



General Assembly

February Session, 2006

**Substitute Bill No. 5446**

\*        HB05446PD        042006        \*

**AN ACT PREVENTING PAVING OF ABANDONED ROADS IN PRESERVED LANDS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Section 13a-55 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3       Property owners bounding a discontinued or abandoned highway,  
4 or a highway any portion of which has been discontinued or  
5 abandoned, shall have a right-of-way [for all purposes for which a  
6 public highway may be now or hereafter used] over such discontinued  
7 or abandoned highway to the nearest or most accessible highway,  
8 provided such right-of-way has not been acquired in conjunction with  
9 a limited access highway. The owner of land over which the right-of-  
10 way exists shall not be liable for any damage suffered by any person  
11 who uses such right-of-way pursuant to this section. If any part of the  
12 discontinued or abandoned highway lies within the boundaries of  
13 open space lands owned by the state, a municipality or nonprofit land  
14 conservation organization, a property owner desiring to use the  
15 discontinued or abandoned highway may make improvements to such  
16 highway only to the extent necessary to allow passage on such  
17 highway, and only if no other reasonable access route exists. Such  
18 property owner shall be liable for any damage suffered on such right-  
19 of-way and shall reasonably maintain and repair such improvements.

20 The provisions of this section shall not be construed to allow the  
21 installation of utilities, signs or structures without the permission of  
22 the landowner or owner of a conservation easement or other interest in  
23 the property.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2006	13a-55

**ENV**      *Joint Favorable Subst.*

**JUD**      *Joint Favorable*

**TRA**      *Joint Favorable*

**PD**        *Joint Favorable*