along all State roads. Therefore, MaineDOT created the following policies for new requests and/or existing signs.

For any NEW installation of these types of signs, the responsibility for deciding to erect these signs along a State road will now be with the municipality. Any person who requests one of these signs will be directed to their municipal office. It will then be the responsibility of the town to decide whether it wants to allow these signs; if so, the municipality must purchase, install, and maintain these signs. All signs must meet the standards of the MUTCD installed according to standard MaineDOT policy. Any questions can be directed to the Region Traffic Engineer in the local MaineDOT Regional Offices. See section 1.4 for phone numbers.

For all EXISTING signs of this type, MaineDOT no longer maintains or replaces these signs. The full maintenance responsibility now rests with the municipality.

For signs on local roads, the municipality needs to decide whether to allow these signs or not. Knowing that these signs are generally ineffective, MaineDOT does NOT advise the use of these signs because allowing one sets precedence and generates many more requests and creates a new financial burden on the municipality.

MaineDOT will continue to install “disabled person signs” at established businesses, which have disabled customers who must cross the road to access the business. In addition, MaineDOT will continue to install “horse crossing” signs at established businesses, which are at established horse riding businesses with horses crossing the road.

3.6.4 Engine Brake or “Quiet Zone” Signs

Many towns around Maine have started erecting “No Jake Brake” signs (or something similar) in hopes of “controlling” the engine noise from downshifting trucks. Many residents are conscious of the noise and want the town “to do something” about the noise. Depending on your town and the cooperation of truckers, the results may be positive or they may be negligible.

MaineDOT will not erect these signs on State roads. The only way that a sign will appear is if a town officially adopts a traffic ordinance under 30-A § 3009 and erects the signs. Then the town will be responsible for enforcement, sign maintenance, or any liability issues. If the town decides to enact a traffic ordinance, it probably is best to hope for voluntary compliance, but who will do the enforcement? Another ordinance without enforcement possibilities is relatively useless. Be sure to use the white-on-black signs and try to avoid the term “jake brake”.... maybe use “quiet zone ahead”, or “reduce engine noise ahead”. If a town does not adopt an ordinance and simply puts up a sign or two, the signs have no legal authority or enforceability.

Enacting a traffic ordinance to deal with “jake brakes” under 30-A § 3009 may seem like a kind and responsive reaction to engine noise, but is safety of the public being compromised?? Engine brakes are very effective at reducing the speed of heavy trucks on a downgrade, but what if the trucker had to stop quickly for a child or elderly person or an entering vehicle, and only use his regular brakes?? In most cases, the stopping distance will be longer without the engine braking system and this could lead to disaster at the bottom of the hill.

At best, the success of an ordinance will probably be voluntary compliance from truckers. Some truckers may be sensitive to their truck noise and will try to reduce the noise, while others may intentionally try to make it worse, especially if a “squeaky wheel” citizen is emphatic about the noise problem. If the local police get into the action of enforcement, are they going to check the actual engine braking system installed on each truck, or have a decibel meter to measure the noise level? What if the trucker says he had to stop quickly for a pedestrian? Or the car in front of him stopped quickly?

Most States, including Maine, already have a law on the books that prohibits operating a motor vehicle on a public highway without a serviceable muffler (MRSA 29-A§ 1912). The real noise offenders, those with straight stacks or gutted mufflers, are operating in violation of this law. Have your local police stop noisy vehicles and check them for muffler integrity. Cite those that are not in compliance. This is a fairly easy step that should produce a noticeable improvement in the quality of life of your community.

3.6.5 On-premise Signs (business signs on your own property)

These signs are governed by Maine Traveler Information Act (23 MRSA § 1901-1925). They may also require a license or permit from the municipality in which they are to be erected, but in general they do not require MaineDOT approval.

The law allows a limited number of signs, and all the signs must be located within 1,000 feet of the principal building. The maximum height of the signs is also regulated. No on-premise sign may be erected in the right-of-way of any public way. Signs erected after September 1, 1957,

may not be located within a specified distance of a highway. There are special requirements and restrictions for signs visible from an interstate highway.

Prohibited Signs:

- a) On-premise signs will be prohibited if they attempt to direct traffic, cause or create an obstructed view of official signs and approaching traffic, or contain any moving or flashing lights.
- b) “billboards” or off premise signs are prohibited -- see section 3.6.6 for alternatives

The local authorities are responsible for regulating on-premise signs within compact or built-up areas except where they are adjacent to Interstate highways. The MaineDOT is responsible for regulating on-premise signs in all other areas. For more information about the provisions of the law and its administration, please call MaineDOT’s Traffic Engineering Division at (207) 624-3620.

3.6.6 Intra-community Directional Signs

These small generally white-on-blue background rectangular signs guide travelers to locations within a community such as the hospital, airport, parks, arenas, business districts, villages, town offices, schools, government agencies, etc. They are erected and maintained by the municipality and must not be erected in conjunction with (mounted on) the official highway sign or post, or conflict with official highway signs. All installations shall conform with the “Manual on Uniform Traffic Control Devices” (MUTCD).

3.6.7 Official Business Directional Signs (OBDS)

OBDS signs must conform to State regulations. OBDS signs shall be located within the highway right-of-way on approaches to intersections where travelers must change direction from one public way to another to reach a business, service, or point of interest or where appropriate at the end of “T” intersections. A business, service facility, or point of interest shall not be permitted more than one sign at any one intersection approach. Each place of business, service, or point of interest shall be eligible for a maximum number of six OBDS. To qualify for an OBDS, the business, service, or point of interest must be within a ten mile radius of the proposed location of the sign.

OBDS shall not be permitted within the right-of-way of the Interstate Highway System or fully controlled access highways.

Applications for OBDS signs shall be made on forms furnished by MaineDOT (regional offices, main office, or website) after obtaining municipal approval as some municipalities regulate the location and site of these signs in ways different from other municipalities. The

department shall review and have final responsibility and authority to determine the specific size and location of any sign. Signs not deemed to meet the intent and purpose of the law or the criteria established in these regulations shall not be approved or erected. Addresses and telephone numbers for the local Maintenance Regional Offices are to be found in section 1.4.

3.6.8 Adopt - A - Highway Signs

This Program was introduced by MaineDOT in 1999 to communities who wanted to allow charitable organizations, individuals, or businesses to perform litter pickup or highway beautification activities. All signs placed on any public road must receive prior review and approval by MaineDOT. An information packet is available from the Community Services Division at 624-3270 or on their website.

3.7 Traffic Signals

3.7.1 On a State Road

A municipality should apply for a traffic signal to MaineDOT through the Region Traffic Engineer. A traffic survey is carried out and depending upon the results, an installation may be recommended. The warrants for installing a traffic signal are found in the Manual on Uniform Traffic Control Devices and include the following criteria: traffic volumes on the major and minor roads, number of pedestrians, proximity to schools, and crash records. If warranted, installation on a State highway would be contingent upon inclusion in MaineDOT's Capital Work Program (formally BTIP). *Title 23 §1351. Installation of signals, devices and signs says " ... On all designated State and State aid highways, the location, form and character of informational, directional, regulatory and warning signs and traffic control signals and devices, erected by towns, shall be subject to approval of the department...."* Municipalities cannot just install a traffic signal without department permission. Maintenance and electrical power costs are the responsibility of the municipality in urban compact municipalities and are the partial responsibility of towns in rural areas. Addresses and telephone numbers for the local Maintenance Regional Offices are found in Section 1.4.

3.7.2 On a Local Road

A municipality is advised to obtain expert advice when considering traffic signals on a local road. The Region Traffic Engineer may provide assistance. A licensed traffic engineer is needed to design the installation. Funding for such installation is the town's responsibility although certain installations may be eligible for Federal funding through the Hazard Elimination program or Congestion Mitigation Air Quality program (see Funding). Maintenance and electrical power costs are the responsibility of the municipality.

3.8 Flashing Intersection Beacons

Flashing beacons at intersections have been found by MaineDOT to be largely ineffective in addressing traffic problems. Rather than inducing caution, the average speed of vehicles on the through road may increase after the beacon is installed. However, in certain situations, a beacon can help. A beacon can reduce the number of incidents caused by side road drivers who fail to see or ignore a stop sign. Careful examination of the traffic flows and intersection configuration should be done before making any decision.

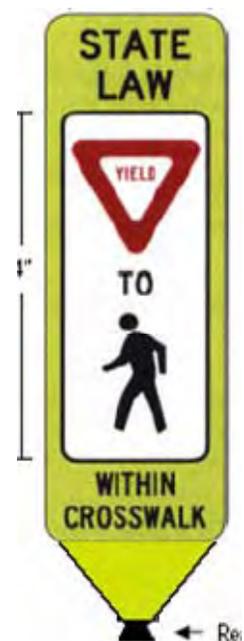
A municipality seeking the installation of a flashing beacon at an intersection of two local roads would be advised to seek professional assistance, either from the Region Traffic Engineer or a licensed traffic engineer. The department has changed its standards for what constitutes an acceptable beacon. All new beacon installations shall have two signal head indications in each direction. This double flashing lights helps gain more attention to the fact that there is an intersection at the location. Installation, ongoing maintenance and electrical costs of such a beacon would be a municipal expense. A municipality wishing to have a flashing beacon on a State-maintained road should approach the Region Traffic Engineer. If warranted, the Engineer would recommend such an installation. A cost sharing agreement may be made between a municipality/school district and MaineDOT so that after MaineDOT installs the beacon, the municipality/ school district maintains it and pays for the electrical power. Addresses and telephone numbers for the local Regional Offices are found in section 1.4.

3.9 Crosswalks

The provision of crosswalks on all highways (other than controlled access highways such as an interstate highway) is the responsibility of local officials. However, consultations with the Region Traffic Engineer and the local and/or State police are strongly advised before action is taken. The pattern of pedestrian movement, the ability of traffic to stop safely, the volume of the traffic flow that pedestrians will be crossing, and the speed of the traffic should be considered.

All crosswalk striping patterns and signs shall conform to the Manual on Uniform Traffic Control Devices (MUTCD). Cross walks are not allowed on State or State aid roads with speeds greater than 35 mph. Cross walks installed at higher speeds tend to create a false sense of security that in reality does not exist.

Crosswalks are not recommended at those locations that do not have a sidewalk for pedestrians on both sides of the street. Sidewalks are needed at pedestrian crosswalks because they give pedestrians a safe designated area as they walk along the street. Addresses and telephone numbers for the local Regional Offices are found in section 1.4.



A common sight within many crosswalks throughout Maine is the placement of a single orange barrel, cone, or other device on the centerline in an effort to slow down motorists and alert them to the cross walk and State law. As innocent and/or effective as this may appear to be, it could create certain safety and/or liability problems for municipalities (several studies are being done to determine their real effectiveness). The use of this device is now covered in the MUTCD. All existing signs on the road should be made compliant. Although they may “work”, pedestrians can develop a false sense of security, and pedestrian safety or vehicle control could be severely compromised if these devices are hit, especially if they are heavy metal devices. In today's litigious society, these devices should be discouraged from use on a roadway. For other alternatives, call your local MaineDOT Region Traffic Engineer. Also, State law says vehicles must YIELD to pedestrians and not STOP, so any devices must say “YIELD”.

