



## **New Hampshire Senate** **NEWS RELEASE**

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### **New law clarifies driver's rights to refuse a warrantless search of their vehicles**

CONCORD, NH -- Sen. Harold French (R-Canterbury) issued the following statement today regarding SB 40 being signed into law – legislation clarifying a driver's right to refuse to have their vehicle searched if law enforcement does not have a warrant:

"I believe SB 40 is important for both drivers and members of law enforcement. When someone is pulled over, or otherwise engaged with police regarding their vehicle, there can be confusion on the driver's part regarding their rights. Sometimes drivers agree to warrantless searches because they are often unaware they can say no or they're afraid of what might happen if they refuse. Going forward, if an officer wishes to conduct a warrantless search of a vehicle, and the driver is not under arrest, they must inform the driver of their right to refuse, that refusing does not constitute a basis for probable cause for arrest and that the driver cannot be charged with a crime or detained for simply refusing the search. I am pleased SB40 is law so drivers can make more informed decisions regarding warrantless searches."

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