

CHAPTER 245
SB 305 – FINAL VERSION

01/30/14 0126s
16Apr2014... 1211h

2014 SESSION

14-2821
03/05

SENATE BILL **305**

AN ACT relative to licensure of motor vehicle dealers dealer registrations, and vehicle inspections.

SPONSORS: Sen. Hosmer, Dist 7; Sen. Watters, Dist 4; Sen. Lasky, Dist 13

COMMITTEE: Commerce

AMENDED ANALYSIS

This bill:

- I. Modifies provisions relating to licensing of vehicle dealers.
- II. Authorizes overweight operation of trucks owned by retail vehicle dealers with certification under specified circumstances.
- III. Modifies inspection requirements for newly purchased vehicles.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT relative to licensure of motor vehicle dealers dealer registrations, and vehicle inspections.

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

1 245:1 New Paragraphs; Dealer License; Requirements; Operation Prior to Licensure. Amend
2 RSA 261:103-a by inserting after paragraph VII the following new paragraphs:

3 VIII. The director may require that an applicant for a dealer license attend an instructional
4 class as a requirement for issuance of a license. The class requirement shall be satisfied if the
5 applicant has previously attended the class or the dealership employs a person who attends or has
6 previously attended the class. A licensed franchised dealer, or a nonfranchised dealer who is in good
7 standing as determined by the director, shall not be required to attend a class as a condition of being
8 issued a separate license for a separate place of business.

9 IX. A licensed franchised dealer that has manufacturer approval to operate an existing
10 dealership location that has applied for a dealer license and inspection privileges and is waiting for
11 state approval shall be permitted to operate as a dealership and inspection station. This permission
12 to operate shall be allowed if the dealer submits with the application a sworn statement that the
13 dealer meets or will meet all licensing requirements at the time of license approval. If the
14 application is finally denied, the dealer shall cease operation.

15 245:2 New Paragraph; Use of Dealer Registration; Overweight Trucks. Amend RSA 261:111 by
16 inserting after paragraph VI the following new paragraph:

17 VII. A truck owned by a licensed retail dealer may be driven on a way with a gross vehicle
18 weight in excess of the weight limits specified in RSA 266:18-a without having obtained a
19 certification therefor from the commissioner under RSA 266:18-d if all requirements in this
20 paragraph are met. The truck shall be driven in loaded or unloaded condition only for demonstration
21 purposes or by a customer whose truck is being serviced or repaired by the dealer. No person may
22 use the same truck for a period exceeding 72 hours or more than once in any 12-month period. The
23 dealer shall affix a dedicated dealer registration plate to the truck. Documentation of operation
24 pursuant to this paragraph shall remain with the vehicle at all times while in use. The dealer shall
25 maintain records of operation pursuant to this paragraph for 3 years.

26 245:3 Inspections; Newly Registered Vehicles. Amend RSA 266:1, IV to read as follows:

27 IV. Notwithstanding paragraphs II and III, newly registered vehicles, other than vehicles

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1 transferred to a licensed dealer, OHRVs, snowmobiles, and mopeds, and vehicles, other than vehicles
2 transferred to a licensed dealer, OHRVs, snowmobiles, and mopeds, the ownership of which has been
3 transferred, shall be inspected not later than 10 days after the registration or transfer of ownership
4 of said vehicle. However, if a new vehicle is purchased at retail from a licensed dealer, as defined in
5 RSA 259:18, the vehicle shall be inspected not later than ~~[30]~~ **20** days after the date of transfer. A
6 used vehicle for which a dealer has issued a 20-day plate pursuant to RSA 261:109 shall be inspected
7 by the dealer or an authorized inspection station on behalf of the dealer at the time of the
8 attachment of the plate ***unless a valid inspection sticker issued by the dealer is in place, in***
9 ***which case the vehicle shall be inspected within 20 days or before the sticker expires,***
10 ***whichever occurs first.*** All other expired motor vehicle inspections shall be subject to the 10-day
11 grace period in RSA 266:5.

12 245:4 Effective Date. This act shall take effect 60 days after its passage.

13 Approved: July 21, 2014

14 Effective Date: September 19, 2014