



JOHN ELIAS BALDACCI
GOVERNOR

DAVID A. COLE
COMMISSIONER

July 14, 2010

Honorable Dennis S. Damon, Senate Chair
Honorable Edward J. Mazurek, House Chair
Joint Standing Committee on Transportation
SHS 15
Augusta, ME 04333-0015

Re: Highway Simplification Study - Progress Report and Request for Time Extension

Dear Senator Damon, Representative Mazurek, Members of the Transportation Committee:

The purposes of this letter are two-fold: (1) provide you with a detailed progress report on the Highway System Classification Simplification Study ("study") that the Maine Department of Transportation (MaineDOT) was required to undertake pursuant to P.L. 2009, Chapter 413, Sec. T-1 and (2) in accordance with previous discussions with the Chairs, formally request a second six month extension of the deadline for the written final report to the Committee on the study results to January 15, 2011.

I. Progress Report

As will be demonstrated below, progress on the study has been good, but is not complete. Obviously, because the study is on-going, there is no final agreement to a final proposal. Moreover, everyone working on the study understands that their work, though potentially very important, represents only a beginning. Much work will remain including reviews by the next Governor, the Transportation Committee, the full Legislature, other MMA committees, and other stakeholder boards. However, the study has the potential to form the foundation of a transformational effort to simplify, reshape and strengthen the partnership between the State and municipalities regarding road classification and related responsibilities in Maine, and to launch a new spirit of cooperation.

To demonstrate this, this progress report, which was revised based upon stakeholder review and input, is divided into five major subsections: (a) background and process, (b) policy goals adopted, (c) political realities acknowledged, (d) preliminary findings and conclusions to date, and (e) outstanding issues. My apologies in advance for the length of this report, but given its potential impact, it seemed prudent to err on the side of full disclosure.



A. Background and Process

As you know, in the FY10-FY11 Highway Fund budget passed by the First Regular Session of this Legislature, MaineDOT was charged with working with stakeholders to review the current systems for classification of public highways and related responsibilities to determine whether they should be simplified in ways to improve service to customers (highway system users), increase operational efficiencies, improve investment decisions, apply standards appropriate to the road, leverage the ability to deliver improvements at a lower cost, and generally result in the most overall benefit to the most travelers for each dollar spent. See P.L. 2009, Chapter 413, Part T, copy attached as Appendix A, starting on page 11.

Obviously, MaineDOT is charged with discharging this responsibility. However, it continues to be clear that to achieve actionable results, we need to truly engage the stakeholders in a forthright and meaningful way. Municipalities understandably are wary of being given responsibilities without resources to discharge them. To respond, MaineDOT and the Maine Municipal Association formed a 15 member Policy Working Group (PWG) to assist MaineDOT. MMA chose eight (8) members through an extensive voting and selection process, and MaineDOT chose seven (7). In fact, MaineDOT used five (5) of its slots to select more municipal officials to achieve better geographic and urban / rural balance. The PWG is diverse and capable, and has a problem-solving attitude. The list of PWG members is attached as Appendix B, on page 14.

Further, an open enrollment Sounding Board, which includes all Transportation Committee members, has been formed, along with subcommittees on standards and costs and urban issues. The approved PWG Charter, setting forth issues to be analyzed and the relationship of the PWG, Sounding Board and subcommittees is attached as Appendix C, starting on page 15. For more information, see www.maine.gov/mdot/community-programs/hss.php.

B. Policy Goals Adopted

After many meetings and much discussion, the PWG adopted the following policy goals.

1. Simplicity: We should restructure Maine's road classification system so that it conforms to the federal classification system (i.e., arterials, major collectors, minor collectors, local roads) and eliminates the state jurisdictional system (i.e., state highway, state aid highway and townway).
2. Equality: To the maximum extent possible, we should ensure that all municipalities (urban and rural) are treated the same in the policies used to distribute state aid and the assign maintenance responsibilities. For example, under URIP, urban communities do not receive state aid for local roads, while rural communities are reimbursed \$600 per lane mile for all local roads.
3. Clearer Responsibilities-Promote the "24-7-365" Principle: We should reassign road maintenance responsibilities so that one entity, either the state or the municipality, has year-

round responsibility over certain classes or sections of roads. This will improve emergency response, operational efficiency, investment decisions, and customer service.

4. Improved Efficiency of Maintenance & Operations: We should develop a system that is more efficient. For example, we need to minimize situations where both the state and municipality travel the same roads during plowing, with each dropping and picking up plows.
5. Better Customer Service-Choose the Right Entity for the Job: We should create a system that improves or at least retains the same level of customer service by assigning tasks to the entity with the right skill set for the job. For example, the state is better suited to maintain more rural areas, while municipalities have the equipment and capacities necessary to do the more detailed work in downtown and commercial areas (i.e., maintenance of sidewalks, enactment of parking bans, etc.).
6. Frame a Clear Policy Choice: Prioritize and/or Pay: We need to demonstrate that further efficiencies can achieve some savings, but the order of magnitude of the savings will resolve only a small fraction of the problem of inadequate capital investment. Maine policymakers and citizens need to make a choice to either prioritize service, pay more, or some combination of both. The PWG is comfortable with whatever is chosen, as long as people understand the issues and acknowledge the impacts.

