

CHAPTER 154
SB 153-FN - FINAL VERSION

03/13/2025 0759s
8May2025... 1876h

2025 SESSION

25-1051
11/08

SENATE BILL ***153-FN***

AN ACT relative to expedited driveway permitting of major entrances for residential use of 20 units or greater and the time frame for approval or denial of permit applications.

SPONSORS: Sen. McConkey, Dist 3; Sen. Avard, Dist 12; Rep. Milz, Rock. 13; Rep. R. Brown, Carr. 3; Rep. Alexander Jr., Hills. 29

COMMITTEE: Transportation

AMENDED ANALYSIS

This bill requires the commissioner of transportation to approve or deny permit applications for a driveway or public access to a way within 60 days of receipt of application and creates an expedited driveway permit for major entrances for parcels of land for residential use of 20 units or greater.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to expedited driveway permitting of major entrances for residential use of 20 units or greater and the time frame for approval or denial of permit applications.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 154:1 Issuance or Denial of Permit for Access to Public Way; Time Frame. Amend RSA 236:13, IV-a
2 to read as follows:

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

7 154:2 New Paragraph; Expedited Permitting. Amend RSA 236:13 by inserting after paragraph IV-a
8 the following new paragraph:

9 IV-b. For expedited permitting of major entrances for residential use of 20 units or greater:

10 (a) The commissioner of the department of transportation shall revise the department's policy
11 for the permitting of driveways and other access to the state highway system to implement an optional
12 program for the expedited permitting of major entrances for residential use of 20 units or greater, within 60
13 business days of approval of the traffic impact study.

14 (b) An applicant electing to use the expedited permitting process under this paragraph shall
15 pay a \$120 per unit non-refundable permit fee.

16 (c) The commissioner of the department of transportation, with approval of the governor and
17 council, may adjust the fee in subparagraph (b).

18 (d) In addition to the permit fee in subparagraph (b), the applicant shall pay a retainer as
19 formulated in the department's policy relating to the permitting of driveways and other access to the state
20 highway system, for reasonable expenses incurred by the department for third-party professional
21 engineer review and consultation during the expedited permitting process. All third-party review fees shall
22 be tracked and a copy provided to the applicant. All unused retainages shall be refunded to the applicant
23 within 120 days of the issuance of the permit.

24 154:3 Position Established. There shall be a classified position of business operations specialist
25 established within the department of transportation, compensated under SOC 13, Broad Group 13-1190,
26 Pay Band 6, for the purpose of administering the expedited permitting of major entrances under RSA
27 236:13, IV-b.

28 154:4 Effective Date. This act shall take effect 90 days after its passage.

Approved: July 07, 2025
Effective Date: October 05, 2025

