Bill as Introduced

SB 64 - AS AMENDED BY THE SENATE

02/23/11 0300s

2011 SESSION

11-0926 09/05

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SENATE BILL 64

AN ACT removing the oath requirement for criminal complaints filed by police officers.

SPONSORS: Sen. Houde, Dist 5; Rep. Sorg, Graf 3

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill removes the oath requirement for criminal complaints filed by police officers.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 64 - AS AMENDED BY THE SENATE

02/23/11 0300s

11-0926 09/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eleven

AN ACT removing the oath requirement for criminal complaints filed by police officers.

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

1 1 Criminal Complaints. Amend RSA 592-A:7, I to read as follows:

I. Criminal proceedings before a district court shall be begun by complaint, signed and under oath, addressed to such court, briefly setting forth, by name or description, the party accused and the offense charged, provided that a complaint filed by a police officer, as defined in RSA 188-F:23, I, for a violation-level offense or misdemeanor shall not require a signature or an oath. [Any complaint filed-electronically] All complaints shall include notice that making a false statement on the complaint may result in criminal prosecution.

8 2 Effective Date. This act shall take effect upon its passage.

Amendments

Rep. Sorg, Graf. 3 Rep. Giuda, Merr. 7 Rep. LaCasse, Sull. 4 Rep. Weber, Ches. 2 May 2, 2011 2011-1696h 09/04

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Amendment to SB 64

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1	Amend the title of the bill by replacing it with the following:
2	Amena me and of me bin by replacing it with the following.
3 4 5	AN ACT removing the oath requirement for class B misdemeanor criminal complaints filed by police officers.
6	Amend the bill by replacing all after the enacting clause with the following:
7	
8	1 Criminal Complaints. Amend RSA 592-A:7, I to read as follows:
9	I. Criminal proceedings before a district court shall be begun by complaint, signed and under
10	oath, addressed to such court, briefly setting forth, by name or description, the party accused and the
11	offense charged, provided that a complaint filed by a police officer, as defined in RSA 188-F:23, I, for
12	a violation-level offense or a class B misdemeanor shall not require [a signature or] an oath. [Any
13	complaint] All complaints filed [electronically] by a police officer shall include the officer's
14	signature and printed name and notice that making a false statement on the complaint may
15	result in criminal prosecution.
16	2 Warrants. Amend RSA 592-A:8 to read as follows:
17	592-A:8 Warrants. A justice of the peace or justice of the district [or municipal] court, upon such
18	complaint when signed under oath, may issue a warrant for the arrest of the person so charged
19	with an offense committed or triable in the county, directed to the sheriff of any county or his deputy
20	or to any constable or police officer of any town in the county.
21	3 Criminal Complaints. Amend RSA 592-A:7, I to read as follows:
22	I. Criminal proceedings before a [district] circuit court shall be begun by complaint, signed
23	and under oath, addressed to such court, briefly setting forth, by name or description, the party
24	accused and the offense charged, provided that a complaint filed by a police officer, as defined in RSA
25	188-F:23, I, for a violation-level offense or a class B misdemeanor shall not require [a signature
26	or] an oath. [Any-complaint] All complaints filed [electronically] by a police officer shall include
27	the officer's signature and printed name and notice that making a false statement on the
28	complaint may result in criminal prosecution.
2 9	4 Warrants. Amend RSA 592-A:8 to read as follows:
30	592-A:8 Warrants. A justice of the peace or justice of the [district or-municipal] circuit court

Amendment to SB 64 - Page 2 -

upon such complaint when signed under oath, may issue a warrant for the arrest of the person so
charged with an offense committed or triable in the county, directed to the sheriff of any county or
his deputy or to any constable or police officer of any town in the county.

5 Contingency. If HB 609-FN of the 2011 legislative session becomes law, sections 3 and 4 of this act shall take effect January 1, 2012 and sections 1 and 2 of this act shall not take effect. If HB 6 609-FN does not become law, sections 1 and 2 of this act shall take effect January 1, 2012 and 7 sections 3 and 4 of this act shall not take effect.

