

CONSENT CALENDAR

March 1, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Resources, Recreation and
Development to which was referred HB 1128,**

**AN ACT relative to financial liability for damage caused
by OHRV use of class VI roads. Having considered the
same, report the same with the following resolution:**

RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Andrew Renzullo

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Resources, Recreation and Development
Bill Number:	HB 1128
Title:	relative to financial liability for damage caused by OHRV use of class VI roads.
Date:	March 1, 2022
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This is an act relative to the financial liability for damage caused by OHRV use on class 6 roads. Presently the law allows that class 6 roads, which are not required to be maintained by the town, can be repaired by the abutters at the abutters expense and with the permission of the town. This bill would have required the town, should they authorize OHRV use on a class 6 road, to be responsible for damages to the road caused by the use of the OHRVs. The committee has previously passed HB1188, a bill proposing a commission, to study OHRV use in the state. Part of that commission's duties would be to study "the positive and adverse effects of OHRV use on state and town roads." Also to study "the effects of dust, noise and careless or reckless behavior of riders on abutters to trails and roads where OHRV's are used." The committee would like to see where the HB1188 commission might consider the actions proposed by HB1128 to be part of the solutions to the issues the commission is charged to remedy. The prime sponsor agrees.

Vote 21-0.

Rep. Andrew Renzullo
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Resources, Recreation and Development

HB 1128, relative to financial liability for damage caused by OHRV use of class VI roads.
INEXPEDIENT TO LEGISLATE.

Rep. Andrew Renzullo for Resources, Recreation and Development. This is an act relative to the financial liability for damage caused by OHRV use on class 6 roads. Presently the law allows that class 6 roads, which are not required to be maintained by the town, can be repaired by the abutters at the abutters expense and with the permission of the town. This bill would have required the town, should they authorize OHRV use on a class 6 road, to be responsible for damages to the road caused by the use of the OHRVs. The committee has previously passed HB1188, a bill proposing a commission, to study OHRV use in the state. Part of that commission's duties would be to study "the positive and adverse effects of OHRV use on state and town roads." Also to study "the effects of dust, noise and careless or reckless behavior of riders on abutters to trails and roads where OHRV's are used." The committee would like to see where the HB1188 commission might consider the actions proposed by HB1128 to be part of the solutions to the issues the commission is charged to remedy. The prime sponsor agrees. **Vote 21-0.**

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on HB 1128

BILL TITLE: relative to financial liability for damage caused by OHRV use of class VI roads.

DATE: February 23, 2022

LOB ROOM: 305 - 307

MOTIONS: **INEXPEDIENT TO LEGISLATE**

Moved by Rep. Gould

Seconded by Rep. Renzullo

Vote: 21-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Juliet Harvey-Bolia, Clerk

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on HB 1128

BILL TITLE: relative to financial liability for damage caused by OHRV use of class VI roads.

DATE: 2-23-22

LOB ROOM:

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. Gould Seconded by Rep. Renzullo Vote: 21-0

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: YES NO

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: Juliet Harvey-Bolia
Rep. Juliet Harvey-Bolia, Clerk



2022 SESSION

Resources, Recreation and Development

 Bill #: 1128 Motion: ITL AM #: _____ Exec Session Date: 2-23-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Renzullo, Andrew Chairman	✓		
Harb, Robert D. Vice Chairman	✓		
Hough, Gregg	✓		
Gould, Linda R.	✓		
Horgan, James F.	✓		
Creighton, Jim L.	✓		
Dodge, Dustin	✓		
Harvey-Bolia, Juliet Clerk	✓		
Healey, Robert V.	✓		
Mayville, Mary L.	✓		
Post, Lisa C.M.	✓		
Smith, Suzanne J.	✓		
Spang, Judith T. <u>WESTON</u>	✓		
Grassie, Chuck W.	✓		
Gottling, Suzanne H.	✓		
Cohen, Bruce L.	✓		
Connors, Erika F.	✓		
Vail, Suzanne M.	✓		
Kelley, Eamon P.	✓		
Moran, Melbourne R. <u>PEREZ</u>	✓		
Egan, Timothy T.	✓		

21 0

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

PUBLIC HEARING ON HB 1128

BILL TITLE: relative to financial liability for damage caused by OHRV use of class VI roads.

DATE: February 2, 2022

LOB ROOM: 305 - 307 **Time Public Hearing Called to Order:** 1:45 p.m.

