

## Letter from the MaineDOT Commissioner (2001)

MAINE DEPARTMENT OF TRANSPORTATION  
Statehouse Station 16  
Augusta ME 04333-0016

June 26, 2001

Subject: New Local Bridge Law

Dear Municipal Official,

As you may be aware, legislation to streamline administration and delivery of the Local Bridge Program (LBP) has become law. The purpose of this letter is to outline the new law, provide you with a list of local bridges in your municipality, and let you know where you can get additional information.

This new law is the direct result of longstanding discussion between municipalities and the Department as to how we could lower costs to the State and municipalities, reduce administration, restore local control, and better care for local bridges in general. I am thankful for the broad support that the Department received in this endeavor, both from the Maine Municipal Association and individual Towns. With MMA's assistance and legislative testimony, the Transportation Committee unanimously passed this legislation – a testament to the win / win nature of this law.

Effective July 1, 2001, local bridges are classified by size as either "Bridges" or "Minor Spans". A Bridge is defined as having a span length of at least 20 feet, in accordance with Federal law. A Minor Span is defined as having a span length of at least 10 feet but less than 20 feet. These structures are further divided into four groups, and capital/maintenance responsibility for these structures is assigned as follows:

- 1) Bridges on Town Ways and State Aid Highways, excluding Low Use or Redundant Bridges. The State is responsible for capital improvements and maintenance, relieving Towns and Counties of local cost-sharing and maintenance obligations under previous law.
- 2) Minor Spans on State Aid Highways. The State is also responsible for these structures.
- 3) Minor Spans on Town Ways. Municipalities are responsible for capital improvements and maintenance. The Department will continue to provide limited technical assistance to municipalities upon request.
- 4) Low Use or Redundant Bridges. A Low Use Bridge is a Bridge on a Town Way with an average daily traffic count of less than 100. A Redundant Bridge is a Bridge located on a Town Way with an average daily traffic count multiplied by the Detour Length of less than 200. These bridges are really a local issue, serving only a handful of residences or being very near another bridge crossing. Municipalities are encouraged to consider all possible options for this special group of bridges, including whether sufficient justification exists to continue public funding for such limited public use.

Upon petition by the municipality and approval by the Department, capital responsibility for Low Use or Redundant Bridges is shared 50/50 between the State and municipality. The municipality is responsible for maintenance of Low Use and Redundant Bridges. The local share is further capped at 1% of the municipal valuation, with the State picking up the remainder. The Department will participate in Town-administered projects to improve these bridges, provided that certain criteria are met.

Under the new Local Bridge law, there are several advantages to municipalities. You are relieved of responsibility on most Bridges, gain complete local control to decide how and when Minor Spans on Town Ways are improved, and are free to improve these less complex structures without the Department's detailed engineering processes. Furthermore, Minor Spans on Town Ways that are being assigned to municipalities are in considerably better average condition than the Town-maintained

bridges that are being assigned to the State, and the State ends up with over three-fourths of the responsibility as measured by deck area.

The Department will continue to inspect all Minor Spans and Bridges on a public way every two years, and notify municipalities of any substantial deficiencies. Since the Department is assuming responsibility for many local bridges on Town Ways not often traveled by our personnel, we ask that municipalities inform us of any new damage or deficiencies that they may notice, even though the State is responsible for the Bridge.

The Local Bridge Program contained in the 2002/2003 Biennial Transportation Improvement Program (BTIP) will be modified and delivered in accordance with the new law. Bridges and Minor Spans that were programmed in prior BTIPs will be delivered and cost-shared under the old law. Prior BTIP projects without a signed agreement between the Department and the municipality may be withdrawn by either party.

Since only Bridges meeting the Federal definition are eligible for the Local Bridge Program, the Department can better leverage Federal funds to the full 80% Federal match – creating additional flexibility with State funds. For the 2002/2003 budget cycle, the Department has applied this flexibility to fund the sand/salt building program, an added local benefit.

Enclosed please find a listing of all Local Bridges and Minor Spans in your municipality. This listing indicates who is now responsible for each structure, as well as any change in responsibilities. The listing was generated using current data available to the Department; however, if you believe that the data is erroneous or have additional information not available to the Department that could affect structure responsibility, please notify us as soon as possible so we can consider adjustments.

Additional information regarding local bridges is being added to our [Public Bridge Web site](#).

Sincerely,

John G. Melrose

Commissioner