8 6 Effective Date. This act shall take effect January 1, 2012.

Amendment to SB 64 - Page 3 -

2011-1696h

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AMENDED ANALYSIS

This bill removes the oath requirement for class B misdemeanor criminal complaints filed by police officers. The bill also requires a police officer filing a criminal complaint to sign the complaint.

Hearing Minutes

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON SENATE BILL 64

BILL TITLE: removing the oath requirement for criminal complaints filed by police officers.

DATE: April 5, 2011

LOB ROOM: 208 Time Public Hearing Called to Order: 10:35 am

Time Adjourned: 11:05 am

(please circle if present)

Committee Members: Reps. Rower Sorg, Souza, Hagan, Silver Andolina, Giuda, LaCasse) McClarren, Murphy, Palmer, Peterson, Iregenza, Wheaton, Wall, Potter, Weber and Watrous.

Bill Sponsors: Sen. Houde, Dist 5; Rep. Sorg, Graf 3

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Sen. Houde, sponsor, introduced the bill.

Oath requirement for Police Officer. Department of Safety and Judicial Brach request file of the bill. Electronic filing clarifies scope to which this applies misdemeanor of felony. All complaints could lead to criminal offense.

Hon. Edwin W. Kelly, New Hampshire District Court, Family Division - supports 145,000 criminal cases; 100,000 violation complaints had to be signed and sworn to. Involves the courthouse, clerk of court, lots of time. Violation did not need signature or oath. Working towards e-tickets and all complaints elect5onically. 1) Finally get ready for e-filing; 2) streamline work in court clerk's office. Make more efficient. Applies to police officers.

* Atty. Chris Casco, Department of Safety, supports

Ease administrative burden of police and courts without changing rights of people. Utilize e-tickets more quickly, officer back to patrolling quicker. Makes tickets easier and clearer to read.

Respectfully Submitted,

Rep. Lenette M. Peterson, Clerk

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON SENATE BILL 64

BILL TITLE: removing the oath requirement for criminal complaints filed by police officers.

4-5-11 DATE:

208

LOB ROOM:

Time Public Hearing Called to Order:

am /0; 35 11:05

Time Adjourned:

(please circle if present)

Committee Members: Reps. Row, Sorg Souza, Hagan, Silva) Andelina, Guuda, LaCasse, McClarren, Murphy, Palmer, Peterson Tregenza, Wheaton, Wall, Potter, Weber and Watrous.

Bill Sponsors: Sen. Houde, Dist 5; Rep. Sorg, Graf 3

TESTIMONY

Sen. Houde - Oath requirement for Policie Office. Dept Safety/ + Sudicial Branch request file of bill. Electronic Filing Clarify scope to which This applies Misd. /felony. All Use asterisk if written testimony and/or amendments are submitted. complainte could lead to criminal offense. Ed Kelk, - (5) 145,000 criminal caser 100,000 Violation compaints had to be signed + Sworn to. Involves The court house, clerk of court, los of time. Violation didn't need signature or out. Respectfully Submitted,

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Rep. Lenette M. Peterson

Working towards E-tickets and all complaints electron-Ically. I finally getready for E- Fling 2) stream line work in Court Cherk's office. Make office more efficent. Applies to Police Officers.

Chris Casico () Pase amin. burden of Police + Courts w/o changen Dept. Safety Fights of people. Utilize E-tickets more quickly, officer back patrolling quicker. Makes tickets easier + clearier to read.

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Sub-Committee Minutes

HOUSE COMMITTEE ON JUDICIARY

SUBCOMMITTEE WORK SESSION ON SENATE BILL 64

BILL TITLE: removing the oath requirement for criminal complaints filed by police officers.

DATE: April 26, 2011

Committee Members: Reps. Sorg, Chairman, Giuca, LaCasso and Weber,

<u>Comments and Recommendations</u>: Wording of proposed amendment agreed to. Rep. Sorg will cause OLS to draft it for presentation to the full Judiciary Committee. No further meeting of the subcommittee is considered necessary or was scheduled.