3.10 Sidewalks/Bike Paths

On local roads, the municipality is responsible for providing and maintaining sidewalks and bicycle facilities. The town may be able to secure funds for sidewalk construction through other agencies such as the Department of Economic and Community Development. As part of a plan to reduce automobile emissions in an area designated "non-attainment" (see CMAQ), there maybe Federal funding available for sidewalk construction or reconstruction, though this funding is not generally available on local roads. For more information contact the Bureau of Planning at (207) 624-3300.

3.10.1 Existing Sidewalks on State and State Aid Roads

Maintenance of existing sidewalks on all public roads is the responsibility of the municipality in the summer and winter. Summer maintenance would include asphalt overlays. During paving and pavement rehabilitation projects MaineDOT sidewalk repairs are not eligible for MaineDOT funding. However, there are some exceptions and a Town would need to discuss this with the Project Manager.

Relative to *capital improvement projects* which involve a “major treatment” such as *roadway* reconstruction or rehabilitation where sidewalks are in need of significant repair, the department may include repair of the sidewalk, at the municipalities request, into the project. Eligibility will be based on past maintenance history of the sidewalk by the municipality and availability of funds. The cost share on rehabilitation of eligible sidewalks will be at 90% State/Federal and 10 % municipal. If existing sidewalks are eligible, it is the department’s policy to replace existing sidewalks utilizing the predominant existing pavement treatment material. The municipality is responsible for paying 80 % of additional costs for surfacing on existing sidewalk with material more costly than the existing predominant pavement treatment or a new sidewalk with material more costly than bituminous pavement (bricks, concrete, etc.). MaineDOT will contact the

municipality prior to initiation of major treatment projects to discuss any existing sidewalks on the project.

Exception: Existing bridge sidewalks will not be replaced in areas where sidewalks do not otherwise exist and where normal shoulders will be provided.

3.10.2 No Current Sidewalks

When a municipality requests that a sidewalk be constructed as part of a MaineDOT “major treatment” project such as *roadway* reconstruction or rehabilitation project, the department may include it into the project if it is in a setting where it will be adequately utilized, will increase safety and the municipality agrees to maintain the sidewalk. Inclusion of a new sidewalk will also be dependent on the availability of MaineDOT (State and Federal) and municipal funding. New sidewalk will be constructed at a cost share of 50% State/Federal and 50% municipal. The cost is intended to include gravel, pavement, and any additional features made necessary by widening for the sidewalk such as drainage, mitigation, retaining walls, right of way, or barriers.

During paving and pavement rehabilitation projects, MaineDOT sidewalk policy states that new sidewalk projects are not eligible for MaineDOT funding. A municipality may be able to add sidewalk improvement to a paving project at 100% cost to the municipality. However, there are some exceptions and a town would need to discuss this with the Project Manager.

If a project has already been advertised and a sidewalk is requested by municipality, the municipality will be responsible for 100% of costs associated with the addition. In many cases it may not be practical to add the sidewalk project after advertising.

The department will not perform any maintenance (summer or winter) on sidewalks unless otherwise stipulated in the City-State Agreement. MaineDOT has other programs that support stand alone bike and pedestrian facilities, for more information on these additional programs please contact MaineDOT’s Bureau of Planning at 624-3000.

3.10.3 Americans with Disabilities Act

Any sidewalk/pedestrian project must comply with the requirements and standards governed by the Americans with Disabilities Act (ADA). The ADA promulgates standards such as maximum grades and the requirements for curb-cut ramps to allow wheel chairs to cross streets. In addition, detectable warning surfaces for blind pedestrians may also be necessary at curb ramps.

Municipalities should contact the Bicycle and Pedestrian Coordinator, Office of Passenger Transportation, at (207) 624-3247 to discuss the project and options for funding at an early stage in the development, or contact MaineDOT’s ADA Coordinator at (207) 624-3006.

3.11 Road Striping

All road striping on State and State Aid highways outside of urban compact areas is the responsibility of MaineDOT Traffic Engineering Division. Annually, striping crews establish centerlines and edgelines and stencils of words such as “RR” crossings and “STOP AHEAD” on these State roads. Stripe color, width and design are determined by the standards established in the Manual on Uniform Traffic Control Devices (MUTCD).

In urban compact communities, the responsibility for striping on all State highways and local streets rests with the municipality. Striping standards must also follow the MUTCD. In addition, if any lane changes are proposed (i.e. restriping a wide 2 lane road to a 2 lane road with a center turn lane), then MaineDOT must be contacted for review and approval. This is required from a traffic engineering perspective, but it also affects the annual State funding under the Urban/Rural Initiative Program (URIP) which relies on “lane miles” and not centerline miles. Therefore striping for turn lanes without actually constructing more roadway width may be eligible for additional U.R.I.P funds.

3.12 Maine Local Roads Center (LTAP)

The Maine Local Roads Center (MLRC) is a division of MaineDOT that offers training, technical assistance and information to municipalities throughout Maine. The primary audience of the MLRC are those municipal officials who are responsible for constructing, maintaining, and managing local roads and bridges in Maine. MLRC is one of more than 50 Technology Transfer Centers established as part of the Local Technical Assistance Program (LTAP) within the Federal Highway Administration. MaineDOT and the MLRC distributes its information and technical assistance through workshops held throughout Maine, a periodic newsletter (*Maine Local Road News*), field demonstration projects of new techniques, "hands-on" grader operator training; a free videotape lending library, publications on road maintenance techniques and products, an information service (through writing or calling the MLRC with questions or comments), and an evaluation program to assess MLRC's progress and future activities.

Workshops conducted by the MLRC include:

- Road Surface Management System (RSMS);
- Work Zone Traffic Control
- Sign Inventory Management System (SIMS);
- Basics of Signing, Striping & Speed Limits
- Backhoe/Loader Training
- Snow and Ice Control on Local Roads;

- Municipal Equipment Management System (MEMS);
- The Fundamentals of Roadway Construction and Maintenance;
- Basics of a Town Paving Contract;
- Maintaining Local Bridges
- Local Highway Law and the Maine Tort Claims Act;
- Basic Measurement and Survey;
- Drainage, Drainage, Drainage;
- The Basics of Hot-Mix Asphalt Pavements;
- Effective Local Road Management; and
- Summer Field Demonstration Projects on Pavement Recycling.

The Center also employs a “Road Ranger” to assist local officials, road committees, and public works crews with local road issues. He is available for on-site training and technical assistance on a variety of subjects. MLRC also offers free on-site computer assistance with the RSMS, SIMS and MEMS programs. MLRC maintains a Statewide mailing list that includes local road commissioners, town managers, selectmen, public works directors, councilmen, highway foremen, and others interested in local roads.

For more information, call the Maine Local Roads Center at (207) 624-3270 or email at local.web@maine.gov.

4.0 TRANSPORTATION ISSUES

4.1 Transportation Funding

Maine’s transportation infrastructure was built with a combination of public and private investments over the past 300 years. The system’s maintenance and improvement still depends upon that partnership today. As we move forward into the next century, MaineDOT faces challenges of maintaining the existing highway and bridge system, creating new opportunities in other modes, and improving the connectivity among all modes. This must be done without any guarantee of increased state or federal funding, beyond the current projections, over the next 20 years.

The principal sources of funds for public spending on transportation in Maine comes from the State’s Dedicated Highway Fund, the Federal government, the State’s General Fund, and from the sale of Highway and General Fund bonds. Except for bonds, funds from these sources are derived from the proceeds of motor fuel taxes, motor vehicle registration and license fees and other transportation user fees.

At the state level it is expected that gains in the Highway Fund revenue resulting from increased vehicle-miles of travel will be offset by improvements in motor vehicle fuel efficiency and the

use of alternative fuels. In an effort to continue long term capital planning for critically needed highway reconstruction projects statewide, the legislature passed a bill in 2002 to index the motor fuel tax. If supported during MaineDOT budget proposals, indexing provides for annual adjustments to gasoline and diesel-fuel taxes based on the change in the national Consumer Price Index (CPI).

4.1.1 Federal Funding Sources

Federal funds to support transportation capital improvements come from a number of federal programs administered by the U.S. Department of Transportation through its Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and Federal Railroad Administration. The federal funds returned to state come from various federal user fees or the federal general fund. Most user fee revenues are placed in modal trust funds. Congress must give permission for federal funds to be expended. Transportation authorization legislation is the mechanism by which this permission is granted. Authorization legislation establishes transportation policy and areas of emphasis for spending by creating and defining programs and authorizing funding. Authorization legislation covers multiple years since transportation projects require a long time from planning through construction. Most federal funds are distributed to state and local officials based on formulas. Funds to maintain the interstate system based on our share of the nation's interstate vehicle miles and interstate lane miles, while funds for urban planning are based on the state's share of the nation's urban population. Funds for improving our airports are based on the number of passengers, and transit funding is based in part on transit ridership. These formula funds are called entitlements or apportionments. Other programs have no mandatory distribution formula, so distribution is based on competitive applications or another project selection process. These funds are called allocation. In general, as a condition of receiving federal funding, the state is required to provide matching dollars. The most common matching requirement is 20 percent, but it can be as low as 0 percent or as high as 50 percent. Annual appropriations legislation places yearly limits on the amount of the funds that can be spent. Other transportation programs, especially those that receive their money from the Federal general fund, require the appropriations act to identify the amount of money that is available for the year. In addition, appropriation legislation usually provides the opportunity for a certain number of specific projects, or "earmarks" selected by Congress. The appropriations legislation also provides an opportunity for Congress to address changes in policy direction or funding priorities without waiting for the next authorization act.

Questions relating to the federal transportation programs, their eligibility, and application process should be directed to the Bureau of Planning's Program Development Division (207) 624-3300.

4.1.1.1 Bridge Replacement and Rehabilitation Program

See Section 4.1.9

4.1.1.2 Recreational Trails Program

The Transportation Enhancement Program is a Federal/municipal match program (typically 80/20) offering a funding opportunity to help communities revitalize their economies by expanding their transportation and livability choices. Project proposals must show a relationship to non-maintenance surface transportation (exclusive of aviation) while protecting the environment. Maine's program principally supports enhancements in connection with MaineDOT's *Explore Maine*, pedestrian & bicycle, environmental mitigation, and downtown revitalization initiatives that create a more enhanced transportation system focused on the community. For further information contact the Bureau of Planning at (207) 624-3309.

The Recreational Trails program uses a percentage of gasoline taxes paid on non-highway recreational use in off-highway vehicles from the Highway Trust Fund for trail development, improvement, and maintenance. Eligible projects may include: maintenance and restoration of existing recreational trails; development and rehabilitation of trail side and trailhead facilities and trail linkages for recreational trails; construction of new recreational trails; operation of educational programs to promote safety and environmental protection as those objectives relate to use of recreational trails. Agencies eligible to receive funding include municipalities, other qualified sub-divisions of State government, and qualified non-profit organizations under guidelines established by Maine Department of Conservation's Bureau of Parks and Lands in conjunction with the Maine Trails Advisory Committee. For further information contact MaineDOC at (207) 287-3821.