C. Political Realities Acknowledged

Though the PWG desires to promote the policies set forth above to the maximum extent possible, it understands that any changes to highway classification and related responsibilities must balance the following political realities.

1. Efficiency Must Be Considered Early: We should ensure that policymakers and Maine citizens understand that the state and municipalities are providing services efficiently, but admit that more can be done. If the PWG does not address this issue straight on, policymakers will be inclined to “address” the issue by charging MaineDOT and municipalities to implement the “fix and swap” proposal (outlined below) without additional funding. Need to address the contention that the “revenues are there to do the work, you just need to find more savings”. To address this inevitable reaction, the PWG must illustrate the efficiencies achieved to date, the efficiencies yet to be achieved (in both dollars and percentage of total) and the consequences of not providing more funding. Need municipal (MMA) support for any proposed funding proposals. Need to show policymakers that while cuts to highway programs are not felt overnight, those cuts are just as detrimental as cuts made to other programs, such as reductions in social service programs.
2. Awareness of Study: We need to make sure that public works/road commissioners and elected municipal officers are aware of the study and understand the impacts. Need to ensure that municipal officials understand that changes in maintenance responsibilities will only occur after the rural minor collector roads are fixed. Need to provide local level decisions makers with the information they need to assess the impacts of the proposal, including access to the minor/major collector road maps as well as the fiscal impact spreadsheet data. (The

county-based maps have been posted on the Department's Highway Simplification Study website.) PWG will need to schedule another Sounding Board meeting, as well as conduct outreach meetings with municipal groups.

3. Outreach to Municipalities: Without municipal support, successful implementation of the "fix and swap" proposal is unlikely. For that reason, municipal officials must be provided all of the information they need to assess the financial, practical and customer service impacts of the proposal. Without buy-in from the municipal community at large, the municipal members on the PWG will be unable to stand "arm-in-arm" with the Department to support the proposal.
4. Municipalities Need to See Reliability of State Commitments: We need to address the legitimate concern of municipal officials regarding the ability of the state to honor its financial commitments in both good and difficult economic times. Without an appropriate level of reliability, municipal officials will be unwilling to move forward with a process that requires a "leap of faith" by both municipal and state officials. This concern could be addressed through the process used to implement the PWG's proposal.
5. Mitigate Extraordinary Impacts: We should ensure that the process used to implement the proposal takes into account both the benefits (i.e., state takeover of winter maintenance activities on state aid major collectors roads, elimination of 1/3 match in the rural road initiative (RRI) program, changes in URIP, etc.) and the problems (i.e., ratio of major to minor collector road miles in each community, etc.) inherent in the proposal. Need to ensure that extraordinary impacts – both good and bad – are considered and addressed. Need to ensure that urban and rural communities are treated equitably to garner broad-base support and minimize the potential of discord between more urban and more rural communities. Need to entertain and research all proposals to address these concerns. May need to allow some exceptions to "simplicity". Need to explore all avenues until exhausted, which could result in concluding that the proposal does not work politically. Experience shows we will need many more "winners" than "losers" to make this work politically. Concerned that we may not have the time necessary to address all of the problems.

D. Preliminary Findings and Conclusions to Date

As noted above, progress to date has been good. Though no final agreement has been reached, the PWG team has made the following preliminary findings and conclusions to date.

1. The Maine Municipal Association appreciates MaineDOT's effort of reaching out and trying to jointly devise policy before it is imposed through state legislation.
2. The current situation of dual highway classification systems – state and federal - is complex and confusing. The Federal Functional Classification (FFC) system uses intuitive terms like interstate, arterials, major collectors, minor collectors, and local roads, and is used, among other things, to determine federal capital funding eligibility. The state jurisdictional classification system uses overlapping terms laden with history like state highways, state aid highways and town ways, and is used, among other things, to determine the nature and amount of state operational assistance. For example, the term "*state aid*" describes the old

process of the *state* providing municipalities with financial *aid* for local roads so Maine towns could “get out of the mud”.