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

M. Sorg, Chairman Gregory

HOUSE COMMITTEE ON JUDICIARY

SUBCOMMITTEE WORK SESSION ON SENATE BILL 64

removing the oath requirement for criminal complaints filed by police officers. BILL TITLE:

DATE: April 26, 2011

Committee Members:

Reps/Sorg, Chairman, Giuda LaCasse, and Weber

Comments and Recommendations:

Worden; of proposed amendment agreed to. Rev Sory will cause OLS to draft it, for meanhatton to the full great -ceases Commather. No further meeting of the subcommittee is considered necessary of war excluduled.

Amendments:

Sponsor: Rep.	OLS Document #:
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OTP, OTP/A, ITL, Retained (Please circle one.) Motions:

Moved by Rep.

Seconded by Rep.

Vote:

OTP, OTP/A, ITL, Retained (Please circle one.) Motions:

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep.

Subcommittee Chairman/Clerk

Testimony



[This bill removes the oath requirement for criminal complaints filed by police officers.]

Current law does not require police officers when they issue criminal complaints and traffic tickets to submit the tickets to the court after signing them and taking an oath before a Justice of the Peace if the offense charged is a violation-level offense, which is the least serious classification of offenses in the Criminal Code. This bill would extend that provision to all offenses, not just violations.

What this would enable is the electronic processing of complaints submitted by the police to the court system. It would greatly streamline the process at both ends – on the road and at the police station for the law enforcement agency, and at the courthouse for the court staff. It would also be a convenience to the citizens because it would allow the electronic issuance of traffic tickets meaning the motorist who was stopped by the police and issued a ticket would be minimally inconvenienced and on their way much quicker, and the citizens would also benefit because the officer would not be tied up as long and would be able to resume his duties that much sooner after the stop.

The Highway Safety Agency has federal grant funds available to cover the purchase of scanners for State and Local police cruisers that would enable a Trooper or local Police Officer who stops a motorist and is going to issue a ticket, to scan the motorist's driver license and registration barcode, call up a facsimile of a traffic ticket on the in-car computer screen, fill out the ticket and print it on an in-car printer and deliver it to the motorist, all within a very short period of time, as opposed to handwriting or hand printing the ticket with multiple carbons before he or she can give a copy to the motorist. The motorist will be on their way sooner and the officer will be back on patrol sooner.

Meanwhile, the ticket will be simultaneously transmitted via the police telecommunications system to the police station, DMV, and the court. It will be electronically entered into the police department's filing system, the DMV's record system and the court's docketing system. Not only will this save clerical work at all 3 places, but it will eliminate the errors and extra labor that occurs whenever someone at the DMV or the courts cannot read the officer's writing or printing, which occurs frequently. When this happens, sometimes the clerks take a guess at a name and the ticket is posted erroneously against another driver's record or a record is established for a non-existent person. If the clerk does not take a stab at the name, this means trying to decipher the name of the officer that wrote the ticket from what is often an illegible signature, then contacting that officer, who may be working rotating shifts and trying to get him or her to interpret the name of the defendant from his or her copy of the ticket.

This bill in no way relieves officers of the obligation to be truthful and correct in what they put on the ticket or court complaint, and in fact the complaint will contain a notice that if the officer makes a false that enter the complaint it can result in his or her prosecution for a crime.

Both the Department of Safety and the Administrative Office of the Courts support this bill, as does the N¹⁻ Supreme Court.



State of New Hampshire Judicial Branch District Court and Family Division

Edwin W. Kelly, Administrative Judge District Court and Family Division

Permanency Planning Coordinator Kristin A. Lamont, Esq.

Domestic Violence Specialist Elizabeth Paine, Esq. Family Division Administrators: Gina B. Apicelli, Esq. Brigette Siff Holmes, Esq.

District Court Administrators: Pamela Kozlowski, Esq. Paula Hurley, Esq. Patrick Ryan, Esq.

