

CHAPTER 112  
HB 621-FN – FINAL VERSION

2015 SESSION

15-0299  
03/06

HOUSE BILL            **621-FN**

AN ACT                establishing fines for violations of the “wide berth” laws.

SPONSORS:            Rep. Byron, Hills 20; Rep. Hansberry, Hills 35; Rep. S. Sweeney, Hills 23;  
Rep. Pantelakos, Rock 25; Sen. Carson, Dist 14; Sen. Soucy, Dist 18

COMMITTEE:          Transportation

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ANALYSIS

This bill establishes fines for violations of the laws requiring drivers to give wide berth to highway workers and at highway emergencies.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT establishing fines for violations of the “wide berth” laws.

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

1 112:1 Fine Added. Amend RSA 265:6-a, II to read as follows:

2 II. The driver of a vehicle shall yield the right-of-way to any authorized vehicle obviously  
3 and actually engaged in work upon a highway whenever such vehicle displays emergency lights or  
4 amber warning lights as authorized under RSA 266:78-a through RSA 266:78-q and shall give wide  
5 berth, without endangering oncoming traffic, to highway workers and stationary or moving vehicles  
6 owned by or contracted to state or local highway maintenance departments displaying amber  
7 warning lights. ***Any person violating this paragraph shall be fined \$100 plus penalty  
8 assessment for a first offense and \$200 plus penalty assessment for a subsequent offense in  
9 a 12-month period.***

10 112:2 Fine Added. Amend RSA 265:37-a to read as follows:

11 265:37-a Motorist Duties When Approaching Highway Emergencies.

12 I. When in or approaching an incident involving a fire, collision, disaster, or other emergency  
13 resulting in partial or complete blockage of a highway, or a location where a police officer has made a  
14 traffic stop, every driver other than the driver of an emergency response vehicle, shall:

15 [~~I.~~] (a) Maintain a reduced speed.

16 [~~II.~~] (b) Obey the directions of any authorized person directing traffic and of all applicable  
17 emergency signals and traffic control devices.

18 [~~III.~~] (c) Vacate as soon as possible any lane wholly or partially blocked.

19 [~~IV.~~] (d) Give a wide berth, without endangering oncoming traffic, to public safety personnel,  
20 any persons in the roadway, and stationary vehicles displaying blue, red, or amber emergency or  
21 warning lights.

22 ***II. Any person violating this section shall be fined \$100 plus penalty assessment for  
23 a first offense and \$200 plus penalty assessment for a subsequent offense in a 12-month  
24 period.***

25 112:3 Effective Date. This act shall take effect 60 days after its passage.

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27 Approved: June 8, 2015

28 Effective Date: August 7, 2015