

1 S.4

2 Introduced by Senators Clarkson, Gulick, Hardy, Perchlik, Watson, Weeks
3 and White

4 Referred to Committee on

5 Date:

6 Subject: Transportation; highways; legal trails; municipal authority

7 Statement of purpose of bill as introduced: This bill proposes to specify that
8 municipalities have discretionary authority to maintain legal trails. This bill
9 also proposes to grant municipal legislative bodies the authority to adopt
10 ordinances that regulate the use of legal trails.

11 An act relating to maintenance and use of legal trails

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 19 V.S.A. chapter 3 is amended to read:

14 CHAPTER 3. TOWN HIGHWAYS

15 § 301. DEFINITIONS

16 As used in this chapter:

17 * * *

18 (2) “Legislative body” ~~includes boards of selectmen, aldermen, and~~
19 ~~village trustees~~ means a “legislative body” as defined in 24 V.S.A. § 2001.

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1 town and to places that by their nature have more than normal amount of
2 traffic. The ~~selectmen~~ legislative body, with the approval of the Agency, shall
3 determine which highways are to be class 2 highways.

4 (3) Class 3 town highways:

5 (A) Class 3 town highways are all traveled town highways other than
6 class 1 or 2 highways. The ~~selectmen~~ legislative body, after conference with a
7 representative of the Agency, shall determine which highways are class 3 town
8 highways.

9 * * *

10 (5) Trails shall not be considered highways ~~and the town.~~ A
11 municipality shall have the authority to maintain trails but shall not be
12 responsible for any maintenance, including culverts and bridges.

13 * * *

14 § 303. TOWN HIGHWAY CONTROL

15 Town highways shall be under the general supervision and control of the
16 ~~selectmen~~ legislative body of the town where the roads are located. ~~Selectmen~~
17 The legislative body of a town shall supervise all expenditures.

18 § 304. DUTIES OF SELECTBOARD

19 (a) It shall be the duty and responsibility of the selectboard of the town to,
20 or acting as a board, it shall have the authority to:

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