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## 2011 House Bill 1349: Concerning private road maintenance agreements

**Introduced** by Rep. Jeff Morris (Mt. Vernon) (D) on January 19, 2011

Clarifies current law concerning private road maintenance agreements. This act requires the holder of an easement for a road to incur all costs of maintenance of that road. When no formal agreement exists between easement holders, each must share in the cost, including repair costs due to a holders misuse or neglect. This act also allows for a civil action if any easement holder does not fulfill his or her obligations to maintain the road, unless the holder is a public entity. This act applies to all easements existing on or created by July 1, 2012. [Official Text and Analysis.](#)

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Referred to the House Judiciary Committee on January 19, 2011

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Substitute offered in the House on February 17, 2011

Requires the court to order "reasonable" attorneys' fees (rather than attorneys' fees) to the prevailing parties.

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Referred to the House Rules Committee on February 17, 2011

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**Passed** 53 to 42 in the House on January 23, 2012.

See [Who Voted "Yes" and Who Voted "No"](#).

Requires persons with the right to use a private right-of-way to pay for the costs of maintenance by agreement or in proportion to their use.

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**Received** in the Senate on January 24, 2012

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Referred to the Senate Judiciary Committee on January 24, 2012

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Amendment offered in the Senate on February 24, 2012

Removes the substantive provisions regarding easement agreements and maintenance and establishes a legislative workgroup on easements.

Referred to the Senate Rules Committee on  
February 24, 2012

Referred to the House Rules Committee on  
March 8, 2012

## **Comments**

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