4.1.1.3 Scenic Byways Program

This program provides funding for the establishment and preservation of scenic highways. Scenic Byways must be designated before they become eligible for funding to provide:

- * safety improvements to accommodate the traffic due to scenic designation;
- * facilities for pedestrians and bicyclists, rest areas, turnouts, overlooks,
- * shoulder improvements, passing lanes, and interpretive facilities;
- * improvements to access for recreational purposes;
- * protection of historic, archeological, and cultural resources; and
- * development and provision of tourist information.

A 20 percent match is necessary to obtain Federal funding. Federal guidelines for the program indicate that highways designated "scenic" under existing Maine legislation would be eligible for funding. Municipalities wishing to take advantage of this program are advised to contact the Environmental Office at (207) 624-3100 for more information.

4.1.1.4 Congestion Mitigation Air Quality (CMAQ) Program

The purpose of the CMAQ program is to fund transportation projects or programs that will contribute to attainment or maintenance of the national ambient air quality standards (NAAQS) for ozone, carbon monoxide (CO), and particulate matter (PM).

The CMAQ program provides funding for a broad array of transportation projects that support two important goals: improving air quality and relieving congestion. Examples of CMAQ projects include traffic flow improvements, construction of bicycle and pedestrian facilities, and investment in intermodal facilities and new transit service.

All CMAQ projects must result in a readily quantifiable air quality benefit in terms of Nitrogen Oxides (NOx) and Volatile Organic Compounds (VOC)—the two major precursors of ground level ozone (or smog).

4.1.2 Other Federal Funds

The following Federal sources of funds, for transportation projects and activities, are some of the more prominent and do not comprise a comprehensive list.

4.1.2.1 Ferry Boat Discretionary Fund

This fund helps in the improvement of ferry facilities and the purchase of ferry boats. It may be used for capital improvements, construction only. The program disburses money nationwide, with no regional allocation. For more information contact the Office of Passenger Transportation at (207) 624-3250.

4.1.2.2 Public Lands Highway Discretionary Fund

This fund provides for the reconstruction, rehabilitation, and improvement of highways serving National Parks and Forests. For more information contact the Bureau of Planning at (207) 624-3300.

4.1.2.3 Federal Transit Administration

The Federal Transit Administration provides funds for the purchase of buses and operating subsidies for transit providers. This is not the sole source of funds for these purposes; STP funds, CMAQ funds, and money from social service programs can be used. For more information contact the Office of Passenger Transportation at (207) 624-3250.

4.1.2.4 Federal Railroad Administration

(This program is presently not funded, however it has been funded in past years and may receive funding in the future.)

4.1.2.5 Federal Aviation Administration

The Federal Aviation Administration makes funds available for the reconstruction, improvement, and rehabilitation of airport facilities. A five percent match is required to secure the funds. Generally five percent is provided by the local municipality and two and a half percent by the State. The State funds are raised by bond issue. For more information contact the Office of Passenger Transportation at (207) 624-3250.

4.1.3 State Funds

State funds for operations and capital improvements come from two major sources: the Highway Fund and the General Fund. The **Highway Fund** receives dedicated income from fees and taxes relating to registration and use of vehicles on the public highways, including fuel taxes. The Highway Fund may only be used for highway and bridge improvements, State enforcement of traffic laws, maintenance, and departmental overhead. Highway maintenance, other than on interstate highways, is ineligible for Federal funding

The **General Fund** is used for funding other transportation activities that are ineligible for moneys from the Highway Fund. Its income is derived from income taxes and other State taxes and fees. In addition, Maine State Ferry Service revenue from user-fees provides partial funding for that service.

4.1.4 Local Funds

Local governments and other public or private bodies often provide the "local" match in securing federal funds for capital and operational projects. For example, Transportation Enhancement projects require a 20 percent local match. Municipalities also expend local money and Urban/Rural Initiative Program funds they receive from MaineDOT, on the capital improvements of local roads and State Aid minor collector roads.

4.1.5 Bond Issues

Some large projects, such as new highway, bridge, rail or port improvements, have been funded by issuing bonds. The MaineDOT also uses bond issues to raise matching funds necessary to secure Federal moneys for highway bridge projects. This option for raising funds for transportation projects first has to be approved by the legislature, and then by the voters in a Statewide referendum. The advantage of this type of funding is that it spreads large construction costs over the lifetime of the bond; however, it does incur additional costs, primarily interest. To

reduce the percentage of MaineDOT's Highway Fund budget which goes to debt interest and principal payments, the Governor successfully proposed to the Legislature to halve MaineDOT's issuance of Highway Fund bonds during the 2000-2001 biennium, with the goal of continuing or accelerating this trend indefinitely. This action was possible due to an increase in the fuel tax, and the appropriation of surplus General Fund money for highways. The availability of the surplus General Fund money has also recently allowed Non-Highway capital projects to be financed with appropriations, rather than General Fund bond issues. This funding option is not generally available and cannot be relied upon indefinitely.

4.1.6 Railroad Assistance Program

This is an MaineDOT railroad crossing safety program that assists municipalities in clearing brush from the areas around a crossing on a local road, as required of the municipality by Maine statute. The program only applies to crossings with passive warning systems (black & white "crossbucks"). The municipality is reimbursed for 50 percent of the cost of the work. Every two years, the railroads report to MaineDOT which crossings need attention, and MaineDOT then informs the municipalities where work is required. Municipalities wishing to address safety problems at railroad crossings (or any other rail safety issues) should contact the Office of Freight Transportation at (207) 624-3560.

4.1.7 Small Utility Loan Program - no longer funded

4.1.8 Island Barging Program

This program relates to the payment of barging and ferry fees for transporting highway construction and maintenance materials to the islands served by the Maine State Ferry Service. For more information, contact the Ferry Service at (207) 596-2243.

4.1.9 Local Bridge Program

All of Maine's public bridges can now be found on MaineDOT's website at the following address: <http://www.maine.gov/mdot/brmgmt/>

A "NEW" program has replaced the "OLD" Local Bridge Program in 2001.

Municipalities:

- Are relieved of capital and maintenance responsibility on most larger bridges.
- Have complete local control to decide how and when smaller spans on Town Ways are improved.
- Are assuming responsibility for smaller spans in better condition than the larger bridges for which MaineDOT became responsible (Average Condition Rating of 5.66 vs. 4.97).
- Will continue to have access to MaineDOT technical advice for these smaller spans.
- Are free to improve these smaller spans, which can generally be replaced with culvert-type structures, and with streamlined project delivery methods not available to

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MaineDOT (such as using town forces, local procurement methods, and solutions without a Professional Engineer's seal for projects less than \$100,000).

- Will still be able to assist MaineDOT with setting priorities for larger Local Bridges.

MaineDOT

- Will focus its capital and maintenance efforts on larger bridges that need it.
- Will save State Highway Fund dollars by better leveraging Federal funds, since only bridges with a span of at least 20 feet are eligible for Federal funding.
- Will fulfill its responsibility for bridge safety by continuing to inspect all smaller spans and larger bridges every two years.
- Will deliver the larger bridge projects more quickly, without the cumbersome and time consuming process of calculating cost-shares, sending letters offering projects, receiving town funding authorization, preparing town billing, and processing town payments.

In general, local bridges will benefit because more dollars will be put into “product” instead of process. In addition, they will receive increased attention since MaineDOT will be completely responsible for over $\frac{3}{4}$ of the need based on deck area plus 50% of the capital cost of the Low Use / Redundant Bridges.

Under the 2001 law, local bridges are divided between MaineDOT and towns by size, with MaineDOT responsible for all larger bridges and the towns responsible for smaller spans on town ways. The responsible party decides how and when improvements will be made. More specifically, the new program groups Local Bridges as follows:

1. “Bridges” on Town Ways and State Aid Highways are those with a span of at least 20 feet (excluding Low Use Redundant Bridges) The State has capital and maintenance responsibility for these bridges, relieving towns and counties of local cost-sharing.
2. “Minor Spans” on State Aid Highways have a span between 10 and 20 feet. The State has capital and maintenance responsibility for these structures, without local cost-sharing.
3. “Minor Spans” on Town Ways also have a span between 10 and 20 feet. Towns have capital and maintenance responsibility for these structures. MaineDOT continues to provide technical advice to towns upon request
4. Low Use Redundant Bridges (LURB) on Town Ways (at least a 20 foot span) have an average daily traffic of less than 100, and/or an average daily traffic multiplied by detour length of less than 200. These bridges are considered a local issue, serving only a handful of residences and/or are very near to another bridge crossing. Capital responsibility is shared 50/50 between the State and the Town, and the Town has 100% maintenance responsibility. The town's capital cost share is capped at one percent of the town's valuation, with the State picking up the remainder.

4.1.10 Urban/Rural Initiative Program (URIP)

The Legislature repealed the former Local Road Assistance Program (LRAP) in 1999 and enacted the Urban - Rural Initiative Program (URIP). Under this program, which consists of both the Rural Road Initiative and the Urban Road Initiative, municipalities receive regularly scheduled payments from MaineDOT for capital improvements to local roads and rural State Aid minor collector roads. Municipalities may apply for a bonus in their URIP payment based on the amount of funds the municipality invests in scheduled public transit over and above the amounts they invested in 2001 when the law took effect. Contact Susan Moreau at 624-3239 or Fred Hutchinson at 624-3257.

Rural Road Initiative funds are distributed at the rate of \$600 per year per lane mile for all rural State Aid Minor Collector roads and all local roads located outside urban compact areas as defined in section 754, except that the rate is \$300 per year per lane mile for seasonal Town Ways. Since July 1, 2000 funds may be used only for capital improvements. "Capital Improvements" means "any work on a road or bridge that has a life expectancy of 10 years or restores the load-carrying capacity".

Urban Road Initiative funds are distributed at the rate of \$2,500 per year per lane mile for summer maintenance performed by the municipalities on state and state aid highways in compact areas. For each lane mile beyond the second lane on a highway with more than two lanes, municipalities also are reimbursed at the rate of \$1,250 per lane mile for summer maintenance in the compact area. In addition, Urban Road Initiative funds are distributed at the rate of \$1,700 per year per lane mile for winter maintenance performed by the municipalities on state highways in compact areas regardless of the number of lanes. These funds may be used only for maintenance and improvements of public roads.

Questions relating to this program should be directed to the Community Services Division at (207) 624-3270.

4.1.11 Small Harbor Improvement Program

The Small Harbor Improvement Program (SHIP) was funded in the FY 2006/2007 Work Plan for \$1.5 million. With these funds, 21 municipal projects were funded and are currently being constructed. A minimum 25% local cash match was required from municipalities. This program provides funding for necessary public infrastructure projects along Maine's coast and tidal rivers. These improvements provide economic development, promote public access, and improve marine transportation at these locations. Projects include such things as the installation of floats, boat ramps, piers and rip rap. For more information, contact Kevin Rousseau in the Office of Freight Transportation at (207) 624-3565.