Time Adjourned: 2:25 p.m.

Committee Members: Reps. Renzullo, Harb, Harvey-Bolia, Hough, Gould, Horgan, Creighton, Dodge, Healey, Mayville, Post, Suzanne Smith, Grassie, Gottling, Cohen, Connors, Vail, E. Kelley and Egan

Bill Sponsors:

Rep. Renzullo

Rep. Gould

Rep. Gottling

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Andrew Renzullo introduced the bill saying that if a town authorizes use on a Class VI road then they should be liable for damages done by OHRVs rather than the residents who live on that road. The bill pertains to recreational use only and not transportation use.

Natch Greyes, NHMA spoke against the bill because it conflicts with the laws prohibiting towns from maintaining Class VI roads and it would prevent towns from seeking damages via lawsuit. Municipalities can declare Class VI roads an "emergency lane" which would allow towns to maintain the road to a certain degree.

Abby Evancoe spoke in favor of the bill and wants the legislature to abolish the immunity pertaining to the Bureau of Trails.

Chris Gamache, NHOHVA spoke against the bill saying that the bill conflicts with four other sections of laws. He suggests handing the matter over to a study commission.

Jasen Stock, NH Timberland Owners Association spoke in support of the bill saying that class VI roads are an important part of the infrastructure. Timber vehicles are often required to get permission from town selectboards, invest money and materials on a road, and post bonds against possible damage. After making such investments, the road can be ruined by OHRV use.

Boyd Smith supports the idea of the bill.

Steven Wilkie opposed the bill and explained that he gets a permission slip from the Bureau of Trails which states that the OHRV club maintains the trails. He stated that Eversource trucks ruined their roads and the club had to spend their own funds to repair it.

Respectfully submitted,

Rep. Juliet Harvey-Bolia

Clerk

House Remote Testify

Resources, Recreation and Development Committee Testify List for Bill HB1128 on 2022-02-02

Support: 34 Oppose: 7 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Dolkart, Vivian	Grantham, NH viviandolkart@comcast.net	A Member of the Public	Myself	Support	No	No	1/30/2022 2:48 PM
Dontonville, Anne	Enfield, NH Ardontonville@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2022 3:02 PM
Tucker, Katherine	Wilmot, NH katherine.s.tucker@valley.net	A Member of the Public	Myself	Support	No	No	1/30/2022 3:44 PM
Dontonville, Roger	Enfield, NH rdontonville@gmail.com	An Elected Official	Myself	Support	No	No	1/30/2022 3:50 PM
Cranage, Amy	Grantham, NH cranhan@comcast.net	A Member of the Public	Myself	Support	No	No	1/30/2022 4:31 PM
Hegfield, Laura	Amherst, NH laurahegfield@comcast.net	A Member of the Public	Myself	Support	No	No	1/30/2022 4:49 PM
Shamel, Susan	Hillsborough, NH Susanshamel@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2022 8:11 PM
Robinson, Ellis	Grantham, NH ellismmrobinson@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2022 8:16 PM
Glass, Jonathan	Cornish, NH jglass1063@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2022 10:24 PM
Crandell-Glass, Jane	Cornish, NH bostonjane@me.com	A Member of the Public	Myself	Oppose	No	No	1/30/2022 10:31 PM
Boyle, Mary	Cornish, NH mary.n.boyle@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2022 11:12 PM
Ford Burley, Nicole	Lebanon, NH nicole.ford.burley@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2022 9:11 AM
Stevens, Deb	Nashua, NH debstevens4ward7@gmail.com	An Elected Official	My 10K constituents	Support	No	No	1/31/2022 9:12 AM

