

Amendment to SB 39

1 Amend the bill by replacing section 1 with the following:

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3 1 New Subdivision; Repair of Roads Not Maintained by a Municipality. Amend RSA 231 by
4 inserting after section 81 the following new subdivision:

5 Repair of Roads Not Maintained by a Municipality

6 231:81-a Repair of Roads Not Maintained by a Municipality.

7 I. In the absence of an express agreement or requirement governing maintenance of a
8 private road, when more than one residential owner enjoys a common benefit from a private road,
9 each residential owner shall contribute rateably to the reasonable cost of maintaining the private
10 road, and shall have the right to bring a civil action to enforce the requirement of this paragraph.
11 This paragraph shall not apply to any highway defined in RSA 229:5.

12 II. Any owner of a residential property abutting a private road who directly or indirectly
13 damages any portion such road shall be solely responsible for repairing or restoring the portion
14 damaged by such owner.