

HB 1607-FN – AS INTRODUCED

2014 SESSION

14-2025  
03/05

HOUSE BILL            ***1607-FN***

AN ACT                relative to limited driving privileges after revocation for certain financial obligations.

SPONSORS:            Rep. S. Sweeney, Hills 23; Rep. Jones, Straf 24

COMMITTEE:          Criminal Justice and Public Safety

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ANALYSIS

This bill authorizes limited driving privileges for eligible child support obligors to facilitate employment.

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                                Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                   relative to limited driving privileges after revocation for certain financial obligations.

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

1           1 New Section; Limited Driving Privilege After Revocation. Amend RSA 263 by inserting after  
2 section 57-a the following new section:

3           263:57-b Limited Driving Privilege After Revocation.

4           I. Notwithstanding any provision of law to the contrary, if a person's license is revoked  
5 under RSA 161-B:11, he or she may petition the court or the department for a restoration of his or  
6 her operator's license with limited driving privileges. To qualify for consideration, the person shall  
7 submit an application that demonstrates the need for the license. Satisfactory evidence of at least  
8 one of the following shall be presented:

9           (a) That the person must operate a motor vehicle as a requisite of the person's  
10 occupation or employment.

11           (b) That the person must operate a motor vehicle to seek employment or to get to and  
12 from a place of employment.

13           II. A license restored under this section shall limit the person's driving privileges:

14           (a) To the times, places, and days determined to be necessary for employment.

15           (b) To times, places, and days that are specifically stated.

16           III. A license restored under this section shall expire not more than 6 months from the date  
17 of restoration and may be extended by the court or the department.

18           IV. A violation of this section or the terms of the license restored under this section shall be  
19 considered a violation of RSA 263:64 and the license shall be revoked.

20           V. The court and the department may recover any costs necessary for the administration of  
21 this section from the petitioner.

22           2 Effective Date. This act shall take effect January 1, 2015.

**HB 1607-FN - FISCAL NOTE**

AN ACT relative to limited driving privileges after revocation for certain financial obligations.

**FISCAL IMPACT:**

The Department of Safety and Judicial Branch state this bill, **as introduced**, may increase state revenue and expenditures in FY 2015 and each year thereafter. There will be no impact on county and local revenue or expenditures.

**METHODOLOGY:**

The Department of Safety states this bill authorizes limited driving privileges for eligible child support obligors to facilitate employment. The Department states this bill would likely result in an indeterminable increase in state highway fund expenditures in FY 2015 for database changes, paper and electronic form changes, training, and possibly the creation of a new type of driver license card. In addition, the Department states this bill allows for it to recover any costs necessary for the administration relative to petitions filed. The Department is unable to estimate the increased costs or potential revenue attributable to this bill.

The Judicial Branch states this bill would essentially create a new case type, a petition of restoration of limited driving privileges for eligible child support obligors to facilitate employment that would be processed similar to a first-time driving while intoxicated offenses, which is a class B misdemeanor. In addition, the bill creates a new violation level offense. The Branch does not have information to estimate how many petitions for limited driving privileges it may receive, or how many additional violation level offenses that may result from this bill, but does have the following average costs per case type in the District Division of the Circuit Court, for informational purposes:

<b>Case Type</b>	<b>FY 2015</b>	<b>FY 2016</b>
Average Violation	\$45.46	\$46.45
Average Misdemeanor B (Petition for Limited Driving Privileges)	\$46.99	\$48.02

The possibility for a case to be appealed increases the cost. All costs are estimated based on case weight information from the last needs assessment completed in 2005. Since the last needs assessment studies there have been changes to the judicial system, such as the formation of the circuit court, more self-represented litigants and how cases are processed, that may impact the costs associated with processing cases. In addition, the Branch states this bill

provides for the court to recover administration costs from the petitioner. The Branch states this may not be cost effective and as any recovery effort, considering the costs of notices, hearings, and accounting, could be greater than the cost of the proceeding giving rise to the recovery.