DePuy, Charles	Lebanon, NH c.depuy@yahoo.com	A Member of the Public	Myself	Support	No	No	1/31/2022 9:43 AM
Pimentel, Rod	Henniker, NH Rod.pimentel@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/31/2022 11:32 AM
Oxenham, Lee	Plainfield, NH leeoxenham@comcast.net	An Elected Official	Myself	Support	No	No	1/31/2022 12:08 PM
Bouchard, Donald	MANCHESTER, NH donaldjbouchard@gmail.com	An Elected Official	Myself	Support	No	No	1/31/2022 12:44 PM
Higgins, Patricia	HANOVER, NH phiggins47@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2022 1:06 PM
Hamer, Heidi	Manchester, NH heidi.hamer@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/31/2022 2:16 PM
Peterson, Susan	Newton, NH susanrp@aol.com	A Member of the Public	Myself	Support	No	No	1/31/2022 5:05 PM
Duncan, Stan	Newton, NH standuncan@post.harvard.edu	A Member of the Public	Myself	Support	No	No	1/31/2022 5:42 PM
Almy, Susan	Lebanon, NH Susan.almy@comcast.net	An Elected Official	Myself	Support	No	No	1/31/2022 6:18 PM
wazir, Safiya	Concord, NH Swazir@leg.state.nh.us	An Elected Official	Myself and my Constituents	Support	No	No	1/31/2022 9:51 PM
Wells, Ken	Andover, NH kenwells3@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2022 8:29 AM
Smith, Nancy	Enfield, NH nancysmith8@me.com	A Member of the Public	Myself	Support	No	No	2/1/2022 9:12 AM
Dolkart, Kenneth	Grantham, NH kenneth.dolkart@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2022 9:14 AM
Doherty, David	Pembroke, NH ddoherty0845@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2022 9:26 AM
bory, lee	nashua, NH leebory@juno.com	A Member of the Public	Myself	Support	No	No	2/1/2022 11:38 AM
Hunnewell, Anne	Holderness, NH ahunne@roadrunner.com	A Member of the Public	Myself	Support	No	No	2/1/2022 12:28 PM
Hunnewell, Richard	Holderness, NH hunnewell.richard@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2022 12:28 PM
Greyes, Natch	Concord, NH ngreyes@nhmunicipal.org	A Lobbyist	New Hampshire Municipal Association	Oppose	No	No	2/1/2022 2:44 PM

Bradshaw, Cam	Berlin, NH cambradshaw58@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2022 4:58 PM
Dutzy, Sherry	Nashua, NH sherry.dutzy@leg.state.nh.us	An Elected Official	Myself	Support	No	No	2/1/2022 7:40 PM
Kuemmerle, Nancy	Enfield, NH nkuemmerle@une.edu	A Member of the Public	Myself	Support	No	No	2/1/2022 7:56 PM
Hamblet, Joan	Portsmouth, NH jhamblet4@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2022 9:12 PM
Anastasia, Patricia	Londonderry, NH patti.anastasia@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2022 9:46 PM
Gilman, Julie	Exeter, NH Jgilman@exeternh.gov	An Elected Official	Town of Exeter	Support	No	No	2/2/2022 4:31 AM
Campbell, Karen	Epsom, NH klynncampbell50@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 8:34 AM
Fraysse, Mike	Epsom, NH klynncampbell50@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 8:36 AM
Lambert, Teresa	Meriden, NH tpenni290@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 10:24 AM
Wilkie, Steven	Cornish, NH Steven.wilkie@yahoo.com	A Member of the Public	Sullivan County ATV Club as President of the club	Oppose	No	No	2/2/2022 10:44 AM



Testimony in Opposition to HB 1128, February 2, 2022

To Chairman Renzullo and Members of the Resources, Recreation and Development Committee,

Sullivan County ATV Club in Claremont, N.H. represents over 700 members, maintains 55 miles of trails on private property and Class V & VI roads. SCATV was incorporated in 1999 and adopted the motto of "Riding Responsibly in Harmony with Landowners". Using this motto SCATV has maintained good relations with multiple municipalities and numerous private landowners for over 2 decades. The City of Claremont and Towns of Cornish and Newport give written permission to use and maintain these roads for OHRV use. Over the last two years SCATV has spent over \$50,000 to maintain the Class V & Class VI roads with help from membership revenue and Grant-in Aid-through OHRV registration funds. (See Below)

This funding is available to Towns and Cities if they have a responsible entity like a club or organization to submit an application to NH BoT for GiA.

CHAPTER Res 8400 RULES FOR THE GRANT-IN-AID PROGRAM

Res 8401.01 Purpose of the Grant-In-Aid Program.

(j) The purpose of the grant-in-aid program is to provide assistance to off highway recreational vehicle (OHRV) clubs, snowmobile clubs and political subdivisions for projects which will benefit the ridership of OHRVs, snowmobiles, or both.

(b) The intent of the program is to enhance the development, maintenance, construction, grooming and safety of public use OHRV and snowmobile trails in New Hampshire.

Res 8402.01 Definitions.

(j) "Political subdivision" means a town, city, county, or another department or division of the state.

