

# Highway System Simplification Study

## 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.