



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 236

S.P. 80

In Senate, January 24, 2017

### An Act To Update Accessibility Requirements on Highways

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Submitted by the Department of Transportation pursuant to Joint Rule 204.  
Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator COLLINS of York.  
Cosponsored by Representative McLEAN of Gorham and  
Senator: ROSEN of Hancock, Representative: PARRY of Arundel.

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

2 **Sec. 1. 23 MRSA §706**, as amended by PL 1987, c. 604, §§1 and 2, is further  
3 amended to read:

4 **§706. Curbs**

5 **1. Location or construction.** The Department of Transportation shall develop or  
6 approve standards for the location or construction of curbs on each side of a way in the  
7 business district or area as defined by the department, of any municipality for which  
8 curbs have been prescribed. ~~Prior to October 1, 1988, these standards shall be adopted in~~  
9 ~~a form to fully implement the specifications in the American National Standards Institute~~  
10 ~~publication "Specifications for Making Buildings and Facilities Accessible to and Usable~~  
11 ~~by Physically Handicapped People" (ANSI A 117.1, 1986).~~

12 **2. Federal compliance.** Standards ~~set~~ developed by the Department of  
13 Transportation for curb ramping under subsection 1 ~~shall not apply to any existing curb~~  
14 ~~on October 3, 1973; but shall apply, to the extent reasonable, to all new curb construction~~  
15 ~~and to all replacement curbs constructed in order to allow reasonable access to crosswalks~~  
16 ~~after that date and prior to October 1, 1988, and shall apply to any new construction or~~  
17 ~~reconstruction commenced after October 1, 1988~~ must comply with applicable federal  
18 standards.

19 ~~**3. Physically handicapped; adequate ramping.** Adequate and reasonable access~~  
20 ~~shall be provided for the safe and convenient movement of physically handicapped~~  
21 ~~persons, including those in wheelchairs, across curbs constructed or replaced on or after~~  
22 ~~July 1, 1976, at all pedestrian crosswalks throughout the State.~~

23 **SUMMARY**

24 This bill amends the section of law governing the location and construction of curbs  
25 in order to align the language to federal requirements and comply with the federal  
26 Americans with Disabilities Act of 1990.