

**§562. Definitions**

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2001, c. 314, §2 (NEW); PL 2001, c. 314, §4 (AFF).]

**1. Average annual daily traffic.** "Average annual daily traffic" or "AADT" means the average annual daily traffic as determined by the department using accepted engineering practices.

[PL 2001, c. 314, §2 (NEW); PL 2001, c. 314, §4 (AFF).]

**2. Bridge.** "Bridge" means a structure, including supports, designed principally to carry motor vehicles that is erected over a depression or an obstruction, such as water, a highway or a railway, and has an opening measured along the center of the roadway of more than 20 feet between the undercropping of abutments or spring lines of arches or the extreme ends of openings for multiple boxes. It also includes multiple pipes when the clear distance between openings is less than 1/2 of the smaller contiguous opening. Issues arising regarding the definition of "bridge" must be resolved in accordance with the method specified in a publication entitled "Recording and Coding Guide for the Structure Inventory and Appraisal of the Nation's Bridges" published by FHWA, or any subsequent replacement publication by FHWA. "Bridge" is defined in accordance with the FHWA definition.

[PL 2001, c. 314, §2 (NEW); PL 2001, c. 314, §4 (AFF).]

**3. Capital improvement.** "Capital improvement" means the creation of, addition to or restoration of structural or functional capacity of a structure. "Capital improvement" includes construction of new structures, replacement of existing structures, removal of closed structures and rehabilitation of existing structures. Rehabilitation differs from maintenance in that it makes comprehensive structural or functional improvements that impact serviceability for at least 20 years, whereas similar maintenance is restricted to repairs to individual members of a structure or isolated areas of a structure. "Capital improvement" includes the cost of property acquisition, permitting, design, construction, traffic control, supervision and administration and all related costs.

[PL 2001, c. 314, §2 (NEW); PL 2001, c. 314, §4 (AFF).]

**4. Capital responsibility.** "Capital responsibility" means the responsibility to provide all resources needed to make capital improvement to a structure.

[PL 2001, c. 314, §2 (NEW); PL 2001, c. 314, §4 (AFF).]

**5. Culvert.** "Culvert" means any pipe or other structure that has a span of less than 10 feet or multiple pipes or other structures with a combined opening of less than 80 square feet in area.

[PL 2001, c. 314, §2 (NEW); PL 2001, c. 314, §4 (AFF).]

**6. Detour length.** "Detour length" means the shortest distance measured along a public way from one abutment of a bridge to the other abutment that would result if the bridge were closed.

[PL 2001, c. 314, §2 (NEW); PL 2001, c. 314, §4 (AFF).]

**7. Federal Highway Administration.** "Federal Highway Administration" or "FHWA" means an agency of the United States Department of Transportation.

[PL 2001, c. 314, §2 (NEW); PL 2001, c. 314, §4 (AFF).]

**8. Low use bridge.** "Low use bridge" means a bridge with an AADT of under 100 motor vehicles.

[PL 2001, c. 314, §2 (NEW); PL 2001, c. 314, §4 (AFF).]

**9. Maintenance.** "Maintenance" means the work necessary to preserve a structure's existing structural or functional capacity and integrity and to abate deterioration of its components. Maintenance is not intended to increase or fully restore structural or functional capacity. Maintenance is performed to ensure safety of a user of the structure or the structure in response to vehicular accident damage, flood damage or ice damage or unanticipated component failure. Maintenance normally is scheduled for routine operations or to address limited deficiencies found in periodic inspections.

[RR 2001, c. 1, §28 (COR).]

**10. Maintenance responsibility.** "Maintenance responsibility" means the responsibility to provide all resources needed to perform maintenance on a structure. "Maintenance responsibility" does not include snow and ice control.

[PL 2001, c. 314, §2 (NEW); PL 2001, c. 314, §4 (AFF).]

**11. Minor span.** "Minor span" means a structure designed principally to carry motor vehicles that is larger than a culvert but has a span less than that required to be defined as a bridge.

[PL 2001, c. 314, §2 (NEW); PL 2001, c. 314, §4 (AFF).]

**12. Municipality.** "Municipality" means any unit of municipal government, including towns, cities, plantations and unorganized townships. "Municipality" includes departments or bureaus of State Government and quasi-independent agencies or boards of State Government that are responsible for structures on public highways, excepting the Maine Turnpike Authority. In cases of unorganized townships, "municipality" means county.

[PL 2001, c. 314, §2 (NEW); PL 2001, c. 314, §4 (AFF).]

**13. Property valuation.** "Property valuation" means the value of all taxable property in a municipality based upon 100% of the current market value as determined by the State Tax Assessor.

[PL 2001, c. 314, §2 (NEW); PL 2001, c. 314, §4 (AFF).]

**14. Redundant bridge.** "Redundant bridge" means a bridge in which the AADT multiplied by the detour length in miles is less than 200.

[PL 2001, c. 314, §2 (NEW); PL 2001, c. 314, §4 (AFF).]

**15. Structure.** "Structure" means a bridge or minor span.

[PL 2001, c. 314, §2 (NEW); PL 2001, c. 314, §4 (AFF).]

#### SECTION HISTORY

PL 2001, c. 314, §2 (NEW). PL 2001, c. 314, §4 (AFF). RR 2001, c. 1, §28 (COR). PL 2001, c. 667, §§C20,22 (AFF).

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