

**NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION
BUREAU OF MUNICIPAL HIGHWAYS**

**CLASSIFICATION OF HIGHWAYS
AND
A SYNOPSIS OF HIGHWAY AID AVAILABLE TO MUNICIPALITIES**

In order to understand the several forms of aid available to cities and towns in New Hampshire, first consideration should be given to the several classifications of the highway system.

**CLASSIFICATION OF HIGHWAYS
(RSA 229:5)**

Class I, Trunk Line Highways, consist of all existing or proposed highways on the primary state highway system, excepting all portions of such highways within the compact sections of cities and towns. The state assumes full control and pays costs of construction, reconstruction and maintenance of its sections; the portions in compact areas are controlled by the cities and towns under Class IV highways.

Class II, State Aid Highways, consist of all existing or proposed highways on the secondary state highway system, excepting portions of such highways within the compact sections of cities and towns, which are classified as Class IV highways.

All sections improved to the satisfaction of the commissioner are maintained and reconstructed by the State. All unimproved sections, where no state and local funds have been expended, must be maintained by the city or town in which they are located until improved to the satisfaction of the Commissioner of Transportation.

All bridges improved to state standards on Class II highways are maintained by the State. All other bridges on the Class II system shall be maintained by the city or town until such improvement is made. Bridge Aid funds may be utilized to effect such improvements.

Class III, Recreational Roads, consist of all such roads leading to, and within, state reservations designated by the Legislature. The state highway department assumes full control of reconstruction and maintenance of such roads.

Class III-a, Boating Access Highway, shall consist of new boating access highways from any existing highway to any public water in this state. All Class III-a highways shall be limited access facilities as defined in RSA 230:44. Class III-a highways shall be subject to the layout, design, construction, and maintenance provisions of RSA 230:45-47 and all other provisions relative to limited access facilities, except that the Executive Director of the Fish and Game Department shall have the same authority for Class III-a highways that is delegated to the Commissioner of the Department of Transportation for limited access facilities. No access shall be granted to an abutter for any Class III-a highway. A Class III-a highway may be laid out subject to gates and bars or restricted to the accommodation of persons on foot, or certain vehicles, or both, if Federal funds are not used. The Executive Director of Fish and Game may petition the Governor and Council to discontinue any Class III-a highway.

Class IV, Town and City Streets, consist of all highways within the compact sections of cities and towns. Extensions of Class I (excluding turnpikes and interstate portions) and Class II highways through these areas are included in this classification. Municipalities with compacts are listed in RSA 229:5.

Class V, Rural Highways, consist of all other traveled highways which the city or town has the duty to maintain regularly.

Class VI, Unmaintained Highways, consist of all other existing public ways, including highways discontinued as open highways, and made subject to gates and bars, and highways not maintained and repaired in suitable condition for travel thereon for five (5) successive years or more. However, if a city or town accepts from the state a Class V highway established to provide a property owner or property owners with highway access to such property because of a taking under RSA 230:14, then notwithstanding RSA 229:5, VII, such a highway shall not lapse to Class VI status due to failure of the city or town to maintain and repair it for five (5) successive years, and the municipality's duty of maintenance shall not terminate, except with the written consent of the property owner or property owners.

Scenic Roads are special town designations of Class IV, V and VI highways where cutting or removal of a tree, or disturbance of a stonewall must go through the hearing process and written approval of local officials. (See RSA 231:157).

HIGHWAY AID FUNDS

Highway aid to municipalities is included in the State Highway Budget in accordance with provisions set forth in the Statutes. Utilization of the several types of aid follows:

State Aid Funds for Class I, II, and III Highways (RSA 235:10-:21) are provided for the purpose of constructing or reconstructing sections of Class I, II, and III highways. This work, when requested by a municipality, would include improvements to unimproved sections of State secondary, Class II highways and Class III highways or to advance the priority of construction for special types of work such as improving drainage, riding surface, or elimination of sharp curves on Class I highways or improved sections of Class II highways.

Preliminary discussions between the municipality and the State (to include the District Engineer and the Municipal Highways Administrator) should be conducted to determine whether a desired improvement qualifies for Program funding. If a project qualifies, a determination is made as to how to prepare a cost estimate, which forms the basis of State/municipality's anticipated funding required.

With provision of an estimate to the municipality, an Application for Construction or Reconstruction must be made to the Municipal Highways Administrator by May 1st. The Application shall state that the municipality has raised, appropriated, or set aside its contributions for State Aid. Forms are available on the Department's Web Site (www.nhdot.com "Business Center"), in the District offices, or from the Administrator, Bureau of Municipal Highways (telephone 271-2107; email bureau19@dot.state.nh.us).