We believe this bill is trying to solve an issue that already has a solution and urge the committee to vote HB 1128 to Inexpedient to Legislate.

Thank you

Steve Wilkie

SCATV President

Page 1 of 2

"Riding Responsibly in Harmony with Landowners"

sullivancountyatv.org – (603) 287-1203 – sullivancountyatv@gmail.com



2020 GiA awarded to SCATV

Sullivan County ATV Club	\$19,304.20	\$2,255.10	Cornish Turnpike (Town of Cornish) - Work on trail to divert water (8 hrs Excavator, 8 hrs Bobcat, Equipment move, 25 yds 1.5" stone, silt barriers, Wattle).
		\$4,127.10	Whitewater Brook Trail (Town of Cornish) - Work on trail and install culverts (20 hrs Excavator, 20 hrs Bobcat, Equipment move, 25 yds 1.5" stone, silt barriers, Wattle).
		\$4,052.00	Whitewater Brook Trail (City of Claremont) - Work on trail and install waterbars (12 hrs Excavator, 12 hrs Bobcat, Equipment move, 12 yds 1.5" mixed gravel).
		\$3,630.00	Mica Mine Trail - Add gravel to trail (16 hrs Track Dumper, Equipment move, 150 yds 1.5" mixed gravel).
		\$4,580.00	Satterlee Road (Town of Newport) - Add gravel to trail (24 hrs Tracked Dumper, Equipment move, 275 yds 1.5" mixed gravel).
		\$660.00	Stagecoach Trail (City of Claremont) - Work on trail and install waterbars (8 hrs Excavator, Equipment move).

2021 GiA awarded to SCATV

Total One-Way Mileage of Club's Trails	Average Cost per Mile of Total Request	Grantee	Project 1	Project 2
55.00	\$757.60	Sullivan County ATV Club	\$38,788.10	\$2,880.00

Project Description	Total Requested
P1-Cathole Road: pay town to put down 5' of asphalt along 1/2 mile section of road to use as trail; P2-Mikes Way: create a new 3/4 mile trail to establish a viewing area	\$41,668.10

"Riding Responsibly in Harmony with Landowners"

sullivancountyatv.org – (603) 287-1203 – sullivancountyatv@gmail.com



New Hampshire Off Highway Vehicle Association

TESTIMONY IN OPPOSITION TO HB 1128

FEBRUARY 2, 2022

To Chairman Renzullo and Members of the Resources, Recreation and Development Committee,

The New Hampshire Off Highway Vehicle Association represents 28 OHRV clubs in the state. It's Officers and Directors are volunteers from each OHRV Club representing the interests of riders and operators of all types of off highway vehicles such as ATVs, Trail Bikes, Side by Sides, UTVs, 4x4 Trucks – Jeeps and even Railroad Cars. We are here today in opposition to HB 1128 which is attempting to require a city or town to pay for the cost of repairing damage to a class VI road caused OHRV use.

The first thing we would like to point out on this bill is that this creating the same subsection as HB 1109. If the bills are to go forward, they would need to be amended to no longer be in conflict.

Additionally, this legislation conflicts with existing law in several areas and has the state dictate how towns should handle local roads. The largest conflict with current law can be found in RSA 231:21-a which is titled the Uniform Provisions Governing Class VI Highways. The language specifically states "Class VI highways are not subject to any municipal duty of care or maintenance...". There are numerous other provisions in RSA 231 which speak to maintenance and this legislation would seemingly limit the towns or cities ability to seek outside funds and other flexibilities currently in law to repair these roads. Additionally, under RSA 231:3 and RSA 41:11, the state does not have the authority to regulate municipal roadways. It also seemingly contradicts RSA 52:1 (m) which allows for the maintenance of these roads in Village Districts.

As with HB 1109, we believe the HB 1188 study commission is the better place to consider such changes to the law. The changes sought in this legislation are far more complicated than adding one subsection and would require a rewrite of many existing laws. We believe the potential unintended consequences of such a revision to our existing laws requires a much more thorough review.

We ask that you also find this legislation Inexpedient to Legislate and instead pass the study commission to review such issues. We urge you to pass the study commission and look forward to the opportunity to continue to explore all aspects of OHRV use in our state.

