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**DEPARTMENT OF TRANSPORTATION**

2016 – 2017 Regulatory Agenda

September 13, 2016

AGENCY UMBRELLA-UNIT NUMBER: **17-229**

AGENCY NAME: **Maine Department of Transportation**

**CONTACT PERSON / DOT RULE-MAKING LIAISON**: Toni L. Kemmerle, 16 State House Station, Augusta, ME 04333-0016. Telephone: (207) 624-3020. E-mail: [Toni.Kemmerle@Maine.gov](mailto:Toni.Kemmerle@Maine.gov) .

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA**: None.

**EXPECTED 2016-2017 RULE-MAKING ACTIVITY:**

**NEW RULE** *(proposed* **CHAPTER 610***)*:Rules Relating to the Maine State Ferry Service

STATUTORY BASIS: Resolves 2015 ch. 86; 23 MRS §52

PURPOSE: Require Maine State Ferry vessels to provide for transport of medical diagnostic samples in lockboxes; establish procedures to modernize and improve customer services and identify opportunities for increased revenue; and implement a standardized process to improve training of Maine State Ferry Service employees.

SCHEDULE FOR ADOPTION:By June 1, 2017.

AFFECTED PARTIES: Residents of islands served by the Maine State Ferry Service and health agencies serving those residents; passengers on vessels operated by Maine State Ferry Service; employees of the Maine State Ferry Service.

CONSENSUS-BASED RULE DEVELOPMENT (Information on any planned use of as outlined in 5 MRS §8051-B): not anticipated.

CONTACT PERSON for this chapter: Rick Dubois, Director of Multimodal Operations, Bureau of Maintenance and Operations, 624-3312; [Rick.Dubois@Maine.gov](mailto:Rick.Dubois@Maine.gov) .

**CHAPTER 300** *(amend)*: Rules and Regulations for the Use of the Interstate Highway System

STATUTORY BASIS: 23 MRSA §52

PURPOSE: Update, revise and clarify MaineDOT's rules for use of the interstate systems. Adds All-Terrain Vehicles to list of entities not allowed on the system and extends no swimming and jumping to all bridges along the interstate corridor.

SCHEDULE FOR ADOPTION: Fall 2016 / Spring 2017

AFFECTED PARTIES: Interstate users

CONSENSUS-BASED RULE DEVELOPMENT (Information on any planned use of as outlined in 5 MRS §8051-B): not anticipated.

CONTACT PERSON for this chapter: Stephen Landry, State Traffic Engineer, 624-3632, [Stephen.Landry@Maine.gov](mailto:Stephen.Landry@Maine.gov) .

**CHAPTER 301** *(amend)*:Rules and Regulations for Use of U.S. Route 1, Brunswick-Bath

STATUTORY BASIS: 23 MRS §52

PURPOSE: Update, revise and clarify MaineDOT's rules for use of the interstate systems. Adds All-Terrain Vehicles to list of entities not allowed on the system and extends no swimming and jumping to all bridges along Route 1 in this area.

SCHEDULE FOR ADOPTION: Fall 2016 / Spring 2017

AFFECTED PARTIES: Route 1 users.

CONSENSUS-BASED RULE DEVELOPMENT (Information on any planned use of as outlined in 5 MRS §8051-B): not anticipated.

CONTACT PERSON for this chapter: Stephen Landry, State Traffic Engineer, 624-3632, [Stephen.Landry@Maine.gov](mailto:Stephen.Landry@Maine.gov) .

**NEW RULE** *(adopt)*: Rules to Establish Seasonal Load Restrictions on Certain State and State Aid Highways (*formerly titled* Rules Restricting Heavy Loads on Closed Ways)

STATUTORY AUTHORITY: 29-A MRS §2395, as amended by P.L. 2013 c. 55 §1, effective October 9, 2013.

PURPOSE: In the past, rules adopted by MaineDOT for the protection of ways (*Rules and Regulations Restricting Heavy Loads on Closed Ways*) pursuant to 29-A MRS §2395 were exempt from the provisions of the *Maine* *Administrative Procedure* *Act*, Title 5 ch. 375. Effective October 9, 2013 such rules have been designated routine technical rules as defined in Title 5 ch. 375, sub-ch. 2-A. The Department will now adopt rules in accordance with the *Administrative Procedure Act* and the requirements of 29-A MRS §2395, as amended by PL 2013 c. 55 §1. The Department also plans to amend certain provisions of these rules.

SCHEDULE FOR ADOPTION: Fall 2016 / Spring 2017.

AFFECTED PARTIES: Persons and other entities traveling on ways designated for special protection in accordance with rules adopted by MaineDOT.

CONSENSUS-BASED RULE DEVELOPMENT (Information on any planned use of as outlined in 5 MRS §8051-B): not anticipated.

CONTACT PERSON for this chapter: Dale Doughty, Director of Maintenance and Operations, 624-3600, [Dale.Doughty@Maine.gov](mailto:Dale.Doughty@Maine.gov) .

**CHAPTER 106** *(repeal)*: Rules for the Transportation Planning Incentive Funding Program

STATUTORY AUTHORITY: 23 MRS §73-A

PURPOSE: The statutory basis for this rule has been repealed, and the rule is no longer needed.

SCHEDULE FOR ACTION: Fall 2016 / Spring 2017.

**CHAPTER 700** *(repeal)*: Transit Bonus Payment Program Rules

STATUTORY AUTHORITY: 23 MRS §1807.

PURPOSE: The statutory basis for this rule has been repealed, and the rule is no longer needed.

SCHEDULE FOR ACTION: Fall 2016 / Spring 2017.