

Amendment to HB 1188

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT establishing a commission to study OHRV use in the state and clarifying certain
4 towing statutes.
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6 Amend RSA 215-A:44-a, II(14) as inserted by section 1 of the bill by replacing it with the following:

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8 (14) Two members of the public; one of whom shall be appointed by the New
9 Hampshire Association of Conservation Commissions; and one of whom shall be appointed by the
10 North Country Council who shall be an abutter.
11

12 Amend RSA 215-A:44-a, III(f)-(g) as inserted by section 1 of the bill by replacing it with the
13 following:
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15 (f) Positive and adverse effects of OHRV activity upon the state and local economies.

16 (g) The impacts of requiring all rental agents to install speed regulating governors on
17 any OHRV provided to members of the general public for temporary use and the impacts of requiring
18 charging infrastructure near trail heads.
19

20 Amend the bill by replacing all after section 2 with the following:
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22 3 Removal of Abandoned Vehicles by State Police; Requirements for Placement on the Tow List.
23 Amend RSA 106-B:30, IV to read as follows:

24 IV. Any ~~criminal~~ history of **criminal** convictions involving **(i)** a felony against persons or
25 property involving fraudulent activity, aggravated assaults, **or** sex offenses~~[-]~~; **(ii)** burglary, or thefts
26 resulting in a felony conviction within the last 3 years~~[-]~~; **or (iii)** a serious or repetitive motor vehicle
27 violation history ~~[of any]~~ **involving** such individual **or business**, shall be grounds for refusing to
28 place on or removing the **individual or** business from the rotation list.

29 4 Removal of Abandoned Vehicles by State Police; Liens. Amend RSA 106-B:30, XIII to read as
30 follows:

31 XIII. The tow business shall provide reasonable accommodations for after-hours release of
32 personal property in stored vehicles or other related storage once the state police releases any hold

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on personal or other property not affixed to the towed vehicle, and upon payment in full or mutual agreement for payment of all towing and storage fees. The towing of a vehicle at the request of law enforcement shall ~~[grant]~~ **create** a lien to the tow business, equal to the cost of ~~[recovery and storage]~~ **impoundment, recovery, transport, and storage.**

5 Removal of Abandoned Vehicles by State Police; Requirements to Remain on the Tow List.
Amend RSA 106-B:31, IX to read as follows:

IX. Tow companies on the tow list shall not permit any person to drive a wrecker if said person has been convicted for any felony against persons or property involving fraudulent activity, sex offenses, aggravated assaults, burglary, **or** theft resulting in a felony conviction within the last 3 years. No tow company shall permit any person to drive a wrecker if the person is currently subject to probation, parole restrictions, or **a** court order restricting the area the person may or may not be present in at any time.

6 Removal of Abandoned Vehicles by State Police; Confiscated Vehicles; Impoundment. Amend RSA 106-B:33, II to read as follows:

II. ~~[The towing and storage of the vehicle shall be at the expense of the state police.]~~ The wrecker business shall not release the vehicle to anyone unless and until authorized to do so by the trooper who arranged for the hold or a state police officer superior in rank to that trooper, or on an order by the court.

7 Removal of Abandoned Vehicles by State Police; Procedure for Removal and Impoundment.
Amend RSA 262:33, II to read as follows:

II. Whenever a vehicle is towed pursuant to **RSA 262:31-a or** RSA 262:32 the owner or other person lawfully entitled to the possession of the vehicle shall be entitled to recover said vehicle and release of the above lien by payment of all reasonable towing and storage charges. If the owner or other person lawfully entitled to possession of the vehicle wishes to challenge whether there was sufficient grounds for towing and impoundment, he or she may pay over to the custodian of the vehicle an amount equal to the towing and storage charges to secure the release of such vehicle, and, within 15 days of the towing and impoundment, request in writing a hearing.

8 Effective Date.

I. Section 2 of this act shall take effect November 1, 2026.

II. The remainder of this act shall take effect upon its passage.

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2022-1691s

AMENDED ANALYSIS

This bill establishes a commission to study OHRV use in the state and requires the commission to submit annual reports and proposed legislation. This bill also makes changes to certain statutes related to the removal of abandoned vehicles by the state police.