4.1.12 Salt and Sand Storage Facilities

All public and private road salt and sand storage facilities are required by State law to be designed, constructed, and operated in a manner that will prevent contamination of surface and groundwater by road salt. In addition, the facility cannot be built over a significant sand and gravel aquifer and must be located at least 300 feet from the nearest existing well. Each town's site is categorized into 1 of 5 Priority levels. A complete review was made of sites and priority numbers were updated by Department of Environmental Protection (DEP) in October 1999. Any town contemplating moving their current site or establishing a new one must register it with DEP. Information can be found at www.maine.gov/dep/blwq/docstand/sandsalt/index.htm.

If your town has a priority 1, 2 or 3 sites, the department must provide technical review of your proposed facility to ensure that it is in compliance with legislation. MaineDOT will also share technical experience in the construction and operation of state facilities in order to assist in the planning and design of the local facility.

Contact MaineDOT's Community Services Division at (207) 624-3270 about various facilities, types and sizes and their funding options. Contact the Department of Environmental Protection at the main office in Augusta at (207) 287-3901 about your town's building site or the enforcement of this law.

4.2 Alternative Purchasing Opportunities

4.2.1 State Volume Purchasing

The state of Maine purchases most of the products required to operate all branches of the State government. The products include everything from light bulbs to computers to traffic control devices. If the product is obtained through the bidding process, a State Law permits any "political subdivision" (towns, school districts, water districts, and sewer districts) to benefit from the State Purchasing Process. Vendors are asked to consider this provision and indicate on the bid form whether they will accept orders from such "political subdivisions" and at what price. In many cases, vendors will sell their products to municipalities at the same price or with certain conditions or minimums. If your municipality would like to take advantage of the possible significant savings available through this program, call the Division of Purchases at (207) 624-7340 and ask for the "Contracts Available to Municipalities" list, or check their web site at <http://www.maine.gov/purchases/agencyinfo/index.htm>. Look under the "Commodities" or "Contracts Listing" links.

4.2.2 Surplus Auction

State surplus property, ranging from graders and dump-trucks to computers and furniture, is regularly available. The property is auctioned several times per year, and municipalities have the

chance to offer a price on items before they go to bid. A range of the smaller items, such as chairs, desks, and computers, is also available more frequently at the surplus warehouse on the Leighton Road in Augusta. For more information, call the Surplus Property section, at (207) 287-2923 or check their website at: <http://www.maine.gov/bgs/centralserv/index.htm>

4.2.3 Cooperative Purchasing

The cooperative purchasing of equipment and materials as a means to help municipalities save money has been successful in many areas of the State. The principle behind cooperative purchasing is that the more materials or equipment a group of municipalities can purchase at one time, the less the unit price will be. Your Regional Planning Commission or Council of Governments can arrange cooperative purchases for any interested town. The anticipated needs of the participating communities are collected, compiled, and sent out to prospective suppliers of the equipment and materials. The supplier returns a bid based on the anticipated needs of the communities. In order to increase buying power, school districts and other institutions are invited to participate in the program. Generally, the lowest average bid price is chosen. Prices for individual municipalities may differ slightly because of location and delivery.

Paving and reclamation work, road salt, and fuel oil are the most common materials in cooperative purchases. However, public works utility vehicles, police cruisers, road striping services, road signs, and culverts are some of the more recent cooperative purchase efforts. A limitation to the cooperative purchase program is finding a group of communities that want to purchase items with the same specifications. For more information on cooperative purchasing, contact your Regional Planning Commission or Council of Governments.

4.2.4 Other Cost Saving Resources

Both your Regional Council/Planning Commission and the Maine Local Roads Center (see Section 3.11), can supply information on saving money through the use of MaineDOT approved alternative materials, in maintaining and repairing roadways.

4.3 Maintenance Responsibility and Liability Issues

4.3.1 Barriers

Title 23, Sections 3271, 3272, and 3273 state that any municipal officer who erects a barrier (wire, cable, chain link, lumber, gate, or other similar device) across a town way is required to mark the barrier in a manner that enables it to be visible to a person traveling on a town way toward the barrier on a snowmobile, all-terrain vehicle, motorcycle, or similar vehicle. The barriers must be marked so that they may be visible at a distance which is a reasonable stopping distance.

4.3.2 Banners

A banner may not be placed over any part of a State-road without obtaining approval from MaineDOT. Contact your local Region Manager at your local Regional Office.

4.3.3 Bridges

Title 23, Section 7218 defines the legal obligations for bridges built by any municipality over which a railroad passes. All of the requirements of this law are under the authority of MaineDOT. This authority includes making determinations of what repairs a particular bridge may require and apportionment of costs between the railroad and the municipality. Also, see Section 3.2.

“Municipal-maintained structures. For a structure for which a municipality has maintenance responsibility, the department shall advise the municipality of its inspection findings, noted deficiencies and recommendations regarding posting or closure. The municipality has sole responsibility and authority to determine whether a structure must be posted or closed, except that the department may close the structure in cases of emergency or when the department reasonably determines closure is necessary to protect the traveling public from imminent hazard. If the department becomes aware of deficiencies in a structure that could impact posting or closure decisions, the department shall promptly notify the municipality. The municipality is responsible for all costs and expenses related to the posting and closure, including any needed notifications, procedures, signing and barricades.

Title 23, Section 7209 requires the railroad to maintain both railroad bridges over highways and at-grade crossings. A municipality may give written notice to a railroad that a bridge at a crossing is out of repair, unsafe and not convenient within the requirements of Section 3651; or that the crossing of a roadway or town-way by the railroad at grade is unsafe and not convenient as required by Section 3651. The municipality has three options: 1) the railroad may make the necessary repair within 10 days of notification of the safety deficiencies; 2) the municipality may bring suit against the railroad in Superior Court if the railroad fails to rectify the safety deficiencies; or 3) the town may, after the 10 day period, repair the facility at the expense of the railroad.

Title 23, Section 2701 states that road commissioners, under the direction of a majority of the selectmen, have the authority to repair all highways and bridges within their towns and employ all necessary personnel, equipment, and material to make repairs. If a majority of the selectmen determine that a condition exists on any town-road or way that creates a safety hazard for motorists, the selectmen may give a written directive to the road commissioner to take steps to eliminate the hazard within 24 hours.

4.3.4 Detours

Detours onto a State or State aid road require prior approval from MaineDOT. Once approved, the municipality must take responsibility for any damages to the roadway carrying the detoured traffic. Contact your Region Manager at your Regional Office.

4.3.5 Local Roads

Title 23, Section 3651 states that any legally established highway, town way, or street shall be opened and must be kept in repair so as to be safe and convenient for motor vehicles. If these conditions are not met, than the liable parties can be indicted, convicted, and fined.

Title 23, Section 3655, i.e., the "pothole statute," *states that persons who suffer bodily damage or damage to personal property resulting from "any defect or want of repair or sufficient railing in any highway, town way, causeway or bridge"* may bring a civil suit within one year from the date of receiving such injuries or property damage against the county or municipality that is obligated to maintain or repair the highway, town way, causeway, or bridge. In addition, a claim must be received within 180 days after the incident. The liability is dependent on whether the county commissioners, municipal officials, road commissioners, or any other authorized person received "24-hours actual notice" of the defect or want of repair. "Actual notice" can mean a telephone call, verbal notice, or a written letter to virtually any town official.

4.3.6 Sidewalks and Crosswalks

Title 23, Section 3658 states that no town is liable for damages to any person on foot because of snow or ice or the slippery condition of any sidewalk or crosswalk.

See section 3.10 for more information on sidewalks and bike paths.

4.3.7 Waterways

Maine Revised Statutes Title 23, Section 3255 states that no municipality may cause a water course to be constructed by the side of a road which would disturb any house or other building or obstruct any business. Any person suffering damage due to this construction may have it changed under their direction and at the expense of the municipality. This particular statute may be relevant when a road construction or reconstruction project requires the relocation or re-direction of a waterway.

4.3.8 Public and Recreational Access to Water Crossings and Properties Adjacent to Water

In cooperation with the Department of Inland Fisheries and Wildlife, Department of Conservation, Department of Marine Resources, State Planning Office, Maine Historic Preservation Commission and the private organizations like the Coastal Conservation Association, Sportsman's Alliance of Maine, Trout Unlimited, Maine Snowmobile Association, and the Maine Municipal Association, MaineDOT has begun an effort to identify MaineDOT bridge and highway projects that may provide additional safe public and recreational access opportunities to the water. The identified projects will be reevaluated for access opportunities when each project is funded in a Capital Work Plan, and will be incorporated into the design process accordingly. Currently, only bridges have been reviewed for water access needs, but 2004-2009 Six Year Plan will identify access needs for both highways and bridges.

4.3.9 Fish Passage

MaineDOT has released the second edition of its Fish Passage Policy and Design Guide, available at: www.maine.gov/mdot/environmental-office-homepage/other_environmental.php. The department also has a limited number of paper copies available. The manual, developed in coordination with a number of resource and regulatory agencies in Maine, sets forth:

- MaineDOT's policy on passing fish, including applicable regulations and measures to comply with those regulations;
- A process for MaineDOT projects that consistently screens and implements appropriate fish passage measures;
- A Design Guide for project managers, designers, and others involved in implementing MaineDOT's Fish Passage Policy

Municipalities may find particularly useful the regulatory information contained in the Policy section as well as the Design Guide section. MaineDOT will be providing training on fish passage to public works officials through the Maine Local Roads Center.

4.3.10 DigSafe

In each of the last several years, the law was changed and included a few new features relative to excavation methods, emergency excavations, and penalties. The "Underground Protection of Facilities Act," commonly known as the "Dig Safe" law, is found in 23 MRSA 3360-A. The Maine Legislature modified the law to include enforcement and violation provisions to be part of the Public Utilities Commission (PUC). The purpose of this law is two-fold; to protect equipment operators and other people excavating in areas where underground facilities are located, and to protect the underground facilities.

In concept the law is simple. Its basic premise is that many excavations involve two players: the person doing the excavating (the "excavator"), and the person whose equipment is located underground (the "underground facility operator" or "utility"). An excavator must provide notice of any excavation to all underground utility companies in the excavation area, and wait three

business days before commencing work. After receiving notice each utility must, within two business days, accurately mark the location of its underground facilities so that the excavator can safely proceed (these marks are usually called "locates"). Under the law, notice from excavators to most utility companies will typically be accomplished by a toll-free telephone call to a central Dig Safe notification system (the "system") located in Burlington, Massachusetts. The law imposes penalties on excavators who fail to follow the notice procedures, and it imposes penalties on utilities who fail to mark their underground facilities after receiving notice. **The toll free number is 1-888-DIG-SAFE.** The Website is www.digsafe.com.

