

Maine Sensible Transportation Policy Act Summary of Changes to the Original Rule

General

MaineDOT will work with the Maine Turnpike Authority (MTA), metropolitan planning organizations (MPOs), regional councils (RCs) and municipalities to develop capital investment and project selection polices that consider land-use impacts and meet Maine’s goal to minimize sprawl. The changes affect significant transportation projects (defined as the addition of travel lanes, construction of new collector or arterial highways, and non-highway investments that add transportation capacity). Before undertaking such projects, MaineDOT, MTA, MPOs and RCs may consider or recommend land-use strategies that:

- Preserve corridor capacity;
- Manage corridor mobility;
- Protect public investments in Maine’s transportation system; and
- Reduce the costs of sprawl by promoting transportation-efficient land uses along transportation corridors.

MaineDOT lacks land-use authority, so it will utilize incentives to reward communities that work to minimize sprawl and preserve public investment in Maine’s transportation network, such as:

- Bonus points in MaineDOT competitive funding programs;
- Reductions in local match requirements for transportation projects; and
- Bonus points for highway reconstruction and other transportation improvement projects.

Subchapter I – MaineDOT

The new Rule links transportation and land-use planning to protect transportation investments and enhance community livability, economic vitality and environmental quality. The changes:

- Direct MaineDOT and its metropolitan and regional partners to assess land-use impacts of transportation improvements that add capacity. They will determine if the proposed projects are consistent with long-range land use plans and the goals of the Comprehensive Planning and Land Use Regulation Act.
- Require MPOs to review development patterns and land-use management efforts in the communities within their planning areas, documenting how existing policies affect the transportation system;
- Allow MaineDOT, MPOs and RCs, before either building or expanding collector or arterial highways, to consider land-use strategies that lengthen the lives of existing roadways and foster transportation-efficient land uses that combat the public costs of sprawl;
- Direct MaineDOT, when developing its two- and six-year plans, to choose projects in rural areas based on regional importance, identified need and municipal requests. Consideration of transportation and land-use strategies should take place on a corridor-wide basis, rather than a project-by-project basis.
- MaineDOT in collaboration with RCs will develop and implement a public participation process providing for early and effective public involvement in long- and mid-range transportation planning to provide MaineDOT an improved perspective on statewide, regional and local needs, values and priorities.
- Replaces the function of the Regional Transportation Advisory Committees with Regional Councils. RCs may assist in:

1. Providing staff support to MaineDOT in the development of recommendations and regional needs assessments;
2. Coordinating, facilitating and reporting on public meetings or hearings for a variety of transportation initiatives;
3. Conducting regional outreach;
4. Identifying local/regional transportation needs and deficiencies;
5. Assimilating local and regional transportation data;
6. Identifying local and regional land use concerns and goals and helping municipalities identify the local context surrounding a proposed transportation investment;
7. Developing regional and community transportation goals;
8. Coordinating opportunities for public review and comment on the Statewide Long-Range Transportation Plan, the Mid-Range Transportation Improvement Plan and other planning documents;
9. Coordinating and undertaking regional transportation planning;
10. Integrating transportation planning into long-range land use and comprehensive plans;
11. Identifying local cultural and historic resources; and
12. Other functions that are mutually agreed upon.

Subchapter II – Maine Turnpike Authority

The Maine Turnpike Authority is subject to most of the same land-use and transportation planning requirements as MaineDOT. Before adding transportation capacity, MTA may consider or recommend potential land-use strategies that will work to preserve corridor capacity, manage corridor mobility, protect public investment in infrastructure, and foster transportation-efficient land uses that combat the public costs of sprawl.

Subchapter III – Municipal Planning

This new section expands the STPA to cover the growth management and transportation planning activities of Maine municipalities. It outlines a framework for cooperation between MaineDOT and municipalities, with the goal of preserving and managing the mobility and safety of Maine's transportation system.

- MaineDOT developed a Municipal Handbook to guide local planning efforts in meeting the STPA policy objectives. These can only be met if municipal land-use strategies are in place and working to guide development that supports State efforts to achieve the transportation and land-use efficiencies inherent in the objectives.
- In planning significant transportation projects, MaineDOT may require that the host or affected communities adopt growth-management strategies that avoid or minimize development that could otherwise curb the project benefits.
- Municipalities affected by significant transportation projects shall implement land-use plans that:
 - Consider land-use implications for state and MPO transportation plans, based on a review of current state and MPO twenty-year and MaineDOT six-year plans;
 - Review and analyze overall transportation systems, paying close attention to strengths, weaknesses, challenges and opportunities;
 - Outline transportation plans -- including transportation and land-use recommendations to neighboring communities – affecting RPOs, MPOs and MaineDOT.
- Municipalities that plan together using these guidelines will be eligible for transportation planning assistance and other investment incentives that include:

- Bonus prioritization points that increase access to funding in MaineDOT's competitive programs;
- Incremental increases to block grant programs; and
- Bonus prioritization points when funding highway reconstruction and transportation mobility projects.
- MaineDOT, in consultation with the State Planning Office, reserves the right to determine whether land-use plans, policies or ordinances adopted by affected municipalities will preserve the long-term lives of such transportation improvements.

The Municipal Transportation Plan or Transportation Chapter of a Comprehensive Plan shall include:

- A regional transportation vision statement;
- Transportation goals or objectives
- Policies to meet state transportation objectives:
 - To prioritize community and regional needs associated with safe, efficient, and optimal use of transportation systems.
 - To safely and efficiently preserve or improve the transportation system.
 - To promote public health, protect natural and cultural resources and enhance livability by managing land use in ways that maximize the efficiency of the transportation system and minimize increases in vehicle miles traveled.
 - To meet the diverse transportation needs of residents (including children, the elderly and disabled) and through travelers by providing a safe, efficient and adequate transportation network for all types of users (motor vehicles, pedestrians, bicyclists).
 - To promote fiscal prudence by maximizing the efficiency of the state or state-aid highway network.
- Strategies shall be included to meet state transportation objectives:
 - Develop or continue to update a prioritized ten-year improvement, maintenance and repair plan for local/regional transportation system facilities that reflects community, regional and state objectives.
 - Initiate or actively participate in regional and state transportation and land use planning efforts.
 - Enact or amend local ordinances as appropriate to be consistent with local, regional and state transportation policies identified in this plan.
 - Enact or amend local ordinances as appropriate to address or avoid conflicts with:
 - a. Policy objectives of the Sensible Transportation Policy Act (23 MRSA §73);
 - b. State access management regulations pursuant to 23 MRSA §704 - Entrances to highways regulated; and
 - c. State traffic permitting regulations for large developments pursuant to 23 MRSA §704-A - Traffic movement permit.
 - Enact or amend ordinance standards for subdivisions and for public and private roads as appropriate to foster transportation-efficient growth patterns and provide for future street and transit connections.
 - Work with the MaineDOT as appropriate to address deficiencies in the system or conflicts between local, regional and state priorities for the local transportation system.
- Review and Update Municipal transportation chapters or plans at least every 5 years or submit rationale for not undertaking an update. Municipalities receiving a finding of inconsistency for the transportation chapter or plan lose eligibility for transportation investment incentives.