

HB 198-FN - AS INTRODUCED

2023 SESSION

23-0263

02/05

HOUSE BILL

***198-FN***

AN ACT                    modifying the new resident drivers' license transfer requirement.

SPONSORS:            Rep. Prout, Hills. 13; Rep. L. Turcotte, Straf. 4; Rep. Verville, Rock. 2; Rep. T. Lekas, Hills. 38; Rep. Hynes, Hills. 2; Rep. Ankarberg, Straf. 7; Rep. Seaworth, Merr. 12; Rep. Prudhomme-O'Brien, Rock. 13; Sen. Lang, Dist 2

COMMITTEE:          Transportation

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ANALYSIS

This bill would require nonresident drivers who establish residency in New Hampshire to notify the department of safety if they then cease to become residents within 60 days, or if their out of state driver's license expires or is relinquished.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

## STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Three*

AN ACT                    modifying the new resident drivers' license transfer requirement.

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

1            1 Non Resident Who Establishes a Residency in the State. Amend RSA 263:35 to read as  
2 follows:

3            263:35 Nonresident Who Establishes a Residency in the State.

4            ***I.(a)*** Notwithstanding the provisions of RSA 261:44 or any other law to the contrary, any  
5 nonresident driver of a motor vehicle who holds a valid driver's license in another jurisdiction, upon  
6 the establishment of a bona fide residency in this state, shall have a maximum of 60 days from the  
7 date his residency was established to obtain a driver's license issued by the state of New Hampshire.

8            ***(b)*** *An individual subject to subparagraph (a), who ceases to be a resident of*  
9 *this state within 60 days of establishing a bona fide residency and has not yet obtained a*  
10 *driver's license issued by the state of New Hampshire, shall notify the director of their*  
11 *departure from the state.*

12            ***(c)*** *A resident subject to subparagraph (a), whose out-of-state driver's license*  
13 *expires or is relinquished after becoming a resident of this state shall notify the director.*

14            ***II.*** *The director shall notify any individual in violation of paragraph I who is more*  
15 *than 30 days past a deadline provided in this section. The notification shall be sent to the*  
16 *in-state address and out-of-state address, if available.*

17            ***III.*** *The director, for good cause shown, may grant an extension of a deadline in*  
18 *this section to any individual.*

19            2 New Subparagraph; Centralized Voter Registration Database; Information Sharing. Amend  
20 RSA 654:45, IV(b) to read as follows:

21            (b) Voter database record data shall be verified by matching the records with those of  
22 the department of safety and the federal Social Security Administration as are required by law, and  
23 with the records of the state agency or division charged with maintaining vital records. For this  
24 purpose the voter registration record database may be linked to the state agency or division charged  
25 with maintaining vital records and the department of safety, provided that no linked agency or  
26 division may save or retain voter information or use it for purposes other than verifying the accuracy  
27 of the information contained in the voter database. The link authorized by this subparagraph shall  
28 not allow the department of state or election officials direct access to the motor vehicle registration  
29 or driver's license records maintained by the division of motor vehicles; ***provided that such link***  
30 ***shall authorize the department of state to identify voter records with out-of-state driver's***  
31 ***license information where the record cannot be matched to an in-state driver's license***

1 *obtained within the deadline provided in RSA 263:35. The secretary of state shall*  
2 *authorize the release of information from the voter database necessary for the department*  
3 *of safety to notify an individual pursuant to RSA 263:35, II.* The commissioner of safety may  
4 authorize the release of information from motor vehicle registration and driver's license records to  
5 the extent that the information is necessary to department of state and department of safety  
6 cooperation in a joint notification to individuals of apparent discrepancies in their records and to the  
7 extent that the information is necessary to resolve those discrepancies. The commissioner of safety  
8 and the secretary of state are authorized to enter into an agreement that establishes the services to  
9 be provided by the department of safety and the cost for those services. The department of safety  
10 shall not be required to provide any services under this subparagraph unless an agreement is in  
11 place and there are sufficient funds in the election fund to pay the cost for the services. The system  
12 shall facilitate the identification and correction of voter registration records whenever a registered  
13 voter has died or has been disenfranchised pursuant to part I, article 11 of the New Hampshire  
14 constitution or RSA 654:5 through RSA 654:6, or when the domicile address does not match the  
15 address provided by the same individual to the department of safety.

16       3 Effective Date. This act shall take effect 60 days after its passage.

LBA  
23-0263  
12/16/22

**HB 198-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT                    modifying the new resident drivers' license transfer requirement.

**FISCAL IMPACT:**    ☒ State                    ☐ County                    ☐ Local                    ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<b>Funding Source:</b>	<input type="checkbox"/> General <input type="checkbox"/> Education <input checked="" type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Restricted - Cost of Collection/Administration*			

\*Pursuant to Part II, article 6-a of the New Hampshire constitution, any costs associated with the collection and administration of Highway Funds by the Department of Safety shall be deducted by the Department before such funds are credited to the Highway Fund as unrestricted revenue.

**METHODOLOGY:**

This bill would require nonresident drivers who establish residency in New Hampshire to notify the Department of Safety if they then cease to become residents within 60 days, or if their out-of-state driver's license expires or is relinquished. This bill would authorize the Department of State, or election officials, to identify voter records with out-of-state driver's license information that cannot be matched to an in-state driver's license and the Department of State shall authorize the release of information from the voter database necessary for the Department of Safety to notify the individual who has not obtained a New Hampshire Driver's license within 60 days of establishing bona fide residency in the state. The Department of Safety states modifications to its information technology (IT) systems may be required to allow the Department of State to notify them of voter records with out-of-state driver's license information where the record cannot be matched to an in-state driver's license obtained within the deadline provided in RSA 263:35. Ultimately, this bill will increase costs, by an indeterminable amount, to the Department of Safety to make said IT changes, as well as direct costs relative to sending notifications to individuals. Any costs are expected to be incurred in FY 2024 and beyond. The Department of State does not anticipate any additional expenditures relative to this bill.

**AGENCIES CONTACTED:**

Department of Safety and Department of State

