

Amendment to HB 1202-FN

1 Amend RSA 236:13, IV-a-V as inserted by section 1 of the bill by replacing it with the following:

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3 ***IV-a. For any existing or proposed residential use of land, including multifamily***
4 ***development that is not classified as a major driveway under the department's policy***
5 ***relating to driveways and access to the state highway system, the department shall issue***
6 ***the permit described in paragraph II within 60 days of receiving a completed application.***

7 V. The same powers concerning highways under their jurisdiction as are conferred upon the
8 commissioner of transportation by paragraphs I, II, III, and IV shall be conferred upon the planning
9 board or governing body in cities and towns in which the planning board or governing body has been
10 granted the power to regulate the grading and improvement of streets within a subdivision as
11 provided in RSA 674:35, and they shall adopt such regulations as are necessary to carry out the
12 provisions of this section. Such regulations may delegate administrative duties, including actual
13 issuance of permits, to a highway agent, board of selectmen, or other qualified official or body. Such
14 regulations, or any permit issued under them, may contain provisions governing the breach,
15 removal, and reconstruction of stone walls or fences within, or at the boundary of, the public right of
16 way, and any landowner or landowner's agent altering a boundary in accordance with such
17 provisions shall be deemed to be acting under a mutual agreement with the city or town pursuant to
18 RSA 472:6, II(a). ***The planning board or its delegate shall act on permits under this section***
19 ***within 65 days after notification of issuance.***