

CHAPTER 282  
SB 231-FN – FINAL VERSION

02/19/14 0530s  
7May2014... 1602h

2014 SESSION

14-2648  
03/05

SENATE BILL        ***231-FN***

AN ACT            relative to regulation of tractors and utility vehicles.

SPONSORS:        Sen. Woodburn, Dist 1; Rep. Karrick, Merr 25; Rep. Suzanne Smith, Graf 8;  
Rep. Theberge, Coos 3

COMMITTEE:        Transportation

---

AMENDED ANALYSIS

This bill modifies the definition of tractor and the equipment and operation requirements for utility vehicles.

-----

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

**CHAPTER 282**  
**SB 231-FN – FINAL VERSION**

02/19/14 0530s  
7May2014... 1602h

14-2648  
03/05

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fourteen*

AN ACT                   relative to regulation of tractors and utility vehicles.

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

1           282:1 New Section; Agricultural/Industrial Utility Vehicle; Definition. Amend RSA 259 by  
2 inserting after section 2 the following new section:

3           259:2-a Agricultural/Industrial Utility Vehicle. “Agricultural/industrial utility vehicle” shall  
4 mean a vehicle, including an off highway recreational vehicle, with 4 or 6 wheels, an internal  
5 combustion engine or electric motor, or both, but excluding a tractor, equipped in accordance with  
6 the provisions of RSA 261:41-a, III, that is capable of carrying not more than 6 occupants, has a load  
7 capacity of 1,500 pounds or less, and is in use for farming, agricultural, or light industrial uses, and  
8 is limited to ways or portions of ways where such vehicles are allowed and having posted speed  
9 limits of 40 miles per hour or less, within a 10 mile radius from an entrance to land used by the farm  
10 or a 2 mile radius from the entrance to the light industrial complex or construction site, and subject  
11 to any other special conditions established by the government authority controlling the way.

12           282:2 New Section; Light Industrial Use; Definition. Amend RSA 259 by inserting after section  
13 49 the following new section:

14           259:49-a Light Industrial Use. “Light industrial use” shall mean manufacturing and  
15 distribution of products for wholesale or retail use where the operation includes the need for access  
16 to contiguous or nearby warehouses, showrooms, construction sites, or manufacturing facilities  
17 including crossing a way or portion of a way or driving on a way where the route or crossing is  
18 approved by the government authority controlling the way.

19           282:3 Tractor; Definition. Amend RSA 259:108 to read as follows:

20           259:108 Tractor. “Tractor” shall mean:

21           [~~I.~~] any self-propelled vehicle designed or used **for agricultural purposes or** as a traveling  
22 power plant or for drawing other vehicles, but having no provision for carrying a load **other than**  
23 **attached implements such as snowplows, tool boxes, or bucket loaders**, but shall not include  
24 [~~off highway recreational vehicles not designed and equipped for highway use.~~]

25           ~~H. Any low speed utility vehicle. “Low speed utility vehicle” shall mean any vehicle with 4~~  
26 ~~wheels, an internal combustion or electric motor, or both, a load capacity of 1,500 pounds or less, and~~  
27 ~~high pressure tires, that is capable of carrying not more than 2 occupants plus the load, is capable of~~  
28 ~~speeds 30 miles per hour or less on level ground, and is used for agricultural or light industrial use]~~

CHAPTER 282  
SB 231-FN – FINAL VERSION  
- Page 2 -

1 *vehicles used for recreational purposes or agricultural/industrial utility vehicles as*  
2 *defined in RSA 259:2-a.*

3 282:4 New Section; Registration, Equipment, and Inspection of Vehicles; Exemption for Utility  
4 Vehicles. Amend RSA 261 by inserting after section 41 the following new section:

5 261:41-a Registration, Equipment, and Inspection of Vehicles; Exemption for Utility Vehicles.

6 I. An agricultural/industrial utility vehicle, as defined in RSA 259:2-a, if operated upon a  
7 way shall be registered as provided in RSA 261:141, III(dd).

8 II. Any agricultural/industrial utility vehicle, as defined in RSA 259:2-a, shall be exempt  
9 from inspection under RSA 266:1, but shall be subject to inspection by a law enforcement officer at  
10 any time when being operated on a way. Any person operating such a vehicle on a way shall hold a  
11 valid driver's license.