April 6, 2011

Representative Robert H. Rowe, Chairman House Judiciary Committee Room 208, Legislative Office Building Concord, NH 03301

Dear Representative Rowe:

During the hearing on Senate Bill 34, Representative Giuda asked whether parties in any actions other than guardianships over minors were required to pay the cost of service of orders of notice on the other parties. I repeated my belief that this was the practice and agreed to provide follow-up information.

In the family division the party filing the petition is required to pay the cost of service in the following cases:

<u>Divorce/Legal Separation</u> – certified mail or sheriff service <u>Parenting Petitions</u> (custody) – certified mail or sheriff service <u>Termination of Parental Rights</u> filed by one parent against another – sheriff service or, in the case of abandonment by one parent, publication in a newspaper

In the district court the party filing the action is required to pay the cost of service on the opposing party in the following cases:

<u>Civil Writs</u> – sheriff service <u>Landlord Tenant</u> – sheriff service <u>Order of Notice on Civil Payments</u> – sheriff service

> PO Box 389, Concord, New Hampshire 03302-0389 (603) 271-6418

Representative Robert Rowe April 5, 2011

Page Two

I hope this adequately responds to the question of the committee. However, please do not hesitate to contact me should you have further questions.

Very truly yours,

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Edwin W. Kelly Administrative Judge

EWK:lc

c: Representative J. Brandon Giuda

PSI Group, Inc. (781) 297-3770 17004-12

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FINDING: Guilty Not Guilty Dismissed
SENTENCE;
Fine of \$amt. suspended \$ PA \$ PA Susp.
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Commitment suspended upon payment of \$
Commitment suspended (see conditions below)
Commitment to mandatory 10 consecutive 24-hour periods: 3 at the House of Correction; 7 at the multiple DWI offender intervention detention center.
Commitment to consecutive 24-hourperiods (mandatory not less than 30) at the House of Correction. Defendant shall complete at own expense a 28-day treatment program before license privileges may be restored.
 □ Conditional Discharge after months □ Unconditional Discharge □ Ordered □ Recommended Defendant's license (rights) to operate motor vehicle be □ suspended □ revoked for a period of
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□ Case continued for sentence □ Complaint placed on file □ with
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Defendant failed to appear. Bail forfeited \$
Bench warrant to issue
Bail to be determined by Bail Commissioner \$
Bail Set By Court \$

□ APPEAL:□ Bail \$□ Committed □ PROBABLE CAUSE: Date □ Hearing Waived
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OFFICER'S NOTES FOR TESTIFYING IN COURT

Please note facts and circumstances in addition to those checked on face of complaint that is: 1. Any specific action of violator which increased the hazard of the violation; 2. Where violation observed and where contact made; 3. Total distance traveled during pursuit; 4. Statements by violator and general attitude; 5. Place of Employment.

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Docket#	TN#	
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THE UNDERSIGNED COMPLAINS THAT THE DEFENDANT: (Please Print)]
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being m.p.h. Contrary to RSA 265:60.	
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Director of Motor Vehicles. Contrary to RSA 266:5. did fail and neglect to have said vehicle registered in accordance with law. Contrary to RSA 261:4)
C Other	-
CONTRARY TO RSA Against the peace and dignity of the State.	•
PAVEMENT: Dry DWet Dice Snow TRAFFIC: Dight DMedium DHeavy DAccident Resulting	
WEATHER: C Rain C Snow C Ice Fog Clear Cloud	1
Dept. Complainant Badga No	-
SERVED IN HAND	
DOS/COURT DSMV 428 (Rev. 01/09) DS Nº 692501	

