

**§7107. Dismantling of state-owned track or other nonrail use**

Except as provided in this section, the Department of Transportation may not dismantle or change state-owned track for a nonrail use or contract with a state agency or private entity for the dismantling or changing of state-owned track for a nonrail use. When the department, in consultation with a regional economic planning entity and a regional transportation advisory committee established in accordance with rules adopted under section 73, subsection 4, determines that removal of a specific length of rail owned by the State will not have a negative impact on a region or on future economic opportunities for that region, the Commissioner of Transportation shall seek review by the joint standing committee of the Legislature having jurisdiction over transportation matters prior to removal. [PL 2021, c. 239, §3 (AMD).]

The Department of Transportation may not convert a state-owned rail corridor in which the department controls the right-of-way to a nonrail recreational or nonrecreational transportation use without following the rail corridor use advisory council process established under section 75 and without legislative approval. If the Commissioner of Transportation receives a report from a rail corridor use advisory council established under section 75 that includes a recommendation of track removal or other change for nonrail use and the commissioner concurs with that recommendation, the commissioner shall seek legislative approval of the recommendation by submitting legislation to the joint standing committee of the Legislature having jurisdiction over transportation matters prior to track removal or the other change for nonrail use. Legislation submitted under this section must include language stating that any track removal or other change for nonrail use is considered interim in nature and that the rail corridor will be preserved for future rail use as provided under this chapter. [PL 2021, c. 239, §3 (NEW).]

**SECTION HISTORY**

PL 2003, c. 498, §4 (NEW). PL 2021, c. 239, §3 (AMD).

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