3. The study and simplification of the current complex, dual system is itself complex and will take many years to unwind. However, with sufficient communication, teamwork between the State and municipalities, and funding, a simpler and better system of highway classification and related responsibilities is possible and the right vision to pursue.
4. The use of the federal functional classification (FFC) system (interstate, arterials, major collectors, minor collectors, and local roads) is required throughout the country and is intuitive. As its name implies, the FFC system classifies roads based upon their function, and balances of mobility function (i.e. through traffic) with the local land access function. At the ends of the spectrum, the function and classification are obvious. Interstate and other controlled access highways are clearly for through traffic (mobility), and local streets are clearly for local land access. Though not always as obvious, other road classifications in the FFC are relatively straightforward as well. Arterial highways primarily serve the mobility function by providing longer through travel between major vehicle trip generators (major cities, freight origins or destinations, recreational areas, etc). Major collector highways collect traffic from county seats and larger population centers and link local traffic generators with arterials. Minor collector highways generally collect traffic from local roads and sparsely settled areas and connect them to major collector highways or arterials. Local roads are primarily for abutting land access and provide service over relatively short distances.
5. Obviously, there are fewer miles of higher classification highways, though they carry most of the State’s traffic. In Maine, interstate, arterial, and major collector highways total about 13,000 lane miles, being about 29% of all public lane miles. However, these roads carry about 80% of all vehicle miles traveled in Maine. Conversely, minor collector and local roads total about 32,000 lane miles, being about 71% of all public lane miles. Though many more miles, these roads carry only about 20% of all vehicle miles traveled in Maine.
6. A brief note about the use of “lane miles”. As its name implies, a lane mile is a mile for each lane of a road. A typical rural road in Maine has two lane miles for each centerline mile. Though centerline miles are commonly used, the study team determined that using “lane mile” as the unit was more accurate and fair. (Obviously, a 3 or 4 lane road costs much more than a typical 2-lane road.) In most rural areas, you can convert to centerline miles from lane miles by simply dividing by 2.
7. Because use of the FFC is required and intuitive, it should be adopted as the only classification system in Maine, and augmented by Maine law to serve both federal and state purposes.
8. The state jurisdictional classification system (state highways, state aid highways and town ways) is rare, if not unique. The state aid system splits responsibilities between levels of government leading to unclear roles, operational inefficiencies, finger pointing, and poor customer service. This system should be phased out and eventually eliminated over time.
9. The State and municipalities will always remain partners in providing our customers with a safe, efficient and reliable highway system that supports economic opportunity and quality of life.

10. Generally speaking, the State and local level of authority and responsibility in a road should vary depending upon its FFC classification. Obviously, the State should be primarily responsible for highways of interstate, statewide, and regional significance that carry most of the through traffic, and municipalities should be primarily responsible for roads of more local significance that primarily provide local access. To achieve better operational efficiency, customer service and decision-making, roles should be as clear as possible, and some entity should be in charge of a given road. Except in compact areas, that entity should be fully responsible for that road, meaning it generally should have year round maintenance and capital responsibility.
11. Under current law, the State is already fully responsible for interstate, arterial, and about half of the major collector highways, except in compact areas. Municipalities are already fully responsible for local roads, though the State provides some funding assistance for rural local roads. The question is how to fairly redefine and simplify the partnership between the state and municipalities with respect to the other half of major collector highways and the minor collector roads.
12. In the FFC system, highways of interstate, statewide, and regional significance are the interstate, arterial, and major collector highways. Given the significance and functions of these roads, the fact that federal funding generally can only be used on highways classified as major collector and up, and given that MaineDOT is better able to satisfy the extensive and complex federal requirements that come with such funding, it makes sense for the state to fully responsible for interstate, arterial, and all major collector highways.
13. It is generally agreed that minor collector roads have more local significance and that, due to funding constraints, these roads have become a lower priority for maintenance and capital work. The PWG preliminarily finds that, subject to more discussion regarding state funding assistance and mitigation of extraordinary impacts, municipalities could assume responsibility for minor collector roads.
14. To achieve the simplification and realignment of responsibilities set forth in paragraphs 12 and 13 above, Maine's unique state aid system of shared responsibilities needs to be addressed. This state aid system consists of about 8,100 lane miles statewide, including about 3,150 lane miles of state aid major collectors, and about 4,950 lane miles of state aid minor collectors. As noted above, on rural state aid roads, municipalities currently plow and apply salt and sand, and the state provides summer maintenance including removal of the winter sand, 100% of MST paving, as well as two-thirds of funding for more aggressive capital projects (RRI), subject to availability of state funding, and the municipal one-third share.
15. The current state aid system is not working well. The state has prioritized its funding to highways serving more traffic, and even light capital funding for Maintenance Surface Treatment (MST) paving is not sustainable. Further, the state funding for the RRI program has been very limited, and most towns have not stepped forward with a one-third share. Confusion about what is maintenance vs. what is capital, and what is winter vs. summer maintenance is widespread. In summary, the current system appears broken, and change is needed.

