

HB 1098 - AS INTRODUCED

2026 SESSION

26-2686

04/09

HOUSE BILL **1098**

AN ACT relative to municipalities denying building or occupancy permits for property adjacent to class VI roads under certain circumstances.

SPONSORS: Rep. Parshall, Ches. 8; Rep. N. Germana, Ches. 15; Rep. Caplan, Merr. 8; Rep. Gruber, Ches. 16; Rep. Preece, Hills. 17; Sen. Fenton, Dist 10

COMMITTEE: Housing

ANALYSIS

This bill allows municipalities to consider road maintenance, public safety, and related issues when granting building or occupancy permits for property adjacent to class VI highways.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to municipalities denying building or occupancy permits for property adjacent to class VI roads under certain circumstances.

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

1 1 Planning and Zoning; Local Land Use Planning and Regulatory Powers; Erection of Buildings
2 on Streets. RSA 674:41, I(c) is repealed and reenacted to read as follows:

3 (c) Is a class VI highway, provided that:

4 (1) The local governing body after review and comment by the planning board has
5 voted to authorize the issuance of building permits for the erection of buildings on said class VI
6 highway or a portion thereof; and

7 (2) The municipality neither assumes responsibility for maintenance of said class VI
8 highway nor liability for any damages resulting from the use thereof; and

9 (3) Prior to the issuance of a building permit, the applicant shall produce evidence
10 that notice of the limits of municipal responsibility and liability has been recorded in the county
11 registry of deeds; or

12 2 Effective Date. This act shall take effect July 2, 2026.