

HB 1240-FN - AS INTRODUCED

2022 SESSION

22-2564

12/11

HOUSE BILL ***1240-FN***

AN ACT relative to service of process for license suspensions or revocations.

SPONSORS: Rep. Walsh, Merr. 24; Rep. Sykes, Graf. 13; Rep. Gagne, Hills. 13; Rep. Steven Smith, Sull. 11

COMMITTEE: Transportation

ANALYSIS

This bill requires that a notice of driver's license revocation or suspension be sent by first class mail when a summons was not hand delivered by a law enforcement officer. This bill also creates a presumption of service 3 days after the mailing of the notice.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Twenty Two

AN ACT relative to service of process for license suspensions or revocations.

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

- 1 1 Suspension or Revocation for Default. Amend RSA 263:56-a, I(d) to read as follows:
- 2 (d) If a defendant receives a summons in hand from a law enforcement officer, no further
- 3 notification to such defendant is required before the suspension of his **or her** driving privileges
- 4 occurs as provided in subparagraph I(c). If a defendant receives a summons in any manner other
- 5 than in hand by a law enforcement officer, the court or director, as applicable, shall notify such
- 6 defendant by [~~certified mail~~] **first class mail** at his **or her** last known address that [~~his~~] **their**
- 7 driving privileges shall be suspended 30 days after the mailing of such notification. **A defendant**
- 8 **shall be presumed to have been served 3 days after mailing of the notice.**
- 9 2 Effective Date. This act shall take effect 60 days after its passage.

LBA
22-2564
10/26/21

**HB 1240-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to service of process for license suspensions or revocations.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation, as introduced, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2022 through 2025.

AGENCIES CONTACTED:

Department of Safety and Judicial Branch