

CHAPTER 187
HB 296 - FINAL VERSION

16Mar2023... 0743h
04/13/2023 1316s

2023 SESSION

23-0510
10/05

HOUSE BILL

296

AN ACT relative to local authority for granting driveway permits.

SPONSORS: Rep. T. Walsh, Merr. 10; Rep. C. McGuire, Merr. 27; Rep. Hill, Merr. 2; Rep. Steven Smith, Sull. 3

COMMITTEE: Public Works and Highways

AMENDED ANALYSIS

This bill clarifies the authority for local land use boards to regulate driveway access for residential properties.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 187
HB 296 - FINAL VERSION

16Mar2023... 0743h
04/13/2023 1316s

23-0510
10/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to local authority for granting driveway permits.

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

1 187:1 New Paragraph; State Fire Code; Authority for Driveway Permits. Amend RSA 153:5 by
2 inserting after paragraph V the following new paragraph:

3 VI. The provisions of the state fire code and associated rules shall not supersede the authority of
4 local land use boards under planning and zoning provisions of Title LXIV of the RSA to regulate and
5 permit driveway access, when not governed by RSA 236:13, for detached one or two-family dwelling units
6 in a structure used only for residential purposes, and provided that minimum driveway width shall not be
7 less than 12 feet for driveways over 150 feet in length. Before issuing the approval, the local land use
8 boards shall give due consideration to any written recommendations of the municipal fire chief regarding
9 fire department access, to include width, vertical clearance, grade, suitability of road surface, bridges,
10 dead-ends, and the ability to pass and turn around once in the driveway.

187:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: August 04, 2023
Effective Date: October 03, 2023