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PLEA: Guilty Not Guilty Change of Plea Not Guilty to Guilty	
FINDING: Guilty Not Guilty	Dismissed
Valver of Counsel and Rights Acknowled	for the defendant
Continued from to	by
Continued from toto	by
SENTENCE: Fine of \$ amount suspended \$ (amount suspended on condition	s stated below)
Time Payment: Ordered Becommended defendant's license (suspended revoked for a period of Defendant placed on probation for a period of Case continued tor sentence Complaint pl	(privileges) to operate a motor vehicle be
Other	
	normanut, attended to a attended and an approximation of the same second
DEFAULT: Fine \$ P.A.\$ Admin. Fee [] Impose Defendant failed to [] appear on	ed \$ waived Total \$ pay on
Bench Warrant: Ordered (date) is	
bail to be Determined by Bail Commissioner	\$
Bail set by Court \$ PR / CASH /	' SURETY
Recommend license suspension	Justice Signature
APPEAL: To Superior Court (De Novo thals only): To Superior Court: To be perfected within 30 (. The Defendant appeals. days or sentence will be invoked.
Default Date	Justice Signature
Conviction Date	Justice Signature
Original abstract forwarded (date)	

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Docket #	and the second se		8
COMPLAINT (V	IOLATIONS ONLY)		
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A You MUST come to count to answer this complaint.	rt et o'clock AM/P	Al onyr	
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STATE OF	" NEW HAMPSHIRE,	Grafton County	1
	MOUTH DISTRICT	COURT !	
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	PERMOUTH, MAIO	3284	ļ
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Traveling at a rate of	m.p.h., the same beir	ng hexcess of the maximum la	wful speed
limit of 65 m.p.h.	stop the said vehicle for a cenal		
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	nave the said vehicle inspected stes, contrary to RSA 266:5.	in accordance with the regula	lions of the
	ave said vehicle registered in acc	cordance with law. Contrary to F	ISA 261:40
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<u>CO</u>	MPLAINT (VIOLATIONS ONLY)
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You withi	do NOT have to court but must answer this complaint to Court listed below 1 30 (thinty) days from issuance: Date of issuance:
R You to an	MUST come to court at o clock AM/PM on yr swer this complaint
	STATE OF NEW HAMPSHIFE, Gratton County
	STATE OF NEW HAMPSHIFE, Graton County PLYMOLITH DISTRICT COURT
	PLYMOLITH DISTRICT COLLET
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INSTRUCTIONS

Unless for have been instructed to come to Court in period, you MUST answer this complaint prior to Unity (39) days from the date of Issuance shown on the front of the cummons, OH:A PENALTY WILL APPLY. If you are pleading "Chilly" of "Holo Contenders" year may answer the nonplaint by mail, telephone with a treat card for you may be sonally appear at the Oppariment of Salety. Division of Motol Vehiclos Flyancial Responsibility Section, 20 March Dave, Concord, NH 03305 at the Guilly" plas must be a writing. The Office is open 3:15 mm. to 4:15 p. ct., Monulay through Fruity, Eastern Standard Time exceeding to ket; s

INDICATE YOUR PLEA SELECT ONE.

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TO PAY YOUR FINE (Quilty and Noto Contenders pleas only) - Cherks or money arters mate out to State of New Kampshire - MV' in the total amount ut your and may be mailed in the coll-addressed envelope attached to paid to pasce. Do not send cash through the mail U.S. Funds only. Vise, MasterCurd, American Express, and Discover may be used by calling 1-600-272-0069, within the United States. Have this form and credit card in hand when calling. Hours of operation are Monday - Endey, 8.15 pm - 4.15 pm Eastern Standard Tune.

Any plea that ments in a conviction may result in additional administrative appendentuluing licensi. Summarision.

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REPORT OF ACTION ON CASE

COURT /	CTION:		JUDG	E	مريني ففيتعلي		 · · · · · · · · · · · · · · · · · · ·
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License Action

OFFICER'S NOTES FOR TESTIFYING IN COURT

Please note facts and circumstances in addition to those checked on face of complaint that is. 1. Any specific action of violator which increased the hazard of the violation, 2. Where violation observed and where contact made; 3. Total distance traveled during pursuit; 4. Statements by violator and general attitude; 5. Place of employment.

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DEPARTMENT OF SAFETY

Notice of Fine - Division of Motor Vehicles

UNIFORM FINE SCHEDULE

REVISED AUGUST, 2008

ATTENTION OPERATOR

You have been charged with an offense for which a uniform line has been established by the courts. (RSA 502-A:19-b). The amount of your line has been written on the tace of the complaint by the Law Enforcement Officerwho issued your summons.