4.3.11 Maine Tort Claims Act

The Maine Tort Claims Act (Title 14, Sections 8101 through 8118) is a very important Act involving governmental responsibilities for transportation facilities. Section 8103 states that all governmental entities will be immune from suit on any and all tort claims seeking recovery for damages, except as specifically provided by law. The general rule of the Maine Tort Claims Act is that immunity from lawsuits is the predominant protection for local governments and their employees. However, several exceptions to the general immunity provisions do exist. You should consult with the Maine Municipal Association, (800) 452-8786, or MaineDOT's Maine Local Roads Center, (207) 624-3270, for more information. These exceptions pertain to negligence in the ownership, maintenance, or use of vehicles, machines, or equipment; and activities involving road construction, street cleaning, or repair. In 1999, the maximum liability limit was increased from \$300,000 to \$400,000.

4.3.12 Compact Areas

The MaineDOT classifies roads as State highways, State-aid highways, and townways. In addition to its townways, a municipality is responsible for snow maintenance on state-aid roads. The laws do distinguish between "maintenance" and "snow maintenance." Maintenance refers to summer maintenance, upkeep of the roadway structure, and ditching and brush cutting. Snow maintenance refers to plowing, sanding, and erecting snow fences.

The municipality's maintenance obligation may depend on the population reported in the most recent census and on whether the state road runs through a compact section or area of town. A compact section (also known as a "built-up" section of town) is defined as follows:

"Compact" or "Built-up sections" means a section of the highway where structures are nearer than 200 feet apart for a distance of 1/4 of a mile, unless otherwise defined; reference MRSA 23 sub-section 754, revised July 1, 1999.

Urban Compact Municipalities are those in which the population according to the last United States Census;

Exceeds 7,500 inhabitants, or

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Is less than 7,500 inhabitants but more than 2,499 inhabitants, and the worker to resident worker ratio is greater than 1.0 and when the municipality has not exercised the opt-out provision of this section.

Presently there are 43 Urban Compact Municipalities.

The Urban areas over 7,500 population are: Auburn, Augusta, Bangor, Bath, Biddeford, Brewer, Brunswick, Cape Elizabeth, Caribou, Falmouth, Gorham, Kennebunk, Kittery, Lewiston, Lisbon, Old Orchard Beach, Old Town, Orono, Portland, Presque Isle, Rockland, Saco, Sanford, Scarborough, Skowhegan, South Portland, Standish, Topsham, Waterville, Wells, Westbrook, Windham, Winslow, Yarmouth and York.

The Urban areas over 6,000 but less than 7,500 that did not have the opt-out option are: Belfast, Fairfield, Farmington, Freeport, Gardiner, Houlton, Millinocket, and Rumford.

For more information on compact areas, contact the Community Services Division at (207) 624-3270 or see their website.

For more information on maintenance liability, contact the Maine Municipal Association (800) 452-8786 or MaineDOT's Maine Local Roads Center at (207) 624-3270. For more information on maintenance responsibilities, ownership of roads, and right-of-way issues contact your local Region Manager at your Regional Office.

4.4 Land Use Issues

Land use plays a key role in preserving the effectiveness of arterial roads and other transportation systems. Furthermore, an efficient transportation system is critical to the health of our local, State, and national economies. Arterial roadways are primary transportation corridors designed to carry passenger and commercial through-traffic between cities, towns, and interstate highways.

Strip development, or unplanned and unregulated development, occurs along many heavily-traveled arterial roads in Maine. Heavy commercial and residential development combined with many driveways and access points on an arterial road will greatly reduce traffic speeds and roadway efficiency. Unrestricted access to arterial roadways will ultimately lead to traffic congestion, reduced safety, and potential adverse economic impacts to the area.

Maine Law requires that anyone that desires access to a rural State or State-aid highway must first obtain a permit from MaineDOT. MaineDOT has developed rules (sight lines, vertical alignment, driveway width, etc.) for the construction of the driveways/entrances within MaineDOT's right-of-way. In the spring of 2000, the law (23 MRSA § 704) was significantly enhanced to allow MaineDOT and compact communities to control the design, location and construction of entrances. Its purpose is to *“protect and promote the safety of the traveling*

public and maintain highway right-of-way drainage". For rural arterial roads, MaineDOT also shall limit the number and spacing of access points to maintain existing posted speeds and ensure safe travel. Much more information can be found in Section 4.4.4 or at www.maine.gov/mdot/permits/apply_dot_permits.php.

Below are additional methods municipalities can use to plan for sound transportation choices.

4.4.1 Comprehensive Plan

Comprehensive plans help communities plan for orderly future growth. By guiding residential and commercial growth to designated "growth areas," community character can be maintained, sprawl can be reduced, and infrastructure, such as roads, sewer, and water lines, can be improved or expanded in a more orderly manner.

The comprehensive plan's goals, policies, and strategies can directly address land use concerns by limiting strip development on arterial roads, focusing on cluster developments and other non-sprawl inducing land use practices, and requiring traffic impact studies to predict the impact of development on the current road ways. A comprehensive plan's capital investment plan can include recommendations requiring developers to pay for some or all of the transportation and other public improvement costs attributable to their developments. The future land use map of a comprehensive plan can include recommended land use patterns that will direct future growth away from the community's arterials. A comprehensive plan is also the legal framework for a land use ordinance.

For more information on developing a comprehensive plan contact your Regional Planning Commission, Council of Governments, or the State Planning Office at (207) 287-8050.

4.4.2 Land Use Ordinance

A land use ordinance is a set of locally adopted regulations that prescribe the land uses that are allowed or prohibited in different designated districts or zones. A land use ordinance includes "performance standards" that spell out the preferred methods of development and a map showing different land use districts. A land use ordinance must be based on a comprehensive plan adopted by the municipality.

4.4.3 Growth Management Program

The State Planning Office (SPO) administers the Community Investment and Planning Program. The program provides grants to Maine communities (25 percent town/75 percent State match) that wish to develop local Comprehensive Plans and Land Use Ordinances that are consistent with the Ten State Goals established by the "Comprehensive Planning and Land Use Regulation

Act." This program gives preference to those communities that prepare and adopt consistent Growth Management Programs, both comprehensive plan and ordinances, when applying for State funding, whether for community development, acquiring land for conservation; natural resources protection; or programs that are intended to accommodate or encourage additional growth and development, improve, expand or construct public facilities, and assist in planning or managing specific economic and natural resource concerns.

For more information on developing a comprehensive plan and ordinances contact your Regional Planning Commission, Council of Governments, or the State Planning Office at (207) 287-8050.

4.4.4 Access Management

A municipality can create access management standards to protect the safety and capacity of the State and local roads. An Access Management Ordinance (either as a stand alone ordinance or part of a land use ordinance) should manage the number and design of access to roads. See Section 3.3.6 for additional information.

The MaineDOT has prepared a lot of information for local officials on what can be done at the local level to keep traffic flowing smoothly and safely on arterial highways serving their community. The information about access management and practical standards can be put into effect at the local level.

Access management standards are best implemented once the municipality has determined the following three items:

- * Land Use- Where development should be encouraged how it should be developed and where it should be limited is extremely important since land development patterns can have the most impact on traffic conditions;
- * Traffic Flow- The extent to which traffic on the roads in the community has increased in recent years and is likely to increase in the future; and
- * Plan's Relationship to Access Management- How the community's transportation and land use policies can be enhanced by sensible access management standards.

For more information on developing access management standards see the Bureau of Planning's website at www.maine.gov/mdot/planning-process-programs/plan-home.php or contact your Regional Planning Commission, Council of Governments.

4.4.5 Traffic Movement Permits (Site Location of Development Act)

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Until the late 1990's, the DEP was responsible for issuing development permits under the "Site" law, including the traffic impact review. The law was changed in 1999 and the traffic review responsibility has been transferred to MaineDOT.

Pursuant to 23 M.R.S.A. § 704 A, the department has written and adopted rules pertaining to Traffic Movement Permits. This rule defines the standards by which a development, which generates more than 100 Passenger Car Equivalents (PCE's) during peak hour, must abide, to receive a Traffic Movement Permit. (*PCE equals the number of passenger cars or, in the case of non-passenger vehicles, the number of passenger cars that would be displaced by non-passenger car vehicles. One tractor-trailer combination is the equivalent of two passenger cars.*) The developer must apply to the Region Traffic Engineer in the area with jurisdiction over the project. The developer then submits the application (with plans stamped by both a registered Professional Engineer and Registered Land Surveyor). After the application has been deemed complete, a scoping meeting is set up to determine the area expected to be impacted by the scope of the project. Depending on the amount of trips generated (100-200 PCE's or over 200 PCE's) a permit could be issued with no further requirements or the applicant may be required to conduct a traffic study as defined at the scoping meeting.

Who Needs to Apply?

Any project which generates 100 or more passenger car equivalents (PCE) trips during peak hour of traffic generation, must file a Traffic Movement Permit application with MaineDOT. A permit is still required if the development is on a townway.

The level of mitigation at the five entrances/exits may be less, but a permit is still needed. Other mitigation may be necessary depending on the amount of traffic.

Determination of all passenger car equivalent trips for the purpose of establishing application requirements shall be calculated using the edition of the ITE Trip Generation Guide referenced on MaineDOT Fact Sheet. (The MaineDOT Fact Sheets are an insert to the Traffic Movement Permit that contains the standard details and list of reference manuals the applicant must abide by). Assistance in determining the trip levels can be obtained by contacting a traffic engineer licensed to do engineering work in the state of Maine, the appropriate MaineDOT Regional Office or the Augusta Headquarters - Division of Traffic Engineering.

Municipalities may register with the department to seek delegated review authority to issue Traffic Movement Permits. In such cases a Traffic Movement Permit would be required from the municipality that has been given delegated review authority. A municipality can be delegated the authority to issue permits if that municipality adopts ordinances consistent with MaineDOT Chapter 305 Rules. Once the ordinance is adopted, the municipality must contact the department to request delegated authority. If the department finds the municipality in compliance with

Chapter 305, the department will develop an agreement for Delegated Review Authority. These rules can be found on MaineDOT website at: www.state.me.us/mdot/licenses.php

Please contact the Augusta Headquarters at 624-3620 to determine whether your municipality has been given delegated responsibility or wishes to apply for issuing the Traffic Movement Permit.

4.4.6 Land Use Capability Guidelines

MaineDOT's Air Transportation Division has developed the Land Use Capability Guidelines for airports as part of their Continuous Aviation System Planning Process. The purpose of this document is to assist municipalities, planners, decision-makers, and other interested parties to protect the long-term compatibility and viability of the State's airport system. The Guidelines discuss several land use planning concerns including noise, safety clear zones, and height limits. The document also contains several examples of airport zoning ordinances, noise easement ordinances, hold harmless agreements, and coordination agreements.

For more information contact the Office of Passenger Transportation at (207) 624-3250.

4.5 Permitting: How it Affects State & Municipal Transportation Infrastructure Planning

The Natural Resources Protection Act (NRPA) is the Maine State law that regulates disturbances in, over, or adjacent to wetlands, streams, and other water bodies. Both MaineDOT and municipalities must comply with the law.

Section 404 of the Clean Water Act is the federal law that regulates disturbances in, over, or adjacent to wetlands, streams, and other water bodies.

