

HB 241-FN - AS INTRODUCED

2015 SESSION

15-0139
08/10

HOUSE BILL **241-FN**

AN ACT prohibiting driving while holding an animal in the driver's seat.

SPONSORS: Rep. Richardson, Coos 4

COMMITTEE: Transportation

ANALYSIS

This bill prohibits a driver from holding an animal in his or her lap while he or she is operating a motor vehicle.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT prohibiting driving while holding an animal in the driver's seat.

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

1 1 New Section; Motor Vehicles; Operating While Holding Animal in Driver's Lap Prohibited.

2 Amend RSA 265 by inserting after section 105-a the following new section:

3 265:105-b Operating While Holding Animal in Driver's Lap Prohibited.

4 I. A person operating a moving motor vehicle, who holds an animal in his or her lap, is guilty
5 of a violation.

6 II. The fine for a violation of this section shall be \$100.

7 2 Effective Date. This act shall take effect January 1, 2016.

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HB 241-FN - FISCAL NOTE

AN ACT prohibiting driving while holding an animal in the driver's seat.

FISCAL IMPACT:

The Department of Safety and the Judicial Branch state this bill, **as introduced**, will increase state revenues by an indeterminable amount in FY 2016 and each year thereafter, and will increase state general fund expenditures by an indeterminable amount in FY 2016 and each year thereafter. There will be no impact on county and local revenue or expenditures.

METHODOLOGY:

The Department of Safety and the Judicial Branch state this bill establishes a new violation level offense for a person driving with an animal in his or her lap and establishes a \$100 fine for each violation. The Department and the Branch indicate state revenue will increase by an indeterminable amount due to an unknown number of citations issued for the new violation.

The Department of Safety expects highway fund expenditures to increase by \$16,500 relative to programming changes that will be needed in the Department's VISION software to accommodate a new violation code. The Department anticipates it will take 110 hours of labor, at a rate \$150 per hour, to add a new violation code to its VISION software. The Department states there will be no additional enforcement costs associated with the new violation included in this bill.

The Judicial Branch states the impact on general fund expenditures is indeterminable because it does not have information that can be used to estimate how many additional violation level offenses will result from the proposed bill. The Branch estimates the cost to process a routine violation level offense will be \$46.86 in FY 2016 and \$49.01 in FY 2017. Any appeals will result in an increase in expenditures. All costs are estimated based on studies of judicial and clerical weighted caseload times that are more than nine years old for judicial time and more than seven years old for clerical time. Since that timeframe, there have been various changes that may impact the costs, such as the creation of the circuit court, the increase in self-represented litigants, and the implementation of the NH e-Court Project.