

### §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; [PL 2023, c. 646, Pt. A, §§30, 31 (AMD).]

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 2023, c. 646, Pt. A, §§30, 31 (AMD).]

**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). PL 2023, c. 646, Pt. A, §§30, 31 (AMD).

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