



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



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CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

Bureau of Finance and Contracts
October 02, 2013

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

- 1.) In accordance with Governor and Council approval of July 19, 1995, Item #171, the Department of Transportation, Bureau of Finance and Contracts, reports all paid Small Claims in the previous first quarter of FY 2014 totaling \$993.40 for individual amounts less than \$600.00 submitted under the provisions of RSA 228:29.
- 2.) The Department further requests approval of Governor and Council to pay small claims for the next Fiscal Year quarter, October 1, 2013 through December 31, 2013. 100% Highway Funds.

Funding is available as follows:	<u>Appropriation FY 2014</u>	<u>Paid to date</u>	<u>Balance Remaining</u>
04-96-96-960215-3001 Division of Finance 068-500563 Remuneration	\$5,000.00	\$993.40	\$4,006.60

EXPLANATION

RSA 228:29, authorizes the Commissioner to use funds accruing to the Department of Transportation for the payment of small claims occasioned by accidents due to the activities of the Department of Transportation. Any person claiming damage due to the activities of the Department of Transportation may seek payment of the small claim if the amount is less than \$600.00. If, upon investigation, the small claim is valid, the Commissioner shall submit the recommendation for payment to the Governor and Council for approval.

To improve efficiency in processing these small claims, and to be more responsive to those claimants awaiting payment for a small claim, the Department of Transportation initiated a blanket approval process at the beginning of Fiscal Year 1996. The revised process was approved by Governor and Council on July 19, 1995 as Item #171. The process requires the Department of Transportation to seek approval from the Governor and Council prior to each Fiscal Year quarter and submit the claims paid in the previous quarter.

A review of claims approved for payment during the first quarter of Fiscal Year 2014, to date, indicates that three claims were paid.

Claimant: Steven and Cynthia Page

Amount: \$250.00

Mrs. Page was involved in an accident with another individual within a betterment construction project in Wakefield, New Hampshire on November 06, 2012. DOT flaggers sent the two motorists into the intersection at the same time resulting in an accident. Both parties filed claims with the Board of Claims as each claim was over \$600.00. The Attorney General's Office settled Mr. and Mrs. Page's claim with their insurance company, Craig/is Ltd. (Old Dominion Insurance). Mr. and Mrs. Page did not file a separate claim for their \$250.00 deductible with the Board of Claims, and because the amount is below the jurisdictional amount that the Board can consider, the Attorney General's Office advised Craig/is Ltd. that the Attorney General's Office would work with the DOT to process the insurance deductible as a small claim.

Claimant: Robert F. Hanson, Jr.

Amount: \$260.40

Mr. Hanson's vehicle was damaged on the Spaulding Turnpike while exiting at exit 16 merging onto the US 202 and NH 125 junction in Rochester, New Hampshire on July 29, 2013. Mr. Hanson's vehicle sustained damage to the left rear tire as a result of driving over rubber road tubes and a large nail/spike that are used for traffic monitoring by the Bureau of Traffic. The Bureau of Traffic did count apparatus in the general area and apparatus (a rubber tube and 8-inch nail/spike) were missing at the aforementioned Spaulding Turnpike, Exit 15 northbound on-ramp location.

Claimant: Mark Soucy

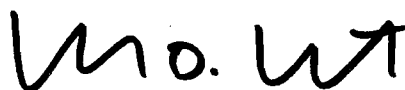
Amount: \$483.00

Mr. Soucy's vehicle was damaged on NH Route 87 in Newfields, New Hampshire on July 18, 2013 when he passed through the freshly painted yellow centerline. The Department's pavement marking crew was applying paint and upon investigation of NH Route 87, it was determined there were segments of the road that did not cure fully and later in the evening, the centerline did start to run across the road.

A summary of the action taken on all claims for Fiscal Year 2014 is on file at the Department of Transportation.

Your approval of this resolution is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "Mo. W" with an arrow pointing upwards and to the right.

Christopher D. Clement, Sr.
Commissioner

CDC/drp