16. Subject to further funding discussions, the proposal being considered is to fix state aid minor collector highways at 100% state expense to an acceptable standard, and then swap responsibilities such that the state takes over plowing of state aid major collectors (thus becoming fully responsible), and municipalities assume summer maintenance and capital responsibilities of the improved state aid minor collectors (thus becoming fully responsible). It is anticipated such a transition will take at least 10 years, again subject to funding.
17. The natures of the responsibilities being swapped are different. Plowing, of course, is a necessary activity that must be done every year. Simply put, you have to plow. Conversely, summer maintenance and capital work on a newly improved road is a more flexible activity, the frequency and cost of which will depend upon local standards, road condition, the extent of truck traffic, availability of funding, and the will of the legislative body of the municipality.
18. An acceptable Minor Collector Highway Improvement Standard has been agreed upon, which calls for treatment such that the roads will not need any substantial work for at least 10 years. See Appendix D, starting on page 17. In current dollars, it is estimated that the average cost of improving roads to this standard is about \$65,000 per lane mile (in current dollars), though the actual cost will depend upon the condition of the road and geographic location. This standard calls for much more than MST paving, which costs about \$25,000 per lane mile, but is obviously significantly less than complete reconstruction. Each road would be subject to a walk-through, discussion, and memorandum of agreement, and municipalities could augment the project to achieve a higher standard if desired. The method of project contracting and delivery can be flexible, as federal funding is generally not eligible for these roads and federal rules need not apply. Delivery options through MaineDOT or municipalities will be explored, which may reduce costs.
19. Based on a cost survey and comparison performed as part of the study – the best known to the PWG - the per mile cost of highway maintenance services provided by MaineDOT and municipalities are comparable. There were no substantial differences. Based upon the survey data and methodology, average winter maintenance costs were about \$3,450 per lane mile, and average summer maintenance costs were about \$3,440 per lane mile. (Yes, they are virtually equal.) Marginal cost of adding a lane mile of work generally would be lower. These costs do not include capital work such as paving.
20. To make any simplified system work, the state road assistance funding provided under the current Urban Rural Initiative Program (URIP), 23 M.R.S.A. §1803-B, et. seq., needs to be revised.
21. Except in extraordinary cases, all municipalities should receive the same rate of state assistance for each lane mile of local and minor collector highway. The current proposal calls for continuing the current rates of \$300 per lane mile for seasonal local roads and \$600 per lane mile for year-round local roads, and extending it to all local roads. All PWG members support a higher per lane mile rate for minor collectors, though there remains a substantial range of debate as to what that rate should be.

22. Though subject to further discussion, it is proposed that the current “hold-harmless” provision that prevents local road assistance payments from going below 1999 levels should be phased out or eliminated to promote fairness between municipalities.
23. Municipalities should be free to use state local road assistance dollars for all Highway Fund eligible purposes allowed by the Maine Constitution. See Art IX, Section 19. This means it could be used for capital and maintenance needs including plowing. Current rural URIP funding is limited to capital purposes only.
24. In larger compact areas, it is generally operationally more efficient for the municipality to provide year round maintenance for all roads within the compact area, including arterial and major collector highways that are a state responsibility. Clearer roles will eliminate confusion, increase efficiency, and yield better service to highway users.
25. The current state law definitions of urban compacts and winter compacts are confusing and appear to treat similar compact areas differently. For example, under current law, Gardiner and Lisbon have year round maintenance responsibilities of all state roads in the compact areas, while Camden and Ellsworth have winter responsibilities only, and Gray and Hampden have none. All have public works staff and the ability to do the work. The reason for the disparity in treatment is largely historical and population based. There are currently 43 state urban compacts that have year round maintenance responsibilities and 14 winter compacts that have only winter maintenance responsibilities.
26. By revising how maintenance compacts are defined, there is an opportunity to simplify the definition, increase equity between towns with similar compact areas, match operational skills with the nature of the road, and increase operational efficiency, accountability and customer service. The proposal under consideration would redefine a “compact” as an area that has at least 2.5 centerline miles of contiguous built-up development on arterial and major collector highways. Subject to further review, there are about 70 municipalities with compacts defined in this way. More analysis and feedback from the potentially affected municipalities is needed to fully assess operational and policy impacts. (Interestingly, the study has yielded reports of cases in which municipalities have provided some of these services - including reconstruction - on state roads without state financial participation to better serve the customer.) Compact major collector and minor collector highways would be defined by State law, and application of the law would occur in consultation with the municipality. The application of the new definition would be reviewed periodically by MaineDOT in consultation with the impacted municipality – perhaps every 5 years – to reflect changing development patterns.
27. On major collector and arterial highways in compact areas, municipalities must be compensated for performing this maintenance work, as this is the responsibility of the state. The urban subcommittee and PWG is currently discussing a per lane mile rate of \$4,000, which is comparable to current law.
28. Year round maintenance in compact areas includes snow and ice control, pothole patching, cleaning catch basins, etc, but does not include paving. Just like in non-compact areas, the state should be responsible for all capital needs of major collector and arterial highways.

