

2020 -- S 2395

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LC004511
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO HIGHWAYS -- MAINTENANCE OF TOWN HIGHWAYS

Introduced By: Senators Rogers, and Raptakis

Date Introduced: February 13, 2020

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 24-5-1 of the General Laws in Chapter 24-5 entitled "Maintenance
2 of Town Highways" is hereby amended to read as follows:

3 **24-5-1. Duty of town to maintain highways.**

4 (a) All highways, causeways, and bridges, except as provided by this chapter, lying and
5 being within the bounds of any town, shall be kept in repair and amended, from time to time, so
6 that the highways, causeways, and bridges may be safe and convenient for travelers with their
7 teams, carts, and carriages at all seasons of the year, at the proper charge and expense of the town,
8 under the care and direction of the town council of the town, provided that the state shall be
9 responsible for the annual cleaning of all sidewalks on all state highways, causeways, and bridges
10 [and the maintenance of all sidewalks associated therewith.](#)

11 (b) In addition, the surfaces of all highways and causeways shall be maintained in such a
12 state of repair as to make them safe for bicycles.

13 SECTION 2. Sections 24-8-6 and 24-8-9 of the General Laws in Chapter 24-8 entitled
14 "Construction and Maintenance of State Roads" are hereby amended to read as follows:

15 **24-8-6. Authority for sidewalks and curbs.**

16 (a) The director of transportation shall have the power and authority to make, lay in and
17 upon, and construct sidewalks, including curbs, adjacent to and along either or any one side or both
18 sides of any state road, now constructed, in the process of construction, or to be constructed, which
19 in his or her opinion and judgment require sidewalks and curbs for pedestrian travel.

1 (b) Notwithstanding any state law to the contrary, all sidewalks authorized by the director
2 in accordance with subsection (a) of this section shall be repaired, maintained and kept free of ice
3 and snow by the department of transportation and not by the city or town where the sidewalk is
4 located pursuant to the power and authority granted pursuant to § 24-8-9.

5 **24-8-9. Regulations of sidewalks and curbs.**

6 The director of transportation shall have the power and authority to alter, to maintain, to
7 keep in good condition, to remove ice and snow therefrom, to remove posts, steps and any other
8 obstructions therein, to regulate the placement, structure, and alteration of curbs constructed
9 adjacent to state roads, to regulate the height, size, and shape of awnings, signs, and any other
10 structures which project over all curbs and all sidewalks now constructed, in the process of
11 construction or to be constructed on state roads; ~~except, on portion or portions of state roads in~~
12 ~~cities or towns where the territory contiguous thereto is closely built up.~~

13 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO HIGHWAYS -- MAINTENANCE OF TOWN HIGHWAYS

- 1 This act would require the department of transportation (DOT) to repair, maintain and keep
- 2 free from ice or snow all sidewalks running along state highways.
- 3 This act would take effect upon passage.

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