

Vermont Agency of Transportation Guidelines - Certificate of Highway Mileage

These guidelines are intended to assist municipalities and insure the changes submitted on the mileage certificates are processed completely and without delay. The statutory definitions and processes related to Town Highways can be found in the Vermont Statutes Annotated (V.S.A.), Title 19 (Highways), Chapters 3 (Town Highways) and 7 – (Laying Out, Discontinuing, and Reclassifying Highways). The guidelines below are paraphrased in part from 19 V.S.A. Chapters 3 and 7.

These guidelines incorporate the changes prompted by Act No. 178 ("An Act Relating to Unidentified Corridors") which went into effect July 1, 2006.

Certificate of Highway Mileage and the General Highway Maps

Each year, the Vermont Agency of Transportation (VTrans) Mapping Unit processes the Certificate of Highway Mileage for each municipality and compiles the totals of State Highways, Class 1, 2, 3, and 4 Town Highways, Legal Trails, and Unidentified Corridors into a summary. The highway mileage information is used in the formula for the appropriation of State Aid for Town Highways. The Certificate of Highway Mileage and supporting documentation of changes also provides the VTrans Mapping Unit with information to make the necessary changes to the General Highway Maps, also referred to as the Town Highway Maps.

This process is defined in 19 V.S.A. § 305 (Measurement and Inspection):

(b) Annually, on or before February 10, the selectboard shall file with the town clerk a sworn statement of the description and measurements of all class 1, 2, 3, and 4 town highways and trails then in existence, including any special designation such as a throughway or scenic highway. When class 1, 2, 3, or 4 town highways, trails, or unidentified corridors are accepted, discontinued, or reclassified, a copy of the proceedings shall be filed in the town clerk's office and a copy shall be forwarded to the agency.

Supporting documentation

To accept the changes submitted by a municipality in the mileage certificate, we need the following supporting documentation:

- A copy of the minutes of meetings at which the legislative body took action with respect to the changes.
- A copy of the notices and hearings described further below associated with reclassifications and discontinuances.
- A copy of the Certificate of Completion and Opening for new or altered highways.

- A copy of any surveys of the affected highway, trail, or unidentified corridor (A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006.)
- A description of the affected highway, trail, or unidentified corridor.
- A current town highway map with the requested deletions and additions sketched on it.

19 V.S.A. § 305 (Measurement and Inspection) was amended by Sec. 2 of Act No. 178 of 2006 ("An Act Relating to Unidentified Corridors). As amended, § 305 includes, in part, the following language:

(b)... When class 1, 2, 3, or 4 town highways, trails, or unidentified corridors are accepted, discontinued, or reclassified, a copy of the proceedings shall be filed in the town clerk's office and a copy shall be forwarded to the agency.

(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of any surveys of the affected highway or trail, minutes of meetings at which the legislative body took action with respect to the changes, and a current town highway map with the requested deletions and additions sketched on it. A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006. All records filed with the agency are subject to verification in accordance with subsection (a) of this section.

Clear description of location

Please include a clear description of the section of highway, trail, or unidentified corridor to be added, reclassified, or discontinued.

For example: the reclassification of TH-50 (Example Dr) from Class 4 to Class 3 starts at a point 500 feet south of TH-28 (Sample Hill Rd) and extends for 0.3 miles southerly from there.

The location shall be marked on a copy of the General Highway Map. The map can be an 8 ½" X 11" copy of the map, or a photocopied section of the full size General Highway Map. A copy of the most current General Highway Map (in an 8 ½" X 11" format) will be provided with the mileage certificate supplied by the Vermont Agency of Transportation.

If CADD, GPS, or GIS data layers exist that document the change, this information can be forwarded to VTrans to assist in the mapping process.

Survey of new or altered highway

When the legislative body accepts, lays out, or alters a highway, it shall cause a survey to be made. The survey shall describe the highway and the right-of-way by courses, distances and width, and shall describe the monuments and boundaries. (19 V.S.A. § 704)

Notice and hearing of reclassification or discontinuance

The legislative body shall promptly appoint a time and date for examining the premises and hearing the persons interested, and give thirty days notice to the petitioners, and to persons owning or interested in lands through which the highway may pass or abut, of the time when they will inspect the site and receive testimony.

The legislative body shall also:

- Give notice to any municipal planning commission in the town.
- Post a copy of the notice in the office of the town clerk.
- Cause a notice to be published in a local newspaper of general circulation in the area not less than ten days before the time set for the hearing.

The notice shall be given by certified mail sent to the official residence of the person(s) required to be notified. (19 V.S.A. § 709)

Additional notice of discontinuance

The legislative body shall notify the commissioner of forests, parks and recreation when it has filed a petition to discontinue a highway under this subchapter. (19 V.S.A. § 775)

When submitting a reclassification or discontinuance with your municipality's mileage certificate, please include evidence of these notices and hearings.

Legal Trail Mileage

Because of the changes to 19 V.S.A. § 305 resulting from Act No. 178 of 2006, Legal Trail mileage now is included on the Certificate of Highway Mileage and a row for legal trail mileage has been added. The municipality now will need to provide information related to trails and their mileage on the certificate, similar to the reporting of highway additions, reclassifications, or discontinuances.

Unidentified Corridor

Because of the changes to 19 V.S.A. § 305 resulting from Act No. 178 of 2006, Unidentified Corridor mileage now is included on the Certificate of Highway Mileage and a row for them has been added. If the municipality has any of these corridors, it can record their mileage on the certificate, similar to the reporting of highway additions, reclassifications, or discontinuances.

The minimum standard for a Class 3 highway

A Class 3 highway is negotiable under normal conditions all seasons of the year by a standard manufactured pleasure car. (19 V.S.A. § 302(a)(3(B))

Additional information regarding Town Highways

There are many online resources that can assist a municipality in the process of adding, reclassifying, or discontinuing town highways. Several Internet links are listed below.

Current Town Highway Maps online at the VTrans Mapping Unit website -
http://www.aot.state.vt.us/Planning/MapGIS/Town_Maps1.htm

Archived Town Highway Maps online at the VTrans Map Archive website -
http://www.aot.state.vt.us/Planning/mapgis/mapping_maparchive.htm

Ancient Road Information online at the VTrans Mapping Unit website -
including the Ancient Roads Guidance Document - Ancient Road Practicum
http://www.aot.state.vt.us/Planning/mapgis/mapping_ancientroads.htm

VTrans Orange Handbook for Town Officials -
http://www.aot.state.vt.us/ops/documents/AOT-OPS_OrangeBook.pdf

Town Highway Aid Rates and Mileage -
<http://apps.vtrans.vermont.gov/THGProgram/currentrates.aspx>

For those difficult Town Highway Questions, an opinion may be available from the Secretary of State - <http://www.sec.state.vt.us/municipal/opinions.htm>

The Vermont Local Roads Program has information regarding town highways at -
<http://www.vermontlocalroads.org>

Local Roads Fact Sheets with many highway topics at -
<http://www.vermontlocalroads.org/Fact%20Sheets/fact%20sheets%20mainpage.html>

The Vermont Statutes Online, Title 19: Highways -
<http://www.leg.state.vt.us/statutes/chapters.cfm?Title=19>

Contact Information

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