

CHAPTER 243  
HB 584-FN – FINAL VERSION

11Mar2015... 0686h  
05/07/2015 1494s  
24June2015... 2319EBA

2015 SESSION

15-0847  
08/03

HOUSE BILL            ***584-FN***

AN ACT                making various changes to laws relating to motor vehicles and vessels.

SPONSORS:            Rep. Hinch, Hills 21

COMMITTEE:          Transportation

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AMENDED ANALYSIS

This bill:

- I. Allows for refunds of vessel registration under certain conditions.
- II. Defines “maintained for use” in regard to antique motor vehicles and motorcycles.
- III. Requires driver’s license holders and vehicle owners to notify the department of safety of a change of mailing address.
- IV. Removes the requirement to list the driver license applicant’s blood type.
- V. Makes changes to proof required by the department of safety for walking disability placards.
- VI. Allows for refunds or credits from the processing of vanity number plate applications.
- VII. Deposits vanity plate service fee proceeds into the driver training fund minus authorized refunds.
- VIII. Authorizes the recall of improperly issued vanity number plates.
- IX. Changes the definition of “commerce” as it applies to the motor vehicle title.

This bill is a request of the department of safety.

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                                Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT making various changes to laws relating to motor vehicles and vessels.

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

1 243:1 Boat Fee Refunds. Amend RSA 72-A:10 to read as follows:

2 72-A:10 Refund. Once paid, no part of [~~any~~] **the** boat fee shall be refunded.

3 243:2 Boat Registration Refunds. Amend RSA 270-E:5, IV to read as follows:

4 IV. The department may issue refunds **of the state portion of the registration fee** to  
5 registrants in cases where a registrant has inadvertently registered the same vessel twice within the  
6 same registration period or has overpaid a registration fee **or if there is evidence the decals and**  
7 **registration have not been used. Such request shall be submitted within 90 days from the**  
8 **date of registration.**

9 243:3 Antique Motor Vehicle or Motorcycle Definition. Amend RSA 259:4 to read as follows:

10 259:4 Antique Motor Vehicle or Motorcycle. "Antique motor vehicle or motorcycle" shall mean  
11 any motor vehicle, including a truck regardless of its weight, over 25 years old which is maintained  
12 for use in exhibitions, club activities, parades, and other functions of public interest, but not for use  
13 in commerce. **For the purposes of this section, "maintained for use" shall mean a motor vehicle**  
14 **or motorcycle in its original condition or restored to original or better condition and not**  
15 **intended for daily use.**

16 243:4 Change of Address on Driver's License. Amend RSA 263:9 to read as follows:

17 263:9 Notice of Change of Licensee's Name or Address. Whenever any person who has been duly  
18 licensed to drive a motor vehicle within this state shall change his **or her** legal name or his **or her**  
19 permanent residence **or his or her mailing address**, he **or she** shall notify the director in writing  
20 of such change within [~~10~~] **30** days.

21 243:5 Change of Address on Registration. Amend RSA 261:55, I to read as follows:

22 I. Whenever any person after making application for or obtaining the registration of a  
23 vehicle shall move from the address **or change the postal address** named in the application or  
24 shown on a registration certificate or certificate of title, such person shall within [~~10~~] **30** days  
25 thereafter notify the division in writing of his **or her** old and new address.

26 243:6 Deletion of Blood Type on Driver's License. Amend RSA 263:40 to read as follows:

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1           263:40 Form of License. The commissioner shall, upon payment of the required fee, issue to  
2 every applicant a driver's license subject to such conditions as the commissioner may deem expedient  
3 and in such form as the commissioner may prescribe. Licenses issued to persons under the age of 21  
4 shall be designed so that their horizontal and vertical axes are opposite the horizontal and vertical  
5 axes of licenses issued to other persons, and said licenses shall prominently display the date on  
6 which the licensee shall attain the age of 21 years. Consistent with RSA 263:14, the youth operator  
7 license shall expire on the 21st anniversary of the applicant's date of birth, at which time the  
8 applicant shall be issued a traditional license. The license shall bear thereon a distinguishing  
9 number assigned to the licensee and an instant full-face color photograph, image, or likeness of the  
10 licensee. There shall also be provided a space wherein the licensee may [~~enter his or her blood type~~  
11 ~~and a space wherein the licensee may~~] indicate his or her honorable veteran's status for purposes of  
12 identification for receiving benefits and services under New Hampshire law if the licensee so desires.  
13 The license shall bear a special designation or symbol indicating honorable veteran's status for  
14 licensees who indicate such veteran status.

15           243:7 Issuance of Walking Disability Plates and Placards. Amend RSA 261:88, III to read as  
16 follows:

17           III. An applicant for such special plates shall furnish the director with satisfactory proof, as  
18 the director may require, that the applicant meets the requirements of paragraph II. Such proof  
19 must be submitted ***upon application and shall be resubmitted at the time of renewal***  
20 ***registration in the year when the registrant's driver's license or nondriver's identification card***  
21 ***expires or every 5 years in the case where no New Hampshire driver's license or nondriver's***  
22 ***identification card exists*** [~~every 5 years~~] except in the case of a veteran who has been evaluated by  
23 the United States Department of Veterans Affairs to be permanently and totally disabled from  
24 service-connected disability. Such proof shall only have to be made upon initial application.  
25 Satisfactory proof of a walking disability, at a minimum, shall consist of the certification of a  
26 licensed physician, physician assistant, podiatrist, or advanced practice registered nurse that the  
27 applicant has a walking disability, as defined in paragraph I. Upon request and for the fee set forth  
28 in RSA 261:75, I, the director shall exchange special plates for regular plates currently issued to an  
29 applicant who qualifies for special plates.