This will include pavement preservation and light capital (MST) paving, which currently only occurs in rural areas. Just like in non-compact areas, municipalities would be responsible for local and minor collector highways in compact areas. Municipal authority and responsibility would also include administrative tasks such as driveway permitting and utility opening permits. Technical assistance including training should be available for municipalities undertaking these duties. For a more detailed listing of municipal and state roles in compact areas, see Appendix E, on page 19.

29. By mutual agreement, municipalities that do not meet the new compact definition should be allowed to opt-in and perform maintenance on state roads at the compact rates if they desire. Obviously, MaineDOT will need to have the ability to confirm that the municipality has the operational capability to perform the work. Further, compact municipalities and MaineDOT could mutually agree to expand or reduce the geographic extent of the compact area in ways that make operational sense.

E. Outstanding Issues

Despite this good progress, potentially transformational changes to highway classification and related responsibilities that have been formed over the last 100 years require extensive analysis and communication. Accordingly, even with the diligent and good faith efforts of all involved, some significant outstanding issues remain. They include the following.

1. Data Confirmation. The PWG needs more time to confirm data and communicate with municipalities and MaineDOT operational units to confirm data quality and assumptions.
2. Measurement of Operational Efficiencies. It is clear to all involved that some operational efficiencies can be realized, but that the extent is hard to quantify. Further quantification is necessary.
3. State Operational Costs. The cost of adding state plowing responsibility must be further analyzed. All options including continuing existing municipal plow contracts, extending existing state plow routes, and adding trucks and drivers will be part of the solution. The implementation of the more flexible transportation worker series should make such a transition easier.
4. State Local Road Assistance Funding. The PWG continues to debate and consider changes to statutory local road assistance (now URIP) that would be needed to increase equity and make a simplified system a reality. All agree some increases will be necessary. MaineDOT's current proposal would result in an increase of roughly 28% over current URIP funding levels. Other PWG member proposals call for a roughly 77% increase. Obviously, further work is needed in this area.
5. Capital Funding. Capital funding will be needed to improve the minor collector system. For example, to implement the fix and swap proposal outlined in paragraphs 16 through 18 (page 7) and improve all minor collector highways to the Minor Collector Highway Improvement standard in Appendix D (page 17) over 10 years, that means doing about 490 lane miles (245 centerline miles) per year. At \$65,000 per lane mile, that translates to over \$32 million per

year, in current dollars. Further, the state needs to maintain the rest of the highway system during the transition. Obviously, this is a substantial challenge.

6. MPO Capital Allocations. The question of what impact, if any, the designation of state-defined minor collector highways in the newly-defined compact areas that are also located within federal Metropolitan Planning Organizations (MPOs) may have on MaineDOT's policy on allocating capital funding to MPOs needs further discussion and analysis.
7. Long-term Reliability of State Commitments. Municipalities are at the front line of providing most services. Due to the Great Recession, state assistance for many programs has been cut. Accordingly, municipalities generally believe that future Legislatures may not be able to follow through on long-term commitments made now. Trust issues inevitably arise in such an environment. Therefore, any proposal needs to be designed to minimize such concerns. How to do so is an outstanding issue.
8. Mitigating Extraordinary Impacts. Subject to further discussions, it appears that the proposals set forth in this progress report may make good policy and operational sense when considered statewide in the aggregate. However, given that Maine has almost 500 municipalities, it is also clear that some will be impacted differently from others. A system to mitigate extraordinary impacts must be designed and included in any final proposal.

II. Request for Time Extension

As the progress report above demonstrates, substantial time and effort have achieved some impressive preliminary results. However, more work remains. More analysis, debate, and communication are needed to achieve actionable results.

Therefore, we hereby formally request a second six month extension for the final report from MaineDOT to the Transportation Committee, making the revised deadline January 15, 2011.

Sincerely,



Bruce A. Van Note
Deputy Commissioner

cc: Policy Working Group Team Members
Kate Dufour, Maine Municipal Association

Legislative Findings Used By the Committee
(But Not Included in LD 333 Due to Legislative Staff Drafting Guidelines)

The Legislature finds as follows.

