**§1803-C. Secondary Road Program Fund**

**1. Establishment.**  The Secondary Road Program Fund, referred to in this section as "the fund," is established as a dedicated account within the Department of Transportation, referred to in this section as "the department." The fund must be used for capital improvements to state aid minor collector highways and state aid major collector highways. The department shall administer the fund.

[PL 2011, c. 652, §7 (NEW); PL 2011, c. 652, §14 (AFF).]

**2. Revenue.**  The fund receives the following revenue:

A. Amounts that are transferred to the fund from time to time by the Treasurer of State pursuant to:

(1) Title 5, section 282, subsection 9; and

(2) Title 35‑A, section 122, subsection 6‑B; [PL 2011, c. 652, §7 (NEW); PL 2011, c. 652, §14 (AFF).]

B. Amounts from unallocated balances in the Highway Fund as provided in section 1654‑A; and [PL 2011, c. 652, §7 (NEW); PL 2011, c. 652, §14 (AFF).]

C. Other funds from any public or private source received for use for any of the purposes for which the fund has been established. [PL 2011, c. 652, §7 (NEW); PL 2011, c. 652, §14 (AFF).]

[PL 2011, c. 652, §7 (NEW); PL 2011, c. 652, §14 (AFF).]

**3. Distribution and use of funds.**  Up to 50% of project costs for a capital project on a state aid minor collector highway or state aid major collector highway as determined by the department may be financed from the fund with the remainder provided by the municipality, county or Indian reservation, except that the Commissioner of Transportation may authorize up to 80% of project costs for a capital project on a state aid minor collector highway or state aid major collector highway to be financed from the fund with the remainder provided by the municipality, county or Indian reservation if the municipality, county or Indian reservation demonstrates to the commissioner's satisfaction that the proposed project:

A. Addresses locations where there is a high incidence of vehicular accidents as defined by the department; [PL 2011, c. 652, §7 (NEW); PL 2011, c. 652, §14 (AFF).]

B. Creates a substantial number of new jobs for the region; or [PL 2011, c. 652, §7 (NEW); PL 2011, c. 652, §14 (AFF).]

C. Offers greater regional or statewide benefits relative to other similarly classified roads. [PL 2011, c. 652, §7 (NEW); PL 2011, c. 652, §14 (AFF).]

In determining local share of project costs for a capital project on a state aid minor collector highway or state aid major collector highway, the commissioner may consider the use of municipal, county or Indian reservation equipment, materials or in-kind services, an agreement to assume year-round capital and maintenance responsibilities for the project under consideration or a reduction in future Local Road Assistance Program payments.

A capital project on a state aid minor collector highway or state aid major collector highway may not be allotted funding from the Secondary Road Program Fund until the project and local financing is approved by a vote of the legislative body of the municipality, county or Indian reservation.

[PL 2011, c. 652, §7 (NEW); PL 2011, c. 652, §14 (AFF).]

**4. Program funding cap.**  The annual amount available for distribution under this section may not exceed $4,000,000, and any remaining funds after all financial commitments have been made lapse to the department's Highway and Bridge Capital program within the Highway Fund at the end of each fiscal year.

[PL 2011, c. 652, §7 (NEW); PL 2011, c. 652, §14 (AFF).]

SECTION HISTORY

PL 2011, c. 652, §7 (NEW). PL 2011, c. 652, §14 (AFF).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1. 2023
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.