The municipality shall pay one-third (1/3) of the cost and the State shall pay two-thirds (2/3) of the cost. Fifty percent (50%) of the municipality's contribution for State Aid shall be remitted to the Commissioner of Transportation before any State Aid project is begun and the balance shall be remitted upon completion of the project. The reverse applies when the project is approved to be municipally-managed (see "Process for Municipally-Managed State Aid Highway Program Project").

Bridge Aid Funds (RSA 234) consist of both State and Federal Highway Funds budgeted for construction or reconstruction of structures on Class IV and Class V highways as well as municipally-maintained bridges on Class II highways. Structures having a clear span of ten (10) feet or greater qualify for State Bridge Aid funds. Federal funds may be utilized for structures having a span of 20 feet or greater. The ratio for the aid is 80% Federal or State and 20% municipality. Construction of Class II bridges transfers the maintenance responsibility from the municipality to the State. Also see "Process for Bridge Aid Municipally-Managed Projects".

All bridges rehabilitated (except covered bridges) with Bridge Aid Funds shall have a carrying capacity of at least 15 tons. Replacement bridges constructed with Bridge Aid Funds shall have a carrying capacity of at least the legal load as stipulated in RSA 266.

Applications for Preliminary Estimates must be made on forms available on the Department's Web Site (www.nhdot.com "Business Center"), in the District offices, or from the Administrator, Bureau of Municipal Highways (telephone 271-2107; email bureau19@dot.state.nh.us). Submission of the Application should be made early in the year to allow the necessary time for field review and estimate preparation. An estimate will be prepared and submitted for approval by local officials before work begins.

Rehabilitation of covered bridges is possible under the Bridge Aid Program; however, such improvement must be of a nature that will provide a minimum six-ton carrying capacity as compared to 15-ton capacity in other categories. Expenditures under this provision cannot exceed the cost of constructing a standard type bridge (RSA 234).

Highway Block Grant Aid Funds (RSA 235:23 & :25) come from a portion of the total road toll and motor vehicle registration fees collected by the State and given to municipalities for the purpose of constructing, reconstructing, or maintaining Class IV and V highways. These funds are apportioned to all municipalities on a yearly basis as follows:

Apportionment A: These funds are allocated from an annual apportionment of not less than 12% of the total highway revenues collected the preceding fiscal year. The amount distributed is based on one-half (1/2) mileage and one-half (1/2) population as the city/town factors bear to the State total.

Apportionment B: These funds are allocated from an annual apportionment of \$400,000. The amount available to municipalities is based on a formula using equalized valuation and Class V mileage and is designed to give the greatest benefit to municipalities with low, equalized valuations and high road mileage.

Block Grant Aid payments are made as follows: 30% in July, 30% in October, 20% in January, and 20% in April. Unused balances may be carried over to the following municipal fiscal year.

Contribution to Damage Losses (RSA 235:34) is available to any municipality which suffers damage to its highways through a disaster which is estimated to exceed one-eighth (1/8) of one percent (1%) of its assessed valuation providing the Commissioner of Transportation is notified and requested to investigate the damage. Aid of this nature shall be computed on that amount in excess of one-eighth (1/8) of one percent (1%) of assessed valuation but shall not exceed 75% of the cost of the damage in excess of this amount.

There are no Emergency Funds in the State Highway Budget at this time.

BRIDGE INSPECTION

Inspection of bridges (RSA 234:21-:25) on all Class IV and V highways and municipally-maintained bridges on Class II highways is required on a two-year basis. Municipalities must keep records of the inspections. These inspections are a requisite for Bridge Aid.

The Department will inspect all municipal bridges every two years provided that sufficient qualified personnel are available to make these inspections. A copy of the inspection record will be supplied at no expense to the municipality.

PERSONAL SERVICES

In addition to the several forms of financial aid, the Department is allowed to provide certain forms of personal services.

Requested Maintenance and Repair Projects for municipal roads, bridges, or other property used in connection with highways may be made available at cost. A written request stating the work to be accomplished must be submitted to the Commissioner of Transportation. An estimate will be prepared and submitted for approval by local officials before work begins. Upon completion of the work, the municipality will be invoiced for costs and expected to pay said Invoice within 30 days after receipt thereof (RSA 228:49).

Engineering Services for the purpose of consultation and advice on matters pertaining to highways and bridges may be made available upon written request to the Commissioner of Transportation (RSA 228:45).