

Senate Transportation Committee

Kirsten Koch 271-3266

HB 260-FN, relative to number plates for motor vehicles.

Hearing Date: April 20, 2021

Time Opened: 1:33 p.m.

Time Closed: 2:07 p.m.

Members of the Committee Present: Senators Birdsell, Watters, Ricciardi, Ward and Sherman

Members of the Committee Absent : None

Bill Analysis: This bill provides that certain vehicles shall only be required to display one number plate on the rear of the vehicle.

Sponsors:

Rep. Prout

Rep. Conley

Rep. Osborne

Rep. Torosian

Rep. Warden

Rep. A. Lekas

Rep. T. Lekas

Who supports the bill: Rep. Tony Lekas, Hillsborough 37; Rep. Judy Aron, Sullivan 7; Rep. Peter Torosian, Rockingham 14; Rep. Aidan Ankarberg, Strafford 10; Bill Alleman.

Who opposes the bill: John Bryfonski, NH Association of Chiefs of Police; Elizabeth Sargent, NH Association of Chiefs of Police; Anthony Bean Burpee; Richard Stillman; Victoria Lapointe; Gary Fisher; Brenda Fisher; Jeff Sprankle; David Goldstein; Domenic Richardi; Steven Russo; Jeanne McFadden; Mark Chase; Christine; Maille; Bradley Osgood; Bill Alleman; Patrick Sullivan; Doug Hackett; John Parsons; Brian Levesque; Tara Laurent, Greenland PD; David Noyes; Joel Dolan; Holly Estey; David Croft; Dan Lindbom; Christopher Connelly; Robert Krieger; Charles Reynolds; Elizabeth Bielecki, NH DMV.

Who is neutral on the bill: Jeff Oberdank, NH DMV.

Summary of Testimony Presented:

Representative Tony Lekas, Hillsborough 37

- Rep. Lekas said, various cars are not designed to have a front plate. In order to install a front plate, you have to drill into the front bumper to make these changes, but drilling can damage the retail value of the car. Having a front plate can damage the aerodynamics of cars.
- Rep. Lekas said, out of state cars come through NH without a front plate. Prior testimony (in the House) established law enforcement and tolls are not significantly affected by this. State police did have opposition to this.

- Rep. Lekas said, the committee decided to make this bill apply to only antique vehicles, custom vehicles, and street rods. These vehicles are few in number.
- Sen. Birdsell said, I have two questions. What is a custom vehicle and what is considered a street rod?
 - Rep. Lekas said, I just looked it up. The RSA defines it as, “prior to 1949 and modeled for street road use. Not limited to substantial replacement.” There was period of classic street rods/racing cars that existed in the 1940s. Custom vehicles are defined similar, “at least 30 years old and modified from manufacturers design.” Antique is anything over 25 years old.

Representative Peter Torosian, Rockingham 14

- Rep. Torosian testified in support of the bill.
- Rep. Torosian said, this bill is relatively straightforward. It originally intended to allow any vehicle to have one plate, but the house amended it to just allow it for specific cars.
- Rep. Torosian said, nineteen states in the country only require one license plate. We allow them all to drive in NH. We have no problems with those cars.
- Rep. Torosian said, in some vehicles installing a license plate does devalue the vehicle and creates some drag on the vehicle.

Representative Judy Aron, Sullivan 7

- Rep. Aron testified in support of the bill.
- Rep. Aron said, the purpose of license plate is to (1) make sure the vehicle is properly registered; (2) it complies with NH law; (3) it proves the vehicle passed safety inspection; (4) it identifies the vehicle.
- Rep. Aron said, I offered the amendment in the House. This bill is a relief for antique car owners. These cars are typically driven to car shows and not widely used. Owners can use toll booths, so revenue will not be lost. It is unlikely antique cars would be used in criminal activity, so the argument against this bill for identification purposes is not strong.
- Rep. Aron said, the DMV can issue two plates. Then the owner can decide to only use one. Antique vehicles already have special plates anyways.
- Rep. Aron said, please vote OTP on this bill as amended by the House.