1. The current systems for classification of the approximately 23,000 miles of public highways in Maine, and the related roles and responsibilities of different levels of government, are often complex, redundant, and confusing.
2. There exists a federal functional classification system that determines the function served by the road and eligibility for federal funding. Classifications in this system include interstate, arterials, major collectors, minor collectors, and local highways. Over 80% of the vehicle miles travelled statewide occurs on the approximately 6,200 miles of highways that are federally classified as major collectors or higher.
3. There also exists a separate state jurisdictional classification system that classifies roads as state highways, state aid highways, and town ways. This classification, in part, determines what level of government is responsible for winter maintenance, summer maintenance, and capital improvements.
4. There are also separate definitions of applicable to urban areas: federal urbanized areas, state urban compacts, federal Metropolitan Planning Organization areas, and state winter compacts. A given municipality may have two or more different urban boundaries or a municipality may qualify as “urban” under one set of criteria but not the other. Associated responsibilities for highway capital and maintenance are frequently unclear and confusing.
5. Consequently, these classification systems often cause inefficient or ineffective infrastructure decisions, poor customer service, and costs shifts between levels of government. For instance, the State may not pave a road for which a municipality has winter maintenance responsibility, causing deeper wheel ruts, resulting in additional municipal costs for extra plowing and salting to clear the ice in the ruts. On the other hand, a municipality may decide to use sand in the winter, causing the ditches to fill with sand, resulting in additional state costs due to accelerated pavement damage, ditching needs, or worse, a complete rebuild due to a spring blow out caused by clogged culverts.
6. Route numbering is unclear and redundant, with some state numbered routes being primarily a local responsibility, and some unnumbered routes being primarily a state responsibility. Travelers are justifiably confused when navigating or considering whom to contact with a concern.
7. Municipalities report that they can repair and maintain roads for lower unit costs than the State by, among other things, applying their own design and work standards.
8. The State is generally in a better position to satisfy the complex Federal standards and processes that are associated with federal funding.

9. In general, the state should be responsible for roads with state and regional significance and bridges, and local governments should be responsible for roads of local significance and related minor spans.
10. Lagging Highway Fund revenue and increased cost of construction mean that highway related funding will be inadequate to meet documented needs for years to come. For example, the proposed capital cash portion of the proposed state highway fund budget is nearing zero. The capital cash funding in the state highway fund budget for municipal use has fallen to about \$45 million. Local governments will continue to need state financial assistance to take care of their highway related responsibilities.
11. State and local governments need to work together to design and implement a highway system with related responsibilities that generally results in the most overall benefit to the most travelers for each dollar spent.
12. The current systems of classification, related responsibilities, and funding are unsustainable. Change appears needed. Any such changes need to be designed and implemented in a fair, open, predicable, and gradual manner over time so as to minimize traveler disruption and budget impacts.

P.L. 2009, Chapter 413 (LD 333)
The Highway Fund Budget for FY10-FY11
PART T

Sec. T-1. Highway system classification simplification study. The Department of Transportation, referred to in this section as "the department," working in cooperation with representatives of the Maine Municipal Association, the Maine Chapter of the American Public Works Association, the Maine Better Transportation Association, the Associated General Contractors of Maine and the American Council of Engineering Companies of Maine shall study the current systems for classification of public highways and related responsibilities to determine whether they can or should be simplified in ways that improve customer service, improve investment decisions, apply standards appropriate to the road, leverage the ability to deliver improvements at a lower cost and generally result in the most overall benefit to the most travelers for each dollar spent.

In conducting the study the department shall analyze the following issues:

1. Whether the State and federal highway classification systems can and should be reduced to one, or otherwise simplified;
2. Whether the State should transition over time to a system as used in other states in which the State would have full year-round responsibilities, including capital responsibilities and winter and summer maintenance of certain highways and minor spans, and local governments would have full year-round responsibilities, including capital responsibilities and winter and summer maintenance of other highways and related minor spans;
3. Whether urban and rural classification systems and related responsibilities can or should be simplified to ensure that sections of highway with similar urban development patterns are

treated equally with respect to capital and maintenance responsibilities. This analysis may include whether to create 2 systems of urban classification with a common definition that reflects both federal criteria and sustained density of development, regardless of population or town boundaries;

4. The design and construction standards and processes that should apply to each road classification;

5. An assessment of transition impacts, including the cost and time required to bring highways to a consistent and appropriate standard prior to the shift to full year-round responsibilities, operational estimates for both the department and local government including equipment needs and the potential assignment of existing snow removal contracts;

6. Other fiscal matters including possible adjustments to the Urban-Rural Initiative Program or other revenue sharing opportunities, possible adjustments to the Rural Road Initiative, innovative financing tools for local governments such as expanded use of the TransCap Trust Fund at the Maine Municipal Bond Bank or the state infrastructure bank and incentives for coordinated corridor based highway improvements involving multiple municipalities and other possible regionalization incentives;

7. Whether route numbering or signs, or both, should be revised so as to improve customer service;

8. Related administrative matters, including a fair and open mechanism to request, change and appeal decisions to reclassify highways; and

9. Related issues.

Sec. T-2. Report. The Department of Transportation shall report the results of the study under section 1 to the Joint Standing Committee on Transportation by January 15, 2010. The Joint Standing Committee on Transportation is authorized to submit legislation during the Second Regular Session of the 124th Legislature.