The Maine Department of Environmental Protection (MDEP) issues permits required by State wetlands laws while the United States Army Corp of Engineers (ACOE) issues permits for regulated wetlands under Federal jurisdiction. It is important to contact these agencies regarding work being contemplated in or near a wetland or water-body since one or both agencies may have jurisdiction. The NRPA requires that a permit be obtained from the MDEP before undertaking activities in any protected natural resources. However, NRPA provides for certain public works projects to proceed through a "permit-by-rule" process that is faster and involves less paperwork than the usual permit process. The activities allowed under the "permit-by-rule" process include, but is not limited to:

- General permits for state transportation facilities
- Disturbance of soil material adjacent to wetlands or waterbody

- Replacement of permanent structures
- Movement of rocks and vegetation
- Construction of stream crossings (utility lines, pipes and cables)
- Piers, wharves and pilings in coastal wetlands
- Public boat ramps
- Selected activities in coastal sand dunes

The permit-by-rule process requires the municipality to submit a notification form outlining the work to be performed to the MDEP.

There are also activities that **do not require a permit form to be filed**. These include but are not limited to:

- Certain water lines and utility cables.
- Maintenance and repair of a structure in, on, over or adjacent to a protected natural resource and maintenance and repair of a private crossing of a river, stream or brook if certain measures are taken:
- Emergency repair or normal maintenance and repair of the existing public works which affect any protected natural resource. An activity which is exempt under this subsection shall employ erosion control measures to prevent sedimentation of any surface water, shall not block fish passage in any water course and shall not result in any additional intrusion of the public works into the protected natural resource.

Contact MDEP at the main office in Augusta at (207) 287-2111, or any of the field offices in Portland, Bangor or Presque Isle. The ACOE Maine field office is located in Manchester, (207) 623- 8367.

4.6 Protecting Railroad Rights-of-Way

When the railroads obtained the right-of-way in order to lay tracks, the land for the right-of-way was acquired in one of two different ways:

1. "fee simple:" the outright purchase of a piece of land.
2. "easement:" the purchase of a piece of land for a particular use only, i.e., construction and operation of a railroad. When the use ceases, subject to conditions, the property reverts to the abutting land owner.

A particular railroad right-of-way can be a patchwork of the two types of acquisition. In practice railroads in the state of Maine have acted as if all acquisitions have been by fee simple. The right-of-way does not then automatically revert to the abutting land owners.

Recognizing the importance of preserving the potential embodied in an unused, unfragmented transportation corridor, such as a railroad right-of-way, the Intermodal Surface Transportation Efficiency Act (ISTEA) requires that preservation of unused railroad right-of-way be considered in statewide transportation planning. In addition to any railroad right-of-way preservation efforts by MaineDOT, a municipality may participate by developing Transportation Enhancement projects that incorporate right-of-way preservation as part of their own objectives. The MaineDOT has already acquired 300 miles of railroad right-of-way in the State to preserve them intact.

To find out the status of particular sections, municipalities should contact the Office of Freight Transportation at (207) 624-3560

4.7 The Clean Air Act Amendments

The Clean Air Act (CAA) and the Clean Air Act Amendments (CAAA) are some of the most far reaching pieces of legislation to come out of Washington. The CAA required the U.S. Environmental Protection Agency to set national air quality standards (NAAQS) for each of the major pollutants: ozone (smog), carbon monoxide, nitrogen dioxide, sulfur dioxide, particulate matter (PM₁₀), fine particulate matter (PM_{2.5}) and lead. The amendments of 1990 also created a means for regulating a long list of hazardous air pollutants (HAPs) that pose significant risks to public health.

The CAA directs EPA to define the boundaries of "nonattainment" areas: geographical areas whose air quality does not meet the national air quality standards. At this time, Maine has two ozone nonattainment areas: Area 1 includes portions of York, Cumberland, Sagadahoc and Androscoggin counties; Area 2 includes portions of Lincoln, Knox, Waldo and Hancock counties. On October 17, 2006, the EPA published a proposal to redesignate Maine's two ozone nonattainment areas to attainment. Once finalized, the areas will continue to be subject to air quality monitoring and certain regulatory requirements.

Maine had one nonattainment area for PM₁₀ in downtown Presque Isle that was redesignated to attainment effective October 30, 1995. This area consists of a very small part of the city where road sand was being ground into very fine particles by highway traffic. The city changed their winter maintenance practices to eliminate the air quality problem.

Each State is required to submit to the EPA a State Implementation Plan (SIP) describing what actions the State's air quality agency intends to ensure the attainment and maintenance of

NAAQS in the State. In Maine, the Department of Environmental Protection's Bureau of Air Quality Control and MaineDOT are the agencies responsible for preparation of this plan. Because motor vehicles make a significant contribution to air pollution, especially in congested areas, it is required that planned changes in transportation infrastructure will neither worsen existing air quality nor hinder the State's ability to bring the non-attainment areas into attainment.

There are many transportation activities that are exempt from the constraints of the CAAA. Some examples are: safety-related improvements to highways; pedestrian and bicycle facilities; and purchase of transit vehicles. For a more extensive, detailed list of exempt transportation infrastructure, contact the Bureau of Planning, Program Development & Program Management Division at (207) 624-3300.

4.7.1 What does CAAA Mean For Municipalities?

In municipalities located in ozone nonattainment or maintenance areas, no transportation projects may be implemented that would increase emissions of volatile organic compounds or nitrogen oxides (the two chemicals needed to form ozone) above certain thresholds (or budgets) approved by EPA. In such cases, it may be necessary to implement air quality offsets or mitigation strategies to compensate for transportation projects that produce a significant increase in emissions. Once measures are implemented to reduce emissions, then development and traffic must be continuously monitored and controlled to keep the area in attainment.

As a part of a comprehensive strategy to achieve and maintain a high standard of air quality in an area, and to avoid more stringent controls on transportation and development, a municipality may promote and/or propose transportation projects that produce net decreases in motor vehicle emissions. These activities may qualify as candidates for several competitive funding programs and can be included in a municipality's response to the department's biennial Community Transportation Improvement Packet. For more information about submitting projects to MaineDOT, please visit the web at <http://www.state.me.us/mdot/planning-process-programs/mti.php>. In addition, a municipality may adopt land use strategies that would reduce the amount of motor vehicle use. For example, a town could enact land use ordinances or offer tax incentives that encourage alternative modes of travel (like walking or bicycling) and promote better integration of bus services into the community.

4.8 National Environmental Policy Act (NEPA) Intergrated Transportaion Decision-Making (ITD)

4.8.1 National Environmental Policy Act (NEPA)

The National Environmental Policy Act of 1969 (NEPA) sets a vision for how the Federal government should work to incorporate protection and enhancement of the environment into its decisions and actions. It was enacted to ensure that information regarding the environmental impacts of any Federally funded action is made available to public officials and citizens *before decisions are made and before actions are taken*.

Under NEPA, Congress directs Federal agencies to integrate in their planning and decision-making processes social, economic, and environmental considerations. NEPA is a broad-reaching mandate for Federal agencies to work together, with State, local and tribal governments, public and private organizations, and the public to achieve and balance national social, economic, and environmental goals while accomplishing their missions. The Council on Environmental Quality (CEQ) regulations require Federal agencies to designate major decision points likely to have significant effects on the human and natural environment and adopt procedures consistent with the NEPA process.

4.8.2 Integrated Transportation Decision-making (ITD)

The MaineDOT has developed a framework for integrating environmental and transportation decision-making throughout the department. This framework interfaces planning, location, design, right-of-way, construction, maintenance, and environmental operations by fully integrating the decision-making processes of Maine's Sensible Transportation Policy Act (STPA), the National Environmental Policy Act (NEPA), and state and federal environmental permitting programs, especially the U.S. Army Corps of Engineers, New England, Highway Methodology. ITD benefits include community involvement and support, balanced and consistent decision-making, and collaborative consensus building, both internal to MaineDOT and externally.

The overall goals of MaineDOT's Integrated Transportation Decision-making process are to express well-defined environmental policies, protect and enhance the human and natural environment, and establish an environmentally conscious organization. With an institutionalized environmental ethic that directly influences daily decision-making, MaineDOT will, through stakeholder cooperation and participation, develop a balanced transportation system, and promote environmental accountability throughout its programs.

5.0 ADDITIONAL TRANSPORTATION READING

The following publications may or may not be mentioned in this document. However, they offer a significant amount of valuable information.

- * Capital Work Program; MaineDOT, Bureau of Planning
- * Claims, Pains, and Automobiles; MaineDOT, Maine Local Roads Center
- * Land Use Capability Guidelines; MaineDOT, Air Transportation Division
- * Maine Aviation Systems Plan
- * Maine Planning and Land Use Laws; Brown and Michaud
- * Maine Revised Statutes Annotated; West Publishing
- * Manual on Uniform Traffic Control Devices; US Government Printing Office
- * Municipal Roads Manual; Maine Municipal Association
- * Permits, Payments, Postings, and Procedures; MaineDOT, Maine Local Roads Center
- * Roadway Fundamentals for Municipal Officials, MaineDOT Maine Local Roads Center
- * Statewide Transportation Plan; MaineDOT, Bureau of Planning
- * Transportation and Land Development; Institute of Transportation Engineers
- * State of System Fact Book
- * 20 Year Plan
- * Integrated Freight Plan
- * Heavy Haul Truck Route Study

For assistance in obtaining copies of publications listed above contact the Maine Local Roads Center at (207) 624-3270.

6.0 DEFINITIONS AND ACRONYMS

The following are working definitions of terms and acronyms frequently utilized by MaineDOT.

6.1 Definitions

AADT - Average Annual Daily Traffic. A planning tool to measure the average daily traffic over a year's time.

$$\text{AADT} = \frac{\text{estimated total annual traffic}}{365}$$

Used by the Bureau of Planning as a factor in making critical transportation decisions dealing with the administration, project development and maintenance and operation of highways.

AAH - Adopt - A - Highway Program

AASHTO - American Association of State Highway and Transportation Officials. A non-profit, non-partisan association representing the member highway and transportation departments in the 50 states, the District of Columbia, and Puerto Rico, and is essentially an instrument of these agencies. Its interests cover the five principal transportation modes and its major purpose is to foster the development, operation, and maintenance of an integrated transportation system. The work of the association is divided into four general areas: technical activities; policy development activities; information activities; and liaison activities.

ACIP – Airport Capital Improvement Plan

ADA - Americans with Disabilities Act of 1991. A major civil rights law passed by Congress to establish access to programs, employment, housing, public services, etc., for those Americans with physical and/or mental disabilities.

AGC - Associated General Contractors. A national association of building contractors and heavy highway and bridge contractors with state affiliates. The Association's main purpose is to represent its membership's interests before Congress and State legislatures and to keep its membership informed and educated on new or amended laws and regulations.

ANSI - American National Standards Institute. The United States clearinghouse and coordinating body for voluntary standards activity on the national level. It has approved 8000 standards to date, each standard representing general agreement among maker, seller and user groups reflecting a consensus. The institute is a federation of trade, professional groups, and consumer organizations.

