

CHAPTER 8
SB 307 - FINAL VERSION

02/03/2022 0313s

2022 SESSION

22-2936
08/05

SENATE BILL ***307***

AN ACT relative to the issuance of safe boater education certificates and commercial driving instruction.

SPONSORS: Sen. Ward, Dist 8; Sen. Birdsell, Dist 19; Sen. Prentiss, Dist 5; Sen. Giuda, Dist 2; Sen. Watters, Dist 4; Rep. Lang, Belk. 4; Rep. Telerski, Hills. 35

COMMITTEE: Transportation

AMENDED ANALYSIS

This bill allows the commissioner of the department of safety to approve an examination for safe boater education certificates.

This bill also exempts certain commercial driver instructors from licensing requirements so long as they meet federal standards.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the issuance of safe boater education certificates and commercial driving instruction.

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

1 8:1 Issuance of Safe Boater Education Certificate. Amend RSA 270-D:13, I(a) to read as follows:

2 (a) Passes a safe boater education course approved by the commissioner in accordance with
3 the criteria of the National Association of State Boating Law Administrators. A classroom course shall
4 provide a minimum of 8 hours of instruction. Passage of a safe boater education course shall require
5 successful completion of a proctored examination [~~administered by a person authorized by the~~
6 ~~commissioner in accordance with rules adopted by the commissioner~~] ***approved by the commissioner.***

7 The minimum passing grade for the examination shall be 80 percent; or

8 8:2 Drivers' School; Commercial Drivers. Amend RSA 259:26 to read as follows:

9 259:26 Drivers' School. "Drivers' school" shall mean the business of giving instruction, for
10 compensation, in the operation of motor vehicles ***and*** motorcycles[~~and commercial motor vehicles~~].
11 "Drivers' school" shall not include:

12 *I.* A business or other person giving advanced instruction, with or without compensation, when
13 the instruction is not intended to meet the requirements of basic driver training under RSA 263:19 and the
14 instruction is given only to licensed drivers who already hold a license for the class of vehicle for which
15 they are being trained; ***or***

16 *II. A business or other person giving instruction, with or without compensation, for the licensing of*
17 ***commercial drivers, who meets or exceeds any rules promulgated under 49 U.S.C. section 31136 by the***
18 ***Federal Motor Carrier Safety Administration of the United States Department of Transportation.***

19 8:3 License Required. Amend RSA 263:44 to read as follows:

20 263:44 License Required; Fee, Term, Renewal. No person shall engage in the business of
21 conducting a drivers' school, ***as defined by RSA 259:26***, without being licensed therefor by the
22 department. Application therefor shall be in writing and contain such information therein as the
23 department shall require. If the application is approved, the applicant shall be granted a license upon the
24 payment of a fee of \$200; provided, however, that no license fee shall be charged for the issuance of a
25 license to any board of education, school board, public, private, or parochial school, which conducts a
26 course in driver education. A license so issued shall be valid during the calendar year. The annual fee for
27 renewal shall be \$100. The department shall issue a license certificate or license certificates to each
28 licensee, one of which shall be displayed in each place of business of the licensee. In the case of loss,
29 mutilation or destruction of a certificate, the department shall issue a duplicate upon proof of the facts and
30 the payment of a fee of \$1.

31 8:4 Driver Education Certificate. Amend RSA 263:44-a to read as follows:

32 263:44-a Driver Education Certificate.

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I. No person shall be a driver education instructor unless such person has a driver education certificate issued by the department.

II. This section shall not apply to a person giving instruction, with or without compensation, for the licensing of commercial drivers, who meets or exceeds any rules promulgated under 49 U.S.C. section 31136 by the Federal Motor Carrier Safety Administration of the United States Department of Transportation.

8:5 New Subparagraph; Definitions; Private Postsecondary Career School. Amend RSA 188-G:1, II by inserting after subparagraph (m) the following new subparagraph:

(n) Entities giving instruction, with or without compensation, for the licensing of commercial drivers, who meet or exceed any rules promulgated under 49 U.S.C. section 31136 by the Federal Motor Carrier Safety Administration of the United States Department of Transportation.

8:6 Effective Date. This act shall take effect upon its passage.

Approved: March 18, 2022
Effective Date: March 18, 2022