

HB 612-FN - AS INTRODUCED

2021 SESSION

21-0057

11/04

HOUSE BILL                    ***612-FN***

AN ACT                    relative to the penalty for overtaking a school bus.

SPONSORS:            Rep. Telerski, Hills. 35; Rep. Dontonville, Graf. 10; Rep. Horrigan, Straf. 6; Rep. Vail, Hills. 30; Rep. Pickering, Hills. 3; Rep. J. Schmidt, Hills. 28; Rep. Gay, Rock. 8

COMMITTEE:          Criminal Justice and Public Safety

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ANALYSIS

This bill updates the penalties imposed for illegally overtaking or passing a school bus.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                      relative to the penalty for overtaking a school bus.

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

1            1 Motor Vehicles; Rules of the Road; Overtaking and Passing School Bus. Amend RSA 265:54, I-  
2 b to read as follows:

3            I-b. Except as provided in paragraph IV, a person who violates the provisions of paragraph I  
4 shall be guilty of a violation and shall be fined [~~\$150~~] **\$250** plus penalty assessment for a first  
5 offense, and shall be fined [~~not less than \$250 nor more than \$1,000~~] **\$500 plus penalty**  
6 **assessment** for a subsequent offense. In addition, the director [~~may~~] **shall** suspend the person's  
7 license to drive or nonresident driving privilege for a period of 30 days for a second or subsequent  
8 offense.

9            2 Effective Date. This act shall take effect January 1, 2022.

**HB 612-FN- FISCAL NOTE**  
**AS INTRODUCED**

AN ACT relative to the penalty for overtaking a school bus.

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

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	\$0	Indeterminable	Indeterminable	Indeterminable
<b>Expenditures</b>	\$0	\$155,000	\$0	\$0
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input checked="" type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Restricted - Costs of Collections/Administration, Victims' Assistance Fund, Judicial Branch IT Fund			

\*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, effective, January 1, 2022, increases the fine amounts and subsequent license suspension penalties for persons who illegally pass school buses, as well as a mandatory 30-day license suspension for second and subsequent offenses. Any additional fine revenue collected, which is indeterminable as the number of offenses cannot be estimated, if any, would be credited to the highway fund, while additional penalty assessment revenue would be credited to the general fund (66.66%), victims' assistance fund (16.67%), and judicial branch information technology fund (16.67%).

The Department of Safety states this bill will result in one-time expenditures of \$155,000 for system reprogramming changes (\$152,000) and updates to the uniform fine schedule (\$3,000). These costs would likely be incurred in FY 2022.

The Judicial Branch states any additional workload created by this bill would be absorbed without any cost.

**AGENCIES CONTACTED:**

Department of Safety and Judicial Branch