BAQC - Bureau of Air Quality Control. A branch of the State's Department of Environmental Protection which exists to carry out State air pollution law and the federal CAAA of 1990. The Bureau administers field services, monitors activities, compliance activities, licensing and technical services related to air quality.

BEP - Board of Environmental Protection. Part of the executive branch of the Maine Department of Environmental Protection (MDEP), along with the commissioner and deputy commissioner of MDEP. The Board consists of 10 members appointed to four-year terms by the governor. The purpose of the board is to preside over public hearings and make findings of facts and order on projects which are not delegated to the commissioner; reviews staff recommendations and licensing decisions; serve as an appeals body for environmental decisions; and promulgates; rules and policies interpreting the statutes administered by MDEP.

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Bicycle Route - A segment of a bicycle system, with or without a specific and unique number, designated with appropriate directional and informational signage.

BTIP - Biennial Transportation Improvement Program. The list of projects proposed through MaineDOT for funding implementation during a two-year time frame.

CAAA - Clean Air Act Amendments of 1990. The law that updates and puts authority behind the earlier Clean Air Act. This law specifically ties clean air improvements to receipt of federal transportation funding and imposes requirements on the transportation sector.

Capacity - Capacity is defined as the maximum hourly rate at which persons or vehicles can reasonably be expected to traverse major distribution areas during a given time period under prevailing roadway, traffic and traffic control conditions.

CMAQ - Congestion Mitigation Air Quality Program. A program under ISTEA to assist the states with implementation and compliance under the Clean Air Act Amendments of 1990. The program funds projects that are calculated to reduce ozone precursors.

CO - Carbon Monoxide. A colorless, odorless, tasteless gas formed in large part by incomplete combustion of fuel. Fuel combustion activities (i.e., transportation, industrial processes, space heating, etc.) are the major sources of CO. High concentrations of CO can develop near these combustion sources. Therefore, facility specific or "hotspot" analysis is often used to identify potential CO problems. Carbon Monoxide is addressed under the National Ambient Air Quality Standards. Maine does not exceed the CO standard at present.

COG's - Councils of Government

DBE - Disadvantaged Business Enterprise program. A program of the federal Surface Transportation Assistance Act (STAA) of 1987 and ISTEA of 1991 which sets up an affirmative action program for businesses owned and controlled by minorities and women.

DECD - Department of Economic and Community Development. A cabinet level agency charged with three major policy functions: to attract and assist business, to develop and manage tourism, and to oversee community development.

EPA - The Environmental Protection Agency. The federal agency in charge of protecting the environment including the implementation of the provisions of the CAAA of 1990 on the federal level and federal Clean Water Act.

FAA - Federal Aviation Administration. A branch of the U.S. Department of Transportation charged with responsibilities to administer programs and funding impacting aviation.

FHWA - Federal Highway Administration. A branch of the U.S. Department of Transportation charged with responsibilities for administering programs and funding impacting highway transportation.

FTA - Federal Transit Administration. A branch of the U.S. Department of Transportation charged with responsibility of administering programs and funding impacting mass transit. It was formerly known as UMTA, the Urban Mass Transit Administration.

Heavy Haul Road - A road determined to be used extensively by the forest product industry and therefore needing additional structural improvement to maintain the quality of the road.

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HAZMAT - Hazardous Materials. Any materials which, if exposed to a human being, would have adverse effects on his/her health and/or safety as defined by the Office of Safety and Health Administration.

HOV - High Occupancy Vehicle. Any motor vehicle with more than one occupant.

HPMS - Highway Performance Monitoring System. A data collecting tool used by MaineDOT to test the condition, performance, and loading placed on the pavements of the state's highway network. Such monitoring is a requirement of the Federal Highway Administration (FHWA) and is part of MaineDOT Pavement Management System (PMS).

ISTEA - The Intermodal Surface Transportation Efficiency Act of 1991. Represents the first major shift in national transportation policy since the Interstate Highway System was completed. The ISTEA recognizes and puts into place programs and funding for a variety of transportation modes including preservation of existing systems along with transportation initiatives.

IVHS - Intelligent Vehicle Highway System. A long-range "future" program which would mesh "smart cars" with specially built highways and advanced traffic management systems which could then map and guide the vehicle over its shortest, quickest route. The object of IVHS is to ease congestion.

LEV - Low Emission Vehicle program. A CAAA-related program which states may adopt to assist with compliance with CAAA of 1990. Maine has adopted the LEV program contingent upon action taken by other states in the northeast.

Localizer - Part of Instrument Landing System.

Maintenance - Maintenance is to preserve and repair vehicles, machinery, equipment, and transportation facilities to their designated or accepted standards. It may be scheduled, planned, progressive, or periodic (preventive maintenance), or it may be unscheduled or corrective.

MBTA - Maine Better Transportation Association (Previously known as Maine Better Highways). This is a coalition of public and private agencies and organizations committed to long-term transportation funding. The Association lobbies the State legislature to that end.

MDEP - Maine Department of Environmental Protection. A cabinet level agency within State government. The agency is charged by law with the protection and improvement of the quality of the natural environment and its resources, and the enhancement of the environment through ecologically sound growth and development policies and programs. It is the agency which is charged to administer the Clean Air Act Amendments of 1990 and the Natural Resources Protection Act, among others.

MaineDOT - Maine Department of Transportation. A cabinet level agency of State government with the authority to plan and develop adequate, safe and efficient transportation facilities and services which will contribute to the economic growth of Maine and the well-being of its people. The planning and development of such facilities and services shall be coordinated by the Department.

MaineDOT Fact Sheets - an insert to the Traffic Movement Permit which contains the standard details and list of reference manuals the applicant must abide by.

MLRC - Maine Local Roads Center. A division of MaineDOT that offers assistance to municipalities, including technical assistance, information, relating to the maintenance, construction, and management of local roads.

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MMA - Maine Municipal Association. Statewide advocacy organization representing Maine's towns and cities in a wide range of issues.

MPO - Metropolitan Planning Organization. A forum for cooperative transportation decision making for a metropolitan planning area. Maine has four such organizations one for the Kittery area (KACTS); one for the Bangor area (BACTS); one for the Lewiston-Auburn area (ARTC); and one for the Portland area (PACTS). (ACTS stands for Area Comprehensive Transportation Study).

MRSA - Maine Revised Statutes Annotated. The compilation of the State's laws in a format which allows for updating. It is typically seen as a reference for a specific law, i.e., 23 MRSA 73 refers to the Sensible Transportation Policy Act.

MSFS - Maine State Ferry Service is a branch of MaineDOT Office of Passenger Transportation. The MSFS services six islands off the Maine coast: Frenchboro and Swan's Island out of Bass Harbor; Islesboro out of Lincolnville; North Haven, Vinalhaven, and Matinicus out of Rockland.

MTA - Maine Transit Association. The organization represents 20 public transit operators in the State. MaineDOT administers grants to 18 of these operators.

MTA - Maine Turnpike Authority. A legal body established chiefly with the purpose of constructing, maintaining, reconstructing, and operating a toll turnpike from Kittery to Augusta.

MTS - Motor Transport Services. This is a division within MaineDOT's Bureau of Maintenance and Operations charged with the purchase, maintenance, and management of the entire MaineDOT equipment fleet.

MUTCD - Manual on Uniform Traffic Control Devices. This manual sets out national standards for the design and installation of traffic control signs and other highway signs, traffic signals, and road markings.

NAAQS - National Ambient Air Quality Standards. Federal standards that set allowable concentrations and exposure limits for various pollutants. The EPA developed the standard in response to a requirement of the CAAA. The NAAQS ensures that certain pollutants do not exceed specified levels more than once a year. The threshold for each pollutant ensures protection for even the most sensitive groups of the population. Areas with levels that violate the standard are designated as nonattainment areas for whichever pollutants are involved. Nonattainment areas must reduce the emissions from the source causing the pollution. There are three types of source: mobile, stationary, and area sources.

NEPA - National Environmental Policy Act. A federal law established to insure that federally funded projects have a minimal impact on the environment; natural, cultural, and economic. MaineDOT is obligated to consider all environmental factors under NEPA for all of its federally funded projects. The MaineDOT Bureau of Planning is responsible for this aspect of project development.

NHS - National Highway System. All the major roads in the United States, including all interstate routes and a large percentage of urban and rural principal arterial highways, and those considered part of the defense strategic highway network and strategic highway connectors. Formerly referred to as HNS, (Highways of National Significance).

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Nonattainment Area - A geographic region of the United States that the EPA has designated as not meeting the NAAQS.

NO_x - Oxides of Nitrogen. One of two precursors necessary to form ozone. The CAAA of 1990 requires reduction of NO_x and volatile organic compounds (VOC). NO_x + VOC + Sunlight + Heat = Ozone.

NPDES - National Pollutant Discharge Elimination System. National stormwater program mandated under the federal Clean Water Act. The goal is to reduce pollutant loadings to the environment and to require stringent controls where necessary to assure attainment of state water quality standards and designated uses. Each transportation project must be addressed under this law and must meet Clean Water Standards.

NRCM - Natural Resources Council of Maine. One of Maine's leading environmental advocacy organizations working to protect Maine's natural resources through advocacy, legal defense and education. The Council has a strong focus on pollution prevention. The Council's primary issues are: clean air; protection of Maine's rivers, lakes, coast; and North Woods; growth management; transportation alternatives; energy efficiency; recycling and waste reduction; and reducing the use of toxic chemicals.

NRPA - Natural Resources Protection Act. The Natural Resources Protection Act (NRPA) is the Maine State law that regulates disturbances in, over, or adjacent to wetlands, streams, and other water bodies.

Off-Road - Denotes a facility which is not within the highway right-of-way.

On-Road - Denotes a facility which is within the highway right-of-way.

Ozone - Ozone is a colorless gas with a sweet odor. Ozone is not a direct emission from transportation sources. It is a secondary pollutant formed when VOC and NO_x combine in the presence of sunlight. The ozone is associated with smog or haze conditions. Although the ozone in the upper atmosphere protects us from harmful ultraviolet rays, ground level ozone produces an unhealthy environment in which to live. Ozone is created by human and natural sources.

PCE - Preconstruction Engineering. A term used by MaineDOT to indicate all necessary work such as surveys, preliminary engineering, preliminary and final design and environmental work is done and the project is ready to be funded for construction.

Passenger car equivalent (PCE) - The number of passenger cars or, in the case of non-passenger vehicles, the number of passenger cars that would be displaced by non-passenger car vehicles. One tractor-trailer combination is the equivalent of two passenger cars.

PM₁₀ - An air pollutant composed of suspended particulate matter less than 10 microns in diameter.

Reasonable Transportation Alternatives - Reasonable transportation alternatives are ones which adequately respond to the identified deficiency or need in the transportation network, are cost effective, and are capable of being implemented within a reasonable time period necessary to meet the transportation deficiency or need.

RPO - Regional Planning Commissions/Organizations whose purposes are to promote cooperative efforts toward regional development, prepare and maintain a comprehensive regional plan with adequate public input in its preparation, coordinate with State and federal planning and development programs and provide planning assistance and advisory services to municipalities and to RTACs.