**MaineDOT Highway Simplification Study
Policy Working Group Team**
(Alphabetical)

Elwood Beal	Lisbon Public Works Director
Michelle Beal	Ellsworth City Manager
David Bernhardt	MaineDOT, Director of Engineering and Operations
Bob Belz	Auburn Public Works Director
David Cole	Gorham Town Manager
Clint Deschene	Hermon Town Manager, (Co-Chair)
Greg Dore	Skowhegan Road Commissioner
Jim Hanley	Pike Industries
Gerry James	Presque Isle Public Works Director
John Johnson	Jay Public Works Director
Rob Kenerson	Bangor Area Comprehensive Transportation System
Galen Larrabee	Knox Selectman
Glen Ridley	Litchfield, Former Selectman
John Sylvester	Alfred Selectman and MMA President
Bruce Van Note	MaineDOT Deputy Commissioner, (Co-Chair)

As you can see, this is a diverse and capable team. MMA selected eight members and MaineDOT selected seven. Twelve members are or serve municipal officials and two members work for MaineDOT. There are four town (or city) managers, four public works directors, three selectman, and at least three engineers. There are representatives from MMA, the Maine Better Transportation Association, the Maine Chapter of the American Public Works Association, Associated General Contractors, and regional Metropolitan Planning Organizations (MPOs). There is good rural/urban and geographic distribution. More importantly, all members have indicated that they will be active, open-minded, and have a problem-solving attitude.

Simplification Study Policy Working Group Charter

Pursuant to P.L. 2009, Chapter 413, Part T, the Maine State Legislature charged the Maine Department of Transportation (MaineDOT) with working with stakeholders to evaluate the Maine's highway classification and with preparing a report whether these complicated state and federal systems, and related responsibilities, can and should be simplified.

The MaineDOT, Maine Municipal Association, and other stakeholders have formed a 15 member Policy Working Group (PWG), and an open enrollment Sounding Board to assist MaineDOT in discharging this responsibility. The PWG, in turn, has or will form subcommittees to review certain issues and report back to the PWG. Subcommittees will be formed as needed, but at the outset it is anticipated that there will be subcommittees on standards and costs, urban issues, classification processes, and routing and signage.

As provided by law, the following topics are to be evaluated. Though subject to change, it is anticipated that primary initial investigation and recommendations will be performed by the PWG and/or subcommittee in parentheses after each topic.

1. Whether the State and federal highway classification systems can and should be reduced to one, or otherwise simplified; **(PWG)**
2. Whether the State should transition over time to a system as used in other states in which the State would have full year-round responsibilities, including capital responsibilities and winter and summer maintenance of certain highways and minor spans, and local governments would have full year-round responsibilities, including capital responsibilities and winter and summer maintenance of other highways and related minor spans; **(PWG)**
3. Whether urban and rural classification systems and related responsibilities can or should be simplified to ensure that sections of highway with similar urban development patterns are treated equally with respect to capital and maintenance responsibilities. This analysis may include whether to create 2 systems of urban classification with a common definition that reflects both federal criteria and sustained density of development, regardless of population or town boundaries; **(Urban Issues Subcommittee)**
4. The design and construction standards and processes that should apply to each road classification; **(Standards/Cost Subcommittee)**
5. An assessment of transition impacts, including the cost and time required to bring highways to a consistent and appropriate standard prior to the shift to full year-round responsibilities, operational estimates for both the department and local government including equipment needs and the potential assignment of existing snow removal contracts; **(Standards/Cost Subcommittee)**
6. Other fiscal matters including possible adjustments to the Urban-Rural Initiative Program or other revenue sharing opportunities, possible adjustments to the Rural Road Initiative,

innovative financing tools for local governments such as expanded use of the TransCap Trust Fund at the Maine Municipal Bond Bank or the state infrastructure bank and incentives for coordinated corridor based highway improvements involving multiple municipalities and other possible regionalization incentives; **(Urban Issues, PWG)**

7. Whether route numbering or signs, or both, should be revised so as to improve customer service; **(TBD)**
8. Related administrative matters, including a fair and open mechanism to request, change and appeal decisions to reclassify highways; and **(TBD)**
9. Related issues. **(See Subcommittee Charters, Other Issues - TBD)**

Minor Collector Highway Improvement Standard

Minor Collector Design & Construction Standards:

The intent of these standards is to bring the minor collector road up to a 10 year expected life. It is expected that in 10 years some type of light capital paving would be needed with custodial maintenance required on an ongoing basis.

Development Process:

The Maine Department of Transportation in collaboration with the municipality or county will evaluate the roadway through field reviews looking at the pavement condition, required upgrades to guardrail as well as other safety devices, and needed replacement of drainage structures. Anything that was determined to have at least a 10 year life would remain. The following factors should be evaluated, unless otherwise noted, when scoping the work.

