

HB 563-FN - AS INTRODUCED

2019 SESSION

19-0477

11/01

HOUSE BILL ***563-FN***

AN ACT relating to the fees for failing to register a motor vehicle.

SPONSORS: Rep. Almy, Graf. 13; Rep. Herbert, Hills. 43; Rep. Malloy, Rock. 23

COMMITTEE: Ways and Means

ANALYSIS

This bill clarifies the fine imposed for failing to register a motor vehicle.

.....

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struckthrough.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relating to the fees for failing to register a motor vehicle.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Certificates of Title and Registration of Vehicles; Registration Required. Amend RSA 261:40
2 to read as follows:

3 261:40 Registration Required. Except as otherwise provided, it is a violation for any person to
4 drive or any owner or custodian to knowingly permit or cause to be driven on the ways of this state
5 any vehicle which is not specifically exempt by statute or rule from the requirement of registration,
6 unless the same has been registered and the appropriate fee paid in accordance with the provisions
7 of this chapter. The fine for a violation of this section shall be \$100 ***per day, provided that the***
8 ***director may reduce this amount for good cause.***

9 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 563-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relating to the fees for failing to register a motor vehicle.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2020	FY 2021	FY 2022	FY 2023
Appropriation	\$0	\$0	\$0	\$0
Revenue	Indeterminable	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$15,750	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input checked="" type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Restricted - Costs of Collections, Restricted - Plea-By-Mail Revenue, Others (See Methodology)			

*Pursuant to Part II, article 6-a of the New Hampshire constitution, any costs associated with the collection and administration of Highway Funds by the Department of Safety shall be deducted by the Department before such funds are credited to the Highway Fund as unrestricted revenue.

LOCAL:

Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	\$0	\$0	\$0

METHODOLOGY:

This bill further clarifies the fine imposed for failing to register a motor vehicle from \$100 per occurrence to \$100 per day. The Department of Safety reports the impact on revenue from this bill will determine how law enforcement interprets the change in this fine. For example, multiple violations in one day could only result in a single \$100 fine, as opposed to the previous fine per occurrence, and violations over multiple days may only be interpreted as a violation per occurrence observed by law enforcement. Therefore, revenue will be impacted by an indeterminable amount. The Department estimates expenditures will be increased by \$15,750 in FY 2020 due to the following: \$5,250 in programming changes to the uniform fine schedule and charge table in the VISION system, \$3,000 to reprint the uniform fine schedule, and \$7,500 to reprint the plea by mail ticket form.

Any increase or decrease in motor vehicle fine revenue would impact local highway aid, which is at least 12 percent of motor vehicle revenue collected in the previous year pursuant to RSA 235:23. Additionally, all fines are also subject to a penalty assessment (the greater of 24% of the fine amount or \$2), for which the proceeds split and are credited to the general fund (66.66%), victims' assistance fund (16.67%), and the judicial branch information technology fund (16.67%).

This bill contains penalties that may have an impact of the New Hampshire Judicial Branch. There is no method to determine how many charges may be brought as a result of changes contained in this bill to determine the fiscal impact on Branch expenditures. However, any marginal increase or decrease in violations due to this bill would impact the expenditures of the Branch as follows:

Judicial Branch	FY 2020	FY 2021
Violation Level Offense	\$51	\$52
It should be noted that average case cost estimates for FY 2020 and FY 2021 are based on data that is more than ten years old and does not reflect changes to the courts over that same period of time or the impact these changes may have on processing the various case types.		

AGENCIES CONTACTED:

Department of Safety and Judicial Branch