30           243:8 Expiration of Walking Disability Placard. Amend RSA 261:88, V to read as follows:

31           V. Upon application, the department shall furnish a hanging windshield placard without  
32 charge to a person with a walking disability who satisfactorily furnishes proof of such disability to  
33 the director. Any nonprofit agency serving a person with a walking disability may apply to the  
34 department for a hanging windshield placard. An applicant for such placard shall furnish the  
35 director with satisfactory proof, as the director may require, that the applicant will use the placard  
36 solely for the transportation of a person with a walking disability. The quantity of placards issued

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1 under this paragraph shall be at the discretion of the director. This placard shall meet the  
2 standards set forth in 23 C.F.R. part 1235, appendix A. The removable windshield placard shall be  
3 displayed in such a manner that it may be viewed from the front and rear of the vehicle by hanging  
4 it from the front windshield rearview mirror of a vehicle utilizing a parking space reserved for  
5 persons with disabilities. When there is no rearview mirror, the placard shall be displayed on the  
6 dashboard. A request from any nonprofit agency for a placard shall be approved by the  
7 administrator of the nonprofit agency and any other application for such a placard shall be  
8 accompanied by the certification of a licensed physician, physician assistant, podiatrist, or advanced  
9 practice registered nurse that the applicant has a walking disability as defined in paragraph I. The  
10 placard shall expire ~~[5 years from the date of issuance, and the expiration date shall be noted on the~~  
11 ~~placard.]~~ ***on the date when the applicant's driver's license or nondriver's identification card***  
12 ***expires or 5 years from the date of placard issuance in the case where no New Hampshire***  
13 ***driver's license or nondriver's identification card exists and the expiration date shall be noted***  
14 ***on the placard.*** The placard shall be renewed, upon application on forms provided by the director, if  
15 the director determines that the disability which necessitated the issuance of the placard continues  
16 ***or if the person is a veteran who has been evaluated by the United States Department of Veterans***  
17 ***Affairs to be permanently and totally disabled from a service-connected disability.*** Upon request  
18 of the applicant, the director shall issue one additional placard to the applicant if the applicant does  
19 not have special license plates.

20 243:9 Issuance of Additional Temporary Plate. Amend RSA 261:57-a, I to read as follows:

21 I. The director may issue a temporary registration certificate and temporary number plates  
22 to a new resident who is required to obtain a certificate of title in accordance with RSA 261 upon  
23 payment of the appropriate registration and title fees as provided by RSA 261:141 and RSA 261:20  
24 when the vehicle has been previously registered in a foreign state and the title is held by a foreign  
25 state lien holder. The temporary registration certificate and temporary number plates shall be valid  
26 for 60 days and ~~[shall not be renewed]~~ ***may be renewed once for good cause at the discretion of***  
27 ***the bureau of certificate of title.*** A permanent registration certificate and permanent number  
28 plates shall be issued when the requirements of RSA 261 relative to certificate of title have been met  
29 by the new resident.

30 243:10 Commerce; Definition. Amend RSA 259:12-a, I to read as follows:

31 I. Trade, traffic, ~~[and]~~ ***or*** transportation within the jurisdiction of the United States;  
32 between a place in a state and a place outside of the state, including a place outside the United  
33 States; and

34 243:11 Vanity Plate Processing; Refunds; Credits. Amend RSA 261:89 to read as follows:

35 261:89 Vanity Number Plates. The director is hereby authorized to design and to issue, under  
36 such rules as the director deems appropriate, vanity number plates to be used on motor vehicles in

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1 lieu of other number plates. Such number plates shall be of such design and shall bear such letters  
2 or letters and numbers as the director shall prescribe, but there shall be no duplication of  
3 identification. Such number plates or a changeable designation of the effective period thereof, as the  
4 director shall determine, shall be issued only upon application therefor and upon payment of a  
5 special vanity plate service fee of \$40, said special fee to be in addition to the regular motor vehicle  
6 registration fee and any other number plate manufacturing fee otherwise required by law for the  
7 particular vehicle. Plates shall be renewed on an annual basis for \$40 per set. All special fees  
8 collected under this section shall be paid to the state treasurer and distributed as provided by  
9 RSA 263:52. *Upon rejection of an application for vanity number plates, the director shall*  
10 *refund or credit the collected special vanity plate service fee. The director shall recall any*  
11 *vanity number plates that have been issued which do not conform to applicable law and*  
12 *rules, regardless of when the plates were issued. Any person whose application for vanity*  
13 *number plates has been rejected or whose vanity number plates have been recalled shall be*  
14 *issued a number plate of the same classification as the plate that had been requested or*  
15 *recalled. The prorated by month portion of the special vanity plate service fee shall be*  
16 *refunded or credited to the person whose vanity number plates have been recalled.*

17 243:12 Deposits Into Driver Training Fund. Amend RSA 263:52, I to read as follows:

18 I. The proceeds from original license fees as provided in RSA 263:42 and the vanity plate  
19 service fee collected in accordance with RSA 261:89, plus the fee for the renewal of the use of such  
20 plates, after *any refunding authorized by law and* costs of such plates or designation of effective  
21 periods thereof and issuance of same have been appropriated and deducted, shall be expended for  
22 course materials, licensing of schools, and certification of instructors in connection with safe motor  
23 vehicle driving conducted in or under the supervision of secondary schools. Such balance shall be  
24 kept in a separate fund. The commissioner of safety shall adopt, pursuant to RSA 541-A, and  
25 publish, rules governing the courses of instruction and training.

26 243:13 Effective Date. This act shall take effect January 1, 2016.

27  
28 Approved: July 13, 2015

29 Effective Date: January 1, 2016