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SIP - State Implementation Plan. A plan mandated by the CAAA that contains procedures to monitor, control, maintain, and enforce compliance with the NAAQS. The SIP serves as a blueprint which will show EPA how Maine will meet compliance requirements of the CAAA of 1990. Transportation planning must take the SIP into account. The SIP is a plan developed and administered by the Department of Environmental Protection.

SOV - Single Occupancy Vehicle. Transportation planning must consider measures which will reduce use of such vehicle trips and as a result, reduce vehicle emissions, and promote energy efficiency to assist in compliance of the CAAA of 1990.

SPO - State Planning Office is a branch of the Executive Department of the State. Its purpose is three-fold: short-term analysis; long-range policy analysis; and program coordination. The Office assists the Governor and other state agencies in the development of economic, energy, fiscal and regulatory policy.

STIP - Statewide Transportation Improvement Program. A multi-year, Statewide, intermodal program of transportation projects consistent with all other required transportation plans developed within the state. The STIP is a Federal funding document and must be consistent with the STP and must be updated every three years

STP - Statewide Transportation Plan. The STP is the twenty-year long-range Statewide intermodal transportation plan.

STPA - Sensible Transportation Policy Act. A Maine law passed by referendum vote in November of 1991. The passage led to the eventual creation of the RTACs. It sets objectives for all transportation planning projects and capital investment decisions. An outgrowth of the STPA, the rule was promulgated in 1992 to establish the procedures called for under the STPA. The rule was promulgated by a special committee made up of a variety of public and private interests known as TPAC under a consensus rulemaking process.

TCM - Transportation Control Measures - Any measure in a SIP directed toward reducing emissions of air pollutants from transportation sources by improving traffic flow, reducing congestion, or reducing vehicle use.

TDM - Transportation Demand Management. Actions which are designed to change travel behavior in order to improve performance of transportation facilities and to reduce need for additional highway capacity. Methods may include, but are not limited to, ride-sharing and vanpool programs, trip-reduction incentives and congestion mitigation pricing. These methods will generally be evaluated on a regional basis rather than a project by project basis.

TIP - Transportation Improvement Program which selects and schedules projects for funding as required by Federal Transportation Acts.

TMA - Transportation Management Associations are public/private partnerships organized to address local commuter mobility needs. TMA's are largely a phenomenon of suburban areas, but are growing to serve downtown environments as well. Most often TMA's are formed either to address current problems, such as traffic congestion, or to anticipate or prevent such problems.

TPAC - Transportation Policy Advisory Committee. This body, made up of representatives of nearly 60 interest groups, was called together by MaineDOT Commissioner in 1992 to develop the Sensible Transportation Policy Act Rule. The group worked together under a format known as negotiated rulemaking. The group developed the Rule through consensus.

Transportation Mode - A particular form of travel such as traveling by foot, automobile, bus, passenger and freight, intercity rail, urban light rail, waterborne passenger and freight vessels, air transport and bicycle.

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Transportation System Management Options - Techniques for increasing the efficiency, safety, capacity or level of service of a transportation facility without increasing its number of through travel lanes. Examples include, but are not limited to, traffic signal improvements, traffic control devices including installing medians, parking removal, channelization, access management, ramp metering, and striping for high occupancy vehicle lanes.

UAM - Urban Airshed Model. A computer model which assists the prediction of "ozone occurrences" by using ozone precursor data. The UAM will analyze the data gathered throughout New England including weather patterns.

URIP - Urban-Rural Initiative Program. The purpose of Urban-Rural Initiative Program is to provide equitable financial assistance to communities for their use in improving local roads, maintaining state roads in urban areas and assisting the State in making capital improvements to state aid minor collector highways. In order to meet the purposes Urban-Rural Initiative Program has a Rural Initiative and an Urban Compact Initiative as components.

VMT - Vehicle Miles Traveled. A calculation used in a variety of ways by transportation planners. VMT is the sum of distances traveled by all motor vehicles in a specified region. VMT is used to determine air emissions from the transportation sector and is used to plan reduction in ozone to meet CAAA standards.

VOC - Volatile Organic Compounds. One of two precursors necessary to form ozone. The CAAA of 1990 requires reduction of Nox and VOC's.

6.2 Acronyms

The following are working acronyms frequently utilized by MAINEDOT. However, they are not necessarily encountered in this guide.

4Es	Education, Encouragement, Engineering, Enforcement
AADT	Average Annual Daily Traffic
AASHTO	American Association of State Highway and Transportation Officials
ACM	Associated Contractors of Maine
ACOE	US Army Corps of Engineers
ADA	Americans with Disabilities Act
AIP	Airport Improvement Program
ALS	Approach Light System
ANSI	American National Standards Institute
ATP	Air Transportation Program

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ATRC	Androscoggin Transportation Resource Center
AVA	Aroostook Valley Railroad
AWS	Automated Weather Station
BACTS	Bangor Area Comprehensive Transportation Study
BAQC	Bureau of Air Quality Control (DEP)
BAR	Bangor and Aroostook Railroad
BCM	Bicycle Coalition of Maine
BEP	Board of Environmental Protection
BIA	Bicycle Institute of America Bureau of Indian Affairs
BFA	Bicycle Federation of American
BML	Belfast and Moosehead Lake Railroad
BMT	Bicycle Miles Traveled
BTIP	Biennial Transportation Improvement Program
CAA	Clean Air Act
CAAA	Clean Air Act Amendments 1990
CADD	Computer Aided Design and Drafting
CAR	Canadian American Railroad
CE	Categorical Exclusion
CIP	Capital Improvement Program
CMAQ	Congestion Mitigation Air Quality Program
CMP	Congestion Mitigation Project/Program
CMS	Congestion Management System
CO	Carbon Monoxide
COFC	Container on Flat Car
COG	Council of Governments

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CP	Canadian Pacific Limited (Railroad)
DBE	Disadvantaged Business Enterprise
DECD	Department of Economic and Community Development
DEP	Department of Environmental Protection (also MDEP)
DOE	Department of Energy (Federal)
EA	Environment Assessment
EIS	Environmental Impact Statement
EMR	Eastern Maine Railway Company
EPA	Environmental Protection Agency
FAA	Federal Aviation Administration
FBD	Ferry Boat Discretionary Program
FHWA	Federal Highway Administration (US DOT)
FRA	Federal Railroad Administration (US DOT)
FTA	Federal Transit Administration (US DOT)
GIS	Geographic Information System
GVW	Gross Vehicle Weight
GPS	Global Positioning System, Instrument Approach
HAZMAT	Hazardous Materials
HC	Hydrocarbons
HIRL	High Intensity Runway Lighting System
HPMS	Highway Performance Monitoring System
HOV	High Occupant Vehicle
HSIP	Highway Safety Improvement Program
HUD	Department of Housing and Urban Development (Federal)

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ILS/MLS	Instrument Landing System, Microwave Landing
I/M	Inspection and Maintenance Program
IMBA	International Mountain Bike Association
ISTEA	Intermodal Surface Transportation Efficiency Act (TEA 21)
IVHS	Intelligent Vehicle Highway System
KACTS	Kittery Area Comprehensive Transportation Study
LAW	League of American Wheelmen
LEV	Low Emission Vehicle Program Other LEV's - ULEV, TLEV, ZEV
LIRL	Low Intensity Runway Lighting System
LRAP	Local Road Assistance Program (now known as URIP)
LORAN C	Long Range Navigation System - C Mode
MIRL	Medium Intensity Runway Lighting
MCR	Maine Coast Railroad
MBC	Maine Bicycle Council
MBTA	Maine Better Transportation Association
M&O	Maintenance and Operation (Bureau of MaineDOT)
MDEP	Maine Department of Environmental Protection (also DEP)
MAINEDOT	Maine Department of Transportation
MLRC	Maine Local Roads Center
MMA	Maine Municipal Association
MPO	Metropolitan Planning Organization (BACTS, ATRC, KACTS, PACTS)
MRSA	Maine Revised Statutes Annotated
MSA	Metropolitan Statistical Area
MSFS	Maine State Ferry Service
MTA	Maine Turnpike Authority

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	Maine Tourism Association
MTP	Mass Transit Program
MUTCD	Manual on Uniform Traffic Control Devices
NAAQS	National Ambient Air Quality Standard
NAFTA	North American Free Trade Agreement
NBSRC	New Brunswick Southern Railway Company
NDB	Non-Directional Radio Beacon
NEPA	National Environmental Policy Act
NESCAUM	North East State Coordinated Air Use Management
NETI	New England Transportation Initiative
NHN	New Hampshire Northcoast Corporation
NHS	National Highway Systems
NHTSA	National Highway Traffic Safety Administration
NMT	Non-Motorized Transportation
NORBA	National Off Road Bicycle Association
NOx	Nitrogen Oxides
NPDES	National Pollution Discharge Elimination System
NRCM	Natural Resources Council of Maine
NRPA	Natural Resources Protection Act.
NSC	National Safety Council
OBDS	Official Business Directional Sign
OPC	Office of Policy and Communication (MaineDOT)
PACTS	Portland Area Comprehensive Transportation Study
PCE	Preconstruction Engineering
PCE	Passenger car equivalent

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PROJEX	Project Scheduling & Resource Management System
REIL	Runway End Identification Lights
ROW	Right-of-Way
RPO	Regional Planning Commission/Organization
RRIP	Rural Road Initiative Program
Section 402	Federal Highway Safety Funds
SHRP	Strategic Highway Research Program
SIP	State Implementation Plan (DEP)
SLR	St. Lawrence and Atlantic Railroad
SOV	Single Occupancy Vehicle
SPO	State Planning Office
STAA	Surface Transportation Assistance Act 1987
ST	Springfield Terminal Railroad
STIP	Statewide Transportation Improvement Program - 3 yr Plan
STP	Surface Transportation Program
STPA	Sensible Transportation Policy Act (1991)
NRTF	National Recreational Trails Fund
TDM	Travel Demand Management
TEA 21	The NEW Sensible Transportation Policy Act
TIDE	Transportation Information for Decision Enhancement (MaineDOT)
TINIS	Transportation Integrated Network Information System
TIP	Transportation Improvement Program (see BTIP)
TLEV	Transitional Low Emission Vehicle
TMA	Transportation Management Association
TOFC	Trailer on Flatcar

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TPAC	Transportation Policy Advisory Committee
TRB	Transportation Research Board
TSM	Transportation System Management
UAM	Urban Airshed Model
UCI	Union of Cycliste International
ULEV	Ultra Low Emission Vehicle
URIP	Urban Rural Initiative Program
USC	United States Code
USCF	United States Cycling Federation
USDOT	United States Department of Transportation
UVC	Uniform Vehicle Code
VASI/P	Visual Approach Slope Indicator Precision Approach Slope Indicator
VOC	Volatile Organic Compounds
VOR	Very High Frequency Omni Range
VMT	Vehicle Miles Traveled
ZEV	Zero Emission Vehicle