12 III. When operated on a way for purposes other than crossing the way for trail access, any  
13 agricultural/industrial utility vehicle, as defined in RSA 259:2-a, shall be equipped in accordance  
14 with the provisions of RSA 215-A:14 and in addition shall be equipped with at least one red reflex  
15 reflector on the left rear if operated during the hours of darkness; an interior or exterior mirror; a  
16 vehicle identification number that conforms to federal requirements; seatbelts installed at each  
17 designated seating position if originally so equipped; an intact windshield if originally so equipped;  
18 and tires inflated to cold inflation pressure not more than the maximum permissible pressure  
19 molded on the sidewall. Such vehicle shall also be equipped with a slow moving vehicle emblem to  
20 the rear and may be equipped in addition with an amber flashing or rotating light.

21 IV. A motorcycle, trail bike, or agricultural/industrial utility vehicle that meets all the  
22 requirements of an off highway recreational vehicle in RSA 215-A:1, VI shall be used as an off  
23 highway recreational vehicle only when it has a valid OHRV registration issued under the provisions  
24 of RSA 215-A:21.

25 282:5 Utility Vehicles. Amend the subdivision heading preceding RSA 265:160 and RSA 265:160  
26 to read as follows:

Special Rules for ~~[Low-Speed]~~ Utility Vehicles

28 265:160 ~~[Low-Speed]~~ Utility Vehicles; **Operation on Ways Restricted.** No person shall operate  
29 a ~~[low-speed]~~ utility vehicle, ~~[as defined in RSA 259:108, II]~~ **including an agricultural/industrial**  
30 **utility vehicle as defined in RSA 259:2-a, or an off highway recreational vehicle as defined**  
31 **in RSA 259:69**, except on a way where the posted speed limit is ~~[35]~~ **40** miles per hour or less, **and**  
32 **the route or crossing being used is open to such vehicles and at such times and under any**  
33 **other special operating conditions established by the government authority having control**  
34 **of the way. Any person operating or in actual physical control of such a vehicle upon a**  
35 **way shall hold a valid driver's license.** ~~[No person shall operate such vehicle more than 25 miles~~  
36 ~~from the registrant's residence or place of business.]~~

**CHAPTER 282**  
**SB 231-FN – FINAL VERSION**  
**- Page 3 -**

1           282:6 New Section; Utility Vehicles; Crossing of Ways Restricted. Amend RSA 265 by inserting  
2 after section 160 the following new section:

3           265:161 Utility Vehicles; Crossing of Ways Restricted. A person may operate a utility vehicle,  
4 including an off highway recreational vehicle as defined in RSA 259:69, across any way, except for an  
5 interstate highway, toll road, or other multi-lane divided highway where the operation of such  
6 vehicle is not otherwise prohibited by law, but said person shall comply with the following  
7 provisions:

8           I. The crossing shall be made at an angle of approximately 90 degree to the direction of the  
9 public way and at a place where no obstruction prevents a quick and safe crossing; and

10           II. The operator shall bring the vehicle to a complete stop before crossing the shoulder, or if  
11 no shoulder, the public way, before proceeding; and

12           III. The operator shall yield the right of way to all motor vehicle traffic on such public way  
13 which constitutes an immediate hazard to such crossing; and

14           IV. The operator shall possess a valid motor vehicle driver's license or shall have  
15 successfully completed the approved snowmobile or off highway recreational vehicle safety training  
16 course. Persons with a suspended or revoked operating privilege shall not operate a utility vehicle,  
17 including an off highway recreational vehicle across a way.

18           282:7 New Subparagraph; Registration Fees; Agricultural/Industrial Utility Vehicle. Amend  
19 RSA 261:141, III by inserting after subparagraph (cc) the following new subparagraph:

20           (dd) For agricultural/industrial utility vehicles the registration fee shall be 1/3 of the  
21 registration fee determined by the corresponding weight chart specified in subparagraph (g).

22           282:8 Repeal. RSA 266:116, relative to equipment required for low-speed utility vehicles, is  
23 repealed.

24           282:9 Effective Date. This act shall take effect upon its passage.

25  
26 Approved: July 28, 2014

27 Effective Date: July 28, 2014