Elizabeth Bielecki, NH DMV

- Ms. Bielecki said, the NH DMV opposes this bill. EZ pass has opposed this concept in the past due to law enforcement’s weakened ability to identify vehicles and lost revenue from tolls.
- Ms. Bielecki said, from a transaction perspective, under this bill the DMV would need to sell and issue two plates to all vehicles and leave it up to the owners to apply one or both

plates. If we have to modify the production of plates, it will significantly modify our system.

- Sen. Watters asked, do you need any change in this language to ensure what you propose in charging for and providing two plates?
 - Ms. Bielecki said, the way it is stated a vehicle is “required to display” the plate. It does not hurt to clarify that we will issue both plates and it is the owner’s discretion to apply one or two plates
- Sen. Watters asked, should we reference the statute that clarifies two plates? Could you give us language to do that?
 - Ms. Bielecki said, there are 16,500 vehicles that are considered to be antiques or street rods in NH.
- Sen. Watters said, were moving all electronic tolling, so requiring drives to go through booths is not an option. What is the sense of leakage on out of state folks without front license plates?
 - Ms. Bielecki said she did not know the answer but that she will follow up with DOT for some numbers.
- Sen. Sherman said, if you go through EZ pass without a front plate and do not attempt to go through a toll both, is that a violation?
 - Ms. Bielecki said, I would assume so. I will coordinate an answer for that question.
- Sen. Sherman said, I think driving any of these cars without an EZ pass transponder and without a front plate should be a violation, if it is not already.
 - Ms. Bielecki said, I believe you are correct. I will reach out to DOT to follow up on both questions.
- Sen. Birdsell read from the bill, “director may make special rules...” would that give you the authority to make the decision on two plates?
 - Ms. Bielecki said she did not know the answer. She said, it is more about the design or type of plate.
- Sen. Birdsell asked, if it doesn’t, would that be the area to make the changes to allow you to?
 - Ms. Bielecki said, my only concern is sometimes decisions of whether one or two plates is a legislative policy decision. It may be above our statutory authority.
- Sen. Birdsell asked, but is that where we could put the language?
 - Ms. Bielecki said, it would have to be very specific.

Chief John Drury, Farmington PD and NH Association of Chiefs of Police

- Chief Drury testified in opposition of this bill.
- Chief Drury said, this is an issue for seeing license plate. Without a front plate it is difficult trying to catch plate numbers as cars are speeding by.
- Chief Drury said he supports the House amendment.
- Chief Drury said, please vote ITL on this bill.
- Sen. Watters asked to clarify that Chief Drury and the NH Association of Chiefs of Police were on the record as opposed to this bill.

- *Note: Originally a representative of the NH Association of Chiefs mistakenly signed in support of this bill.*
- Chief Drury said he is in opposition to this bill.
- Sen. Watters said, so making this rarer is better, but you are still opposed?
 - Chief Drury said, yes, when observing a car at night without a front plate we are decreasing our chances of finding that vehicle. Obviously, a hot rod is a little bit easier.
- Sen. Sherman said, there was earlier testimony that it is harder to identify vehicles without front plates. I am surprised 16,500 vehicles in NH fit those classifications. Are you confident that you do not need to see a front plate?
 - Chief Drury said, it would be hard to identify a car if it is backed into a driveway. I would hope we would be able to identify an antique car today. I have a hard time putting a plate on an antique vehicle too.
- Sen. Birdsell asked, do we have data on pulling over antique cars?
 - Chief Drury said, I could tell you that data from Farmington, but not from other departments.

Representative Tom Walsh, Merrimack 24

- Rep. Walsh testified in support of this bill.
- Rep. Walsh said, there was significant support in the original bill, but concerns led us to the amendment. This bill, as amendment, gives relief to the people complaining about this for a long time.
- Rep. Walsh said he would like for this bill to include the cars of people who spend a lot on their cars, such as a Ferraris.
- Sen. Birdsell asked, do you have any data on pulling over custom vehicles?
 - Rep. Walsh said, no.
- Sen. Sherman asked, are cars like Ferraris considered custom?
 - Rep. Walsh said, no.