Thank You,
Buddy Dionne
NHOHVA President

Heather Goley

From: Emily Wrubel <ewrubel@gmail.com>
Sent: Monday, February 7, 2022 7:51 PM
To: ~House Resources Recreation and Development
Subject: OHRV related bills

Dear Committee Members,

I am writing in support of HB 1109, HB 1128, and HB 1178. I am resident of Hillsboro who lives at the corner of a Class VI and Class V road that the Selectboard was asked to open to OHRV traffic a few years ago. I was aghast that those of us who would have been affected only learned of this threat by word of mouth. Had we not passed the word on to others who would have been affected, this would have passed without most residents being aware of it until it was too late to register our opposition. Abutters on ANY ROAD that is considered for OHRV use must be notified and the issue put to a town vote, not up to the vagaries of who happens to be on Selectboard when the OHRV group arrives to make their case.

Additionally the town should be liable for damage to class VI roads because of allowing OHRV use on them. There are people in my neighborhood who have maintained sections of class VI roads to their homes at personal expense. They should not be expected to pay for repairs necessitated by OHRV traffic.

A commission should be established to study OHRV usage in the state, but this commission needs to be balanced with positions for abutting homeowners, members of the Bike Alliance, NH Rails Trails Coalition, the Office of Strategic Initiatives etc, to better represent people of this state.

Thank you for your consideration.

Emily Wrubel
Hillsboro

Heather Goley

From: bsmith@nhwwa.org
Sent: Tuesday, February 1, 2022 2:56 PM
To: ~House Resources Recreation and Development
Subject: HB1128 - Oppose

Dear Chairman Renzullo and Committee members. I am voicing my opposition to HB1128 for the following reasons:

- OHRVs and other motorized vehicles should NOT be allowed on sidewalks (line 6 - 8)
- OHRVs allowed on public roads should meet same safety and operating standards as automobiles.
- Costs for State postings and local and State administration should be borne by the OHRV users (line 10).
- Establishing acceptable Class VI road use standards is critical to assess damage. Suggest non-motorized use be included in the standard.
- How the amount damage and cost to repair is determined should be outlined.
- Adding liability to the source of the damage should be included.

I apologize for the lack of time to speak with the Bill sponsors in advance to learn more about the purpose and expected results of this legislation. I recommend HB1128 be tabled until work proposed under HB1188 is completed.

Thank you for your consideration,

Boyd Smith
Concord, NH

HB 1128 - AS INTRODUCED

2022 SESSION

22-2654
04/10

HOUSE BILL

1128

AN ACT

relative to financial liability for damage caused by OHRV use of class VI roads.

SPONSORS:

Rep. Renzullo, Hills. 37; Rep. Gould, Hills. 7; Rep. Gottling, Sull. 2

COMMITTEE:

Resources, Recreation and Development

ANALYSIS

This bill requires a city or town to bear the cost of repairs for damage to a class VI road caused by OHRV use on such road.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through~~].

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 Two

AN ACT relative to financial liability for damage caused by OHRV use of class VI roads.

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

1 1 Off Highway Recreational Vehicles; Operation of All OHRVs. Amend RSA 215-A:6, IX to read
2 as follows:

3 IX.(a) Pursuant to RSA 215-A:15, and following a duly noticed public hearing advertised at
4 least 14 days in advance in a public location in the city or town and notification to abutters by
5 verified mail pursuant to RSA 21:53, city or town councils and boards of selectmen may authorize
6 the use of sidewalks and class IV, class V or class VI highways and bridges, or portions thereof, for
7 use by OHRVs. The operation of OHRVs may also be allowed on sidewalks adjacent to class I, II, III,
8 or III-a highways pursuant to RSA 236:56, II(e). Operators of OHRVs using said roads, or portions
9 thereof, shall keep to the extreme right and shall yield to all conventional motor vehicle traffic. The
10 bureau, or its designee, shall so post such highways where authorized. Following a duly noticed
11 public hearing, except in the case of an emergency closure, such city or town authorities may change
12 the allowable usage of a class IV, class V, or class VI highway by OHRVs by giving notification to the
13 supervisor of the bureau and removing any signs that no longer apply. The petitioner shall bear the
14 expense of verified mail notification to abutters of property for which OHRV use is sought under this
15 paragraph.

16 (b) *The cost for repairing damage to a class VI road caused by OHRV use on*
17 *such road authorized pursuant to subparagraph (a) shall be borne by the city or town.*

18 2 Effective Date. This act shall take effect 60 days after its passage.