



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



104 Beach

CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

Bureau of Finance and Contracts
April 10, 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 third quarter of FY 2013 totaling \$769.80 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, April 1, 2013 through June 30, 2013. 100% Highway Funds.

Table with 4 columns: Funding is available as follows, Appropriation FY2013, Paid to date, Balance Remaining. Row 1: 04-96-96-960215-3001, Division of Finance, 068-500563 Remuneration, \$4,000.00, \$2,713.50, \$1,286.50

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 third quarter of Fiscal Year 2013, to date, indicates that two claims were paid.

Claimant: Tina Normand

Amount: \$572.80

Ms. Normand's vehicle was damaged while traveling southbound on Interstate 293 in Manchester, New Hampshire on Friday, December 28, 2012 when her vehicle hit a piece of metal causing damage. The Department's investigation concluded the cost of the repairs and the estimates submitted, appear to be consistent with what may be expected if a vehicle were to hit a plow blade at Interstate speeds. The investigation also concluded that the piece of metal was indeed a blade that broke off a District 5 owned front plow.

Claimant: Philip Huston

Amount: \$197.00

Mr. Huston's vehicle was damaged on Durham Road (NH Route 108) in Dover, New Hampshire on December 27, 2012 when he went under the overpass for the Spaulding Turnpike at Exit 7. There was a state truck plowing the highway above and snow came over the concrete barrier and landed on Mr. Huston's windshield. The Department was out plowing the Spaulding Turnpike on the day in question. The barrier does not have any snow fence on top of the barrier to dissipate the plowing of the snow over the barrier.

A summary of the action taken on all claims for Fiscal Year 2013 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 "C. D. Clement, Sr.", written in a cursive style.

Christopher D. Clement, Sr.
Commissioner

CDC/drp