1. Pavement Condition

Typical minor collectors throughout the state are ± 22 feet in paved width. The standard calls for placing 1200 tons of asphalt mix per mile, and achieving a cross slope between 2 and 8 %. To achieve the cross slope additional shim from the quarter point out might be necessary using asphalt mix or a rap material.

2. Geometrics

a. *Horizontal Alignment*

The intent of this standard would be to stay on existing alignment. Additional signage, (chevrons, curve signs), might be necessary depending on the degree of curve.

b. *Vertical Alignment and sight distance*

If the stopping sight distance for a crest vertical curve does not meet existing design criteria and is a documented high crash location, the design should evaluate the practicality of flattening the crest vertical curve.

3. Cross Section Elements

a. *Roadside Clear Zone*

Clearing of roadside hazards such as boulders and trees should be done if the existing right of way allows and there can be some consistency developed through the corridor for the traveling public.

b. *Ledge*

The intent is not to remove ledge unless it is a documented high crash location and can be done at a reasonable cost through mechanical means and within the existing right of way.

c. *Guardrail*

Existing W beam rail should remain in place if it has a 10 year remaining service life. New guardrail should be placed in areas where there is an existing cable or an inslope of 2:1 or steeper and is a documented high crash location.

d. *Utilities*

The intent is to leave aerial utilities in place.

e. Signage/Striping

All signage that does not meet the latest reflectivity requirements or the MUTCD should be replaced. Striping will be provided according to the MaineDOT Policy which resides with M&O Traffic Operations.

f. Traffic Hardware

Flashing beacons and lighting should be looked at on a case by case basis.

g. Right of Way

The intent is to stay within the existing right of way. Drainage easements or work permits should be obtained when necessary.

Sidewalks

The intent is not to reconstruct, rehabilitate, or construct sidewalks.

h. Intersections

The intent would be to modify intersections if a documented high crash location is identified. Opportunities to implement low cost modifications, such as special signage, clearing of vegetation, or the removal of obstructions will be explored.

i. Shoulder type

The intent is to maintain the existing shoulder type (i.e., gravel or paved).

j. Continuity

The continuity of travelway and shoulder widths within a corridor should be taken into consideration when looking at improvements to a specific section of roadway. This includes the possibility of reducing or increasing width on an abutting section of roadway in the future.

4. Drainage

a. Culverts

Culverts up to 60 inches that during the field review are considered to have less than a 10 year service life remaining, should be replaced in kind. A culvert that has a history of flooding will be reviewed for up sizing.

b. Ditching

Ditches shall be cleaned of winter sand and debris. Construction of any new ditch needed because of drainage issues should be designed to stay within the existing right of way.

c. Closed Systems

Closed drainage systems should be cleaned out, and repaired to a 10 year or greater remaining service life.

5. Major Structures

- a. Minor spans (i.e., structures between 10 and 20 feet in length), and Struts (i.e. structures between 5 and 10 feet), on minor collector roads will be improved to a 10-year remaining service life.

High Crash Location is defined as: If the Critical Rate Factor (C.R.F.) is > 1.00 , it can be a potential High Crash Location (providing the location has eight (8) or more crashes in a three-year study period). $C.R.F. = \text{Actual Crash Rate}/\text{Critical Crash Rate}$.

Municipal and State Roles in Compact Areas

Municipal Role (generally maintenance)

- Winter snow & ice control
- Pothole repair
- Pavement markings per MUTCD (centerline, arrows, words, symbols, crosswalks and edgeline (if any))
- Traffic Signs per MUTCD (regulatory, warning, and advisory)
- Ditching
- Driveway & cross culvert cleaning, repair, and replacement
- Minor span cleaning and repair
- Catch basin cleaning and repair
- Traffic signal maintenance
- Guardrail installation or repair
- RR signs and pavement markings
- Brush cutting, erosion control, mowing, herbicide application
- Hazardous tree pruning or removal
- Retaining wall maintenance
- Sidewalk maintenance
- Dust control, street sweeping
- Plus administrative local control of:
 - 1) Driveway and Entrance Permitting
 - 2) Opening Permits
 - 3) Utility Coordination (when not part of a scheduled project)

MaineDOT Role (generally capital work)

- Paving on Major Collectors, Arterial Highways, Interstate and Freeways
- All Freeway and Interstate Maintenance
- Highway Reconstruction on all Arterials and Major Collectors
- Route and destination signs
- Planned culvert and minor span replacement
- Planned closed drainage system reconstruction
- Bridge repair and replacement
- Planned retaining wall reconstruction
- Speed Limit signs on state or state aid highways when first installed or when changed due to recent DOT review
- Sidewalk construction/reconstruction
- New signal systems hardware/software

* All reconstruction activities will be subject to the MaineDOT - Local Cost Sharing Policy.