

SENATE BILL NO. 14

INTRODUCED BY D. HARRINGTON

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A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING BLOCKING ACCESS ON A COUNTY ROAD UNLESS THE ROAD HAS BEEN ABANDONED BY A BOARD OF COUNTY COMMISSIONERS; AND AMENDING SECTION 7-14-2615, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-14-2615, MCA, is amended to read:

"7-14-2615. Abandonment or vacation of county roads. (1) All county roads once established must continue to be county roads until abandoned or vacated by:

- (a) operation of law;
- (b) judgment of a court of competent jurisdiction; or
- (c) the order of the board.

(2) An order to abandon a county road is not valid unless preceded by notice and public hearing.

(3) The board may not abandon a county road or right-of-way used to provide existing legal access to public land or waters, including access for public recreational use as defined in 23-2-301 and as permitted in 23-2-302, unless another public road or right-of-way provides substantially the same access.

(4) The board may not abandon a county road or right-of-way used to access private land if the access benefits two or more landowners unless all of the landowners agree to the abandonment.

(5) A landowner or other person may not block or close a county road to access or prevent traffic on a county road unless the road has been abandoned by the board as provided in this part."

- END -