

SB 681-FN - AS INTRODUCED

2020 SESSION

20-2879

11/01

SENATE BILL **681-FN**

AN ACT relative to excessive vehicle weight.

SPONSORS: Sen. Birdsell, Dist 19; Sen. Watters, Dist 4

COMMITTEE: Transportation

ANALYSIS

This bill provides for additional fines imposed on persons who drive vehicles in excess of a certain percentage of the vehicle's registered weight.

This bill is a request of the department of safety.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty

AN ACT relative to excessive vehicle weight.

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

1 1 New Paragraph; Equipment of Vehicles; Penalty for Overload. Amend RSA 266:25 by
2 inserting after paragraph V the following new paragraph:

3 V-a. Any person who shall drive or cause to be driven on the ways of this state a vehicle
4 whose weight exceeds the total weight for which it is registered under RSA 266:18, RSA 266:18-a, or
5 RSA 266:18-b by 15 percent or more shall be fined an additional \$500 plus penalty assessment.

6 2 Effective Date. This act shall take effect January 1, 2021.

**SB 681-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to excessive vehicle weight.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2020	FY 2021	FY 2022	FY 2023
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	Under \$10,000	\$0	\$0
Funding Source:	<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, and 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 establishes a \$500 fine, plus a \$120 penalty assessment (24% of fine amount), for certain motor vehicles travelling over their exceeded registered weight by 15 percent or more. The Department of Safety states in 2018 there were 732 total citations issued to commercial motor vehicle operators. It is unknown how many of these violations exceeded 15 percent, or how many violations there may be in future years, if any, therefore this bill's impact on state revenue is indeterminable. Under current law, the \$500 fine would go to the highway fund and the \$120 penalty assessment would be split between the general fund (66.66%), victims' assistance fund (16.67%), and Judicial Branch information technology fund (16.67%). The Department also expects any necessary system programming changes would be less than \$10,000 (incurred in FY 2021).

AGENCIES CONTACTED:

Department of Safety