

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Allow Landowners Road Access**

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

**Sec. 1. 23 MRSA §704, sub-§10**, as enacted by PL 2005, c. 188, §1, is amended to read:

**10. Requirements waived.** The department ~~may~~shall waive the requirements of rules adopted pursuant to this section and ~~may~~shall issue a permit for a driveway when the property abuts no other road affording vehicular access to a person's property, the property has at least 50 feet of frontage on a state highway or state aid highway and the property is outside the compact area of an urban compact municipality. The department may not deny a person the right to build on or to have vehicular access to property owned by that person ~~unless the access is determined inconsistent with access management safety standards.~~ The department may impose reasonable restrictions on vehicular access to improve safety, except that these restrictions may not include modifications to the state highway or state aid highway.

### **SUMMARY**

This bill requires the Department of Transportation to waive certain requirements in rule and issue a permit for a driveway when no other location exists for vehicular access to a property and the property has at least 50 feet of frontage on a state highway or state aid highway. This bill also authorizes the department to impose reasonable restrictions on vehicular access to a person's property to improve safety, except that these restrictions may not include modifications to the state highway or state aid highway.