

## **RSA 231:81-a**

Statutes current through the 2019 Regular Session (Act Ch. 346).

*LEXIS™ New Hampshire Revised Statutes Annotated > Title XX Transportation (Chs. 228 — 242) > Chapter 231 Cities, Towns and Village District Highways (§§ 231:1 — 231:191) > Repair of Roads Not Maintained by a Municipality (§ 231:81-a)*

### **231:81-a. Repair of Roads Not Maintained by a Municipality.**

**I.**In the absence of an express agreement or requirement governing maintenance of a private road, when more than one residential owner enjoys a common benefit from a private road, each residential owner shall contribute equitably to the reasonable cost of maintaining the private road, and shall have the right to bring a civil action to enforce the requirement of this paragraph. This paragraph shall not apply to any highway defined in RSA 229:5.

**II.**Any owner of a residential property abutting a private road who directly or indirectly damages any portion of such road shall be solely responsible for repairing or restoring the portion damaged by such owner.

**III.**Nothing in this section is intended to extend or restrict the common law as applied to residences on private roads, nor to affect the rights and obligations of non-residential property owners on private roads as they exist under the New Hampshire common law on easements.

### **History**

2019, 308:2, effective August 2, 2019.

Annotations

### **Research References & Practice Aids**

#### **Hierarchy Notes:**

RSA Tit. XX

RSA Tit. XX, Ch. 231