

HB 1426-FN - AS INTRODUCED

2022 SESSION

22-2119
12/11

HOUSE BILL ***1426-FN***

AN ACT eliminating the vehicle inspection mandate for non-commercial vehicles.

SPONSORS: Rep. Conley, Straf. 13; Rep. Craig, Coos 4; Rep. Prout, Hills. 37; Rep.
Santonastaso, Ches. 14; Rep. Rung, Hills. 21; Rep. Torosian, Rock. 14

COMMITTEE: Transportation

ANALYSIS

This bill eliminates the requirement that private passenger vehicles, light trucks, and motorcycles undergo annual equipment inspection to determine whether such vehicles are fit to be driven, provided that such vehicles are not used in the regular course of business.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT eliminating the vehicle inspection mandate for non-commercial vehicles.

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

1 1 Equipment of Vehicles; Inspections Authorized. Amend RSA 266:1, I to read as follows:

2 I. The director ~~may~~ **shall** require the inspection of any vehicle, except ***as provided in***
3 ***paragraph I-a*** or an OHRV, snowmobile, moped, roadable aircraft, or any other vehicle exempted
4 under this chapter, to determine whether it is fit to be driven. Such inspection shall be made at such
5 times and in such manner as the director may specify, subject to the requirements set forth in this
6 section.

7 ***I-a. The director shall not require the inspection of any private passenger vehicle,***
8 ***light truck, or motorcycle, if such private passenger vehicle, light truck, or motorcycle is***
9 ***not used in the regular course of business, to determine whether it is fit to be driven.***
10 ***Inspections of such vehicles shall be limited to inspections of emission control equipment***
11 ***pursuant to RSA 266:59-b.***

12 2 Equipment of Vehicles; Inspection Required. Amend RSA 266:1, III to read as follows:

13 III. If the owner of the vehicle is a company or corporation or other than a natural person,
14 the annual inspection shall be made during the month designated by the director as the registration
15 month for such legal entity. ~~Vehicles registered as antique motor vehicles and antique motorcycles~~
16 ~~and which are 40 years old and over shall be inspected biennially. Antique motor vehicles and~~
17 ~~custom vehicles shall be inspected in the month of April. Without regard to the owner's birth date or~~
18 ~~registration month, motorcycles, autoicycles, and recreational vehicles shall be inspected annually by~~
19 ~~July 1.]~~

20 3 Equipment of Vehicles; Sales of Unsafe Vehicles. Amend RSA 266:8 to read as follows:

21 266:8 Sales of Unsafe Vehicles. A dealer selling a vehicle at retail which, in his judgment, is
22 unsafe for driving upon the ways of this state shall destroy any inspection sticker applied to the
23 windshield thereof and shall within 5 days after said sale file with the department notice of said sale
24 on a form provided by the director and signed by both the purchaser and dealer. A copy of said
25 notice shall be retained by the dealer and a copy shall be delivered to the purchaser. ***This section***
26 ***shall only apply to vehicles required to be inspected pursuant to RSA 266:1, I to determine***
27 ***whether such vehicles are fit to be driven.***

28 4 Repeal. The following are repealed:

29 I. RSA 266:1, V-a, relative to motorcycle only inspection stations.

30 II. RSA 266:1, VII-a(a)(1) relative to motorcycle inspections.

31 5 Effective Date. This act shall take effect 60 days after its passage.

**HB 1426-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT eliminating the vehicle inspection mandate for non-commercial vehicles.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Up to \$720,805 Decrease	Up To \$720,805 Decrease	Up to \$720,805 Decrease
Expenditures	\$0	\$0	Up To \$86,497 Decrease	Up To \$86,497 Decrease
Funding Source:	<input type="checkbox"/> General	<input type="checkbox"/> Education	<input checked="" type="checkbox"/> Highway	<input type="checkbox"/> Other

LOCAL:

Revenue	\$0	\$0	Up To \$86,497 Decrease	Up To \$86,497 Decrease
Expenditures	\$0	\$0	\$0	\$0

METHODOLOGY:

This bill would eliminate the requirement of the vehicle safety inspection for private passenger vehicles, light truck, or motorcycle, if these vehicles are not used in the regular course of business. Inspections for emission control equipment would still be required for these vehicles. It is assumed that inspections stations will rely on the vehicle owner to designate if the passenger vehicle is used in the regular course of business. It is assumed that these vehicles would still require a valid inspection sticker obtained by the inspection station upon completion of a successful OBD inspection. This bill also repeals RSA 266:1, V-a and 266:1, VII-a(a)(1) removing the authority to authorize motorcycle only inspection stations.

Per the Division of Motor Vehicles, inspection sticker transactions would decrease by an indeterminable amount, as there is no mechanism to estimate how many vehicles that do not require On Board Diagnostics (OBD) inspection would still require a safety inspection (as they are used for business purposes). Inspection stickers currently generate a fee of \$3.25 per sticker. Vehicles that no longer require a safety or OBD inspection would not be required to obtain an inspection sticker. State highway fund revenue could potentially decrease as much \$720,805, based on current registration data below, as vehicles that will not require any inspection if not used in business as they are exempted from the OBD inspection requirements:

- 18,853 Antique Vehicles @ \$3.25/sticker = \$61,272
- 86,499 Motorcycles @ \$3.25/sticker = \$281,122
- 116,434 Two-Axel Trucks Weighing 8501+ lbs. @ \$3.25/sticker = \$378,411

Also, pursuant to RSA 235:23 (“Apportionment A”), 12 percent of road toll and motor vehicle fees collected are distributed to municipalities, therefore, under this bill state expenditures and local revenue could decrease by as up to \$86,497 per year, beginning FY 2024.

AGENCIES CONTACTED:

Department of Safety