

TITLE XX TRANSPORTATION

CHAPTER 231 CITIES, TOWNS AND VILLAGE DISTRICT HIGHWAYS

Discontinuance of Class IV, V and VI Highways

Section 231:43

231:43 Power to Discontinue. –

I. Any class IV, V or VI highway, or any portion thereof, in a town may be discontinued by vote of a town; provided, however, that:

(a) Any highway to public waters, or portion of such highway, laid out by a commission appointed by the governor and council, shall not be discontinued except with the consent of the governor and council.

(b) Any class V highway established to provide a property owner or property owners with highway access to their property because of a taking under RSA 230:14 shall not be discontinued except by written consent by such property owner or property owners.

II. The selectmen shall give written notice by verified mail, as defined in RSA 21:53, to all owners of property abutting such highway, at least 14 days prior to the vote of the town. In the case of a petitioned warrant article calling for discontinuance of a class VI highway, the petitioners shall bear the cost of notice.

III. No owner of land shall, without the owner's written consent, be deprived of access over such highway, at such owner's own risk.

Source. RS 54:1. CS 58:1. GS 65:1. GL 71:1. PS 72:1. 1903, 14:1. 1925, 19:1. PL 79:1. 1931, 12:1; 121:1. RL 95:1. 1943, 68:1. 1945, 188:1, part 9:1. 1949, 13:1. RSA 238:1. 1981, 87:1. 1991, 36:1. 1995, 77:3, eff. June 8, 1995. 2014, 41:1, eff. July 26, 2014. 2019, 242:3, eff. Oct. 10, 2019.