

HB 1213 - AS INTRODUCED

2026 SESSION

26-2683

09/08

HOUSE BILL **1213**

AN ACT relative to the number, selection, and terms of town highway agents.

SPONSORS: Rep. Wherry, Hills. 13; Rep. Pauer, Hills. 36; Rep. Aures, Merr. 13; Rep. Sellers, Graf. 10; Rep. Harvey-Bolia, Belk. 3; Rep. R. Brown, Carr. 8; Rep. Tom Mannion, Hills. 1

COMMITTEE: Municipal and County Government

ANALYSIS

This bill modifies the methods for determining the number of town highway agents, their method of selection, and the length of their terms.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the number, selection, and terms of town highway agents.

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

1 1 Repair of Highways by Town; Highway Agents. Amend RSA 231:62 to read as follows:

2 231:62 Highway Agents. Unless the town votes to establish a board of public works
3 commissioners under RSA 38-C to perform the duties of highway agents, **also known as road**
4 **agents**, at the annual meeting, or less often if a town has so provided pursuant to RSA 231:62-a [~~or~~
5 ~~231:62-b~~], each town shall elect by ballot, or by [~~major~~] **majority** vote authorize the selectmen to
6 appoint, one or more highway agents, who, under the direction of the selectmen, shall have charge of
7 the construction, maintenance, and repair of all town highways and bridges and the maintenance
8 and repair of all sidewalks within the town, except as provided in the laws pertaining to state aid for
9 highways and bridges and town road and bridge aid, and shall have authority to employ the
10 necessary men and equipment, and purchase timber, planks, and other material for construction and
11 repair of such highways and bridges; and they may remove gravel, rocks, or other materials from one
12 part of the town to another, doing no damage to adjoining land, for the purpose of grading or
13 otherwise repairing the same. ***The town shall have one elected highway agent for a one year***
14 ***term, unless the town decides by majority vote to change that arrangement, pursuant to***
15 ***RSA 231:62-a. The terms of highway agents shall be 1, 2, or 3 years, which may be changed***
16 ***pursuant to RSA 231:62-a.*** A vote authorizing appointment of highway agents shall continue in
17 effect until changed by [~~major~~] **majority** vote at an annual [~~or special~~] meeting, ***pursuant to RSA***
18 ***231:62-a.***

19 2 Number of Highway Agents, Method of Selection, and Terms. RSA 231:62-a is repealed and
20 reenacted to read as follows:

21 231:62-a Number of Highway Agents, Method of Selection, and Terms.

22 I. At any annual town meeting under an article in the warrant placed there by petition or by
23 the selectmen, the voters may vote to determine if they are in favor of changing the number of town
24 highway agents. If the town has adopted an official ballot, the clerk shall cause the following
25 question to be printed on said ballot: "Are you in favor changing the number of town highway agents
26 from ___ to ___?"

27 II. At any annual town meeting under an article in the warrant placed there by petition or
28 by the selectmen, the voters may vote to determine if they are in favor of changing the method of
29 selection of town highway agents. If the town has adopted an official ballot, the clerk shall cause the
30 following question to be printed on said ballot: "Are you in favor of changing the (elected or
31 selectmen-appointed) town highway agents to being (selectmen-appointed or elected by the voters)?"

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1 If the question is approved, current elected or appointed highway agents may continue to serve until
2 the end of their terms.

3 III. At any annual town meeting under an article in the warrant placed there by petition or
4 by the selectmen, the voters may vote to determine if they are in favor of changing the length of the
5 terms for the town highway agents. If the town has adopted an official ballot, the clerk shall cause
6 the following question to be printed on said ballot: "Are you in favor of changing the term of a town
7 highway agent from ___ year(s) to ___ year(s), beginning with the term of each town highway agent
8 at next year's regular town meeting?". If there are more than one town highway agents and the
9 terms are for 2 or 3 years, the terms of the highway agents shall be staggered as evenly as possible
10 over the 2 or 3 years. If the question is approved, current highway agents may continue to serve
11 until the end of the original terms.

12 IV. Said questions in paragraphs I, II, and III shall be printed in the form prescribed by RSA
13 656:13. If the town has not adopted an official ballot, the clerk shall cause the same question to be
14 printed upon special ballots which shall be used to determine the vote of the town at the annual
15 meeting. If a majority of those voting on the question vote in favor of the question, the changes will
16 take effect at the next annual meeting after the vote of approval.

17 3 New Paragraph; Officers Elected; Officers Who May Be Elected. Amend RSA 669:17 by
18 inserting after paragraph VIII-a the following new paragraph:

19 VIII-b Elected highway agents (RSA 231:62-a).

20 4 Repeal. RSA 231:62-b, relative to repair of highways by large towns, is repealed.

21 5 Applicability. RSA 231:62, RSA 231:62-a, and RSA 231:62-b as amended by sections 1, 2, and
22 4 of this act, shall not change the existing number, method of selection, or terms of town highway
23 agents, and shall not require local amendment or readoption by the town.

24 6 Effective Date. This act shall take effect 60 days after its passage.