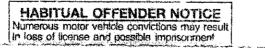
Offic	erwho issue	d your summons. MOTOR VEHICLE VIOLATIONS	
	07 A 71 I 7	OECENCE	E INTE
1)	STATUT 261:82	Agricultural Plates (20 mile radius exceeded)	FINE § 43.20
2)	263:1-a	Allowing Improper Person to Operate Vahiole	MUST APPEAR
3)	265:11-a	Avoiding Traffic Signat	72.00
4)	265:143-152	Bicycle and Moped Violations	28.80
5)	265:106	Carrying Passengers in a Truck	144.00
6)	263:9	Change of Address (License)	43.20
7)	261:55	Change of Address (Registration)	43.20
8)	265:107-a	Child Restraints	50.00
9)	265:107-a	Child Restraints (2nd Offense)	100.00
10)	265:99	Coasting Prohibited	100.00
11)	265:78	Competitive Bicycle/Moped Racing	144.00
12)	265:13	Control Signals - Lane Use	57.60
13)	265:36 (IV)	Crossing Diagonally - No control signals (Pedestrians)	28.80
14)	265:101	Driving over a Fire Hose without Consent	57.60
15}	265:26	Crossing a Median	150.00
16)	262:16 (III)	Display of False inspec/Reg Sticker	115.20
17)	265:26-a	Driving upon Sidewalk	115.20
18)	265:82	Driving White Intoxicated (1st Offense) (2nd Offense = MISDEMEANOR)	MU\$T APPEAR
19)	266:27-74	Equipment Violations (Auto)	43.20
20)	266:85-89	Equipment Violations (Bicycles/Mopeds)	28.80
21)	266:76-78	Equipment Violations (Motorcycles)	43.20
22)	266:27-74	Equipment Violations (Trucks)	72.00
23)	265:32	Failure of Entering Traffic to Yield	72.00
24)	265:29	Failure of Traffic Turning Left to Yield	72.00
25)	265:8 (VII)	Failure of Pedestrian to Yield to Emergency Vehicta	72 00
26)	265:36	Failure of Pedestrian to Yield to Traffic	57,60
27)	265:114	Failure to Dim Lights	43 20
28)	265:112	Failure to Display Parking Lights	43.20
29)	265:17	Failure to Keep Right	75.00
30)	265:23	Failure to Keep Right - One-way/Rotary	100.00
31)	265:64	Failure to Maintain Minimum Speed	57.60
32)	265:3	Failure to Obey Police Officer (Directing Traffic)	100.00
33)	265:48	Failure to Obey Bairoad Signals (1st Offense) (2nd Offense in 12 months = MISDEMEANOR)	144.00
34)	264:31	Failure to Report Injury of Dog Failure to Stop at HR Crossing (1st Offense) (2rd Offense in 12 months = $MSDEMEANOR$) Failure to Turn on Lights when Required	57 60
35)	265:49-50		100.00
36)	266:31		43.20
37)	265:45	Failure to Use Required Turn Signals	43.20
38)	265:30	Failure to Yield at Stop or Yield Sign	72.00
39)	265:6-a	Failure to Yield (Highway construction)	57.69
40)	265:53	Failure to Yield (From alley/driveway)	57.60
41)	265:33	Failure to Yield to Emergency Vehicie	72.00
42)	265:11 (f)	Failure to Yield to Pedestrian in Crosswalk et Traffic Light	86.49
43)	265:35	Failure to Yield to Pedestrian in Crosswalk (Other)	57.60
44)	265:28	Failure to Yield to Traffic on Right (Intersection)	57.60
45)	265:39	Failure of Pedestnan to Yield to Traffic on Roadway	72.00
46)	261:73	False Statements; re: Resident'o Tax	72.00
47)	261:84	Farm Registration Plates (Illegal use)	57 60
48)	265:12	Flashing Signais	72.00
49)	265;100	Following Fire Truck Teo Closery (500 4.)	86.40
50)	265:25	Following Too Closely	100.00
51)	260.52 (V)	LFT.A. License Not Obtaining (Commandial Trucks, 1st Offense)	144.00
52)	260:52 (VIII)	LETLA, Licence, Not Displaying (Commercial Trucks)	72.00
53)	265:6 9 (I)(j)	Handicapped Parking	300.00
54)	265:51	Heavy Studpmani at RR Crossing (fot Officinse) (2nd Officinse in 12 monutes = MICDEL/EANOR)	144.00
55)	265-94	Improper Backing on Intensiste/Unsafe Backing	150.00
58)	265:57	Improper Operation of School Bus	250.00
57)	265:108	Improper Towing	72.00
58)	265:42	Improper Turning	57.60
59)	261:61	Improper Use of Registration	1 30.00
60)	265:16	Interference with Traffic Control Devices	1 50.00
61)	265:102	Littering	288.00
62)	261:117	Loaning Plates Prohibited (Transporter)	86.40
63)	201:108	Loaning Plates Prohibited (Deater)	86.40
64)	261;122	Loaning Plates Prohibited (Utally)	144 MO
65)	265:8 (IV)	Misuse of Emergency Lights (Emergency Vehicles)	86 40
66)	261:176	Misuse Failure to Display Plates	150.00
D	EFENDAN	T OVER DSILV 428	3 (19 67), 01/09)
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	STATUTE	OFFENSE	FINE	۲ ۱
67) 68)	261:138 265:56	Misuse of Repair Plates Misuse of School Bus Stans	56.40	•
69)	265:120-1,11 & 11	Riding upon motorcycles	72.00 75.00	
70)	265:98	Mountain Driving Violatione	43.20	4
71)	265:95	Obstruction to Driver's View	75.00	
72)	265:81	Open Container	MUST APPEAR	1
73)	265:81	Open Container, 2nd Olfense	MUST APPEAR	į
74)	265:96	Opening Closing Vehicle Doors	57 60	
75)	263:33	Operating Moped Without a Driver License	72.00	
76)	263:30	Operating Motorcycle Without Motorcycle License	100.00	4
77)	263:13	Operating in Violation of Restricted License	72.00	1
78)	263:4	Operating With More than One Valid License	72.00	2
79)	263:92	Operating Without Correct Class of License (CCL)	100.00	•
80)	263:1	Operating Without Valid License (2nd Offense = MISDEMEANOR)	MUST APPEAR	
81)	269:14	Original and Youth Operators License	MUST APPEAR	
82)	263:14	Original and Youth Operators License (subsequent)	MUST APPEAR	大型
83)	265:39	Pecestrian on Roadway	43.20	
84)	261:59	Possession of Registration Required (48 hours to produce)	72.00	
85)	265.79	Recidess Operation	MUST APPEAR	1
86)	265:113	Reflector Lights and Flares Required	43.20	
87)	263:85	Resident-Failure to Optain NH License (Within 60 days)	57.60	
88)	265:27	Restricted Access Violation	66.40	•
89)	265:97	Riding in Trailers	43.20	
90)	265:10 (III)	Right Turn on Red Prohibited	43.20	
91)	261:85	Ski Area Plates (Ski area purposes, 3 miles)	57.60	÷.
92)	265:40	Soliciting Rida/Pedestrian on Umited Access Highway	43.20	
93)	265:66	Special Speed Limitations	57.60	
94) 95) 96)	265:60 265:60 265:60	SPEED (55 mph or under timit) Speeding 1-10 over limit Speeding 11-15 over limit Speeding 16-20 over limit	50.00 75.00 160.00	: ; [
97)	265:60	Speeding 21-25 over limit	200.00	
98)	265:60	Speeding 26+ over limit	MUST APPEAR	
99) 100) 101) 102)	265:60 265:60 265:60 265:60	SPEED (65 mph limit) Speeding 1-5 over 65 mph limit Speeding 6-10 over 65 mph limit Speeding 11-15 over 65 mph limit Speeding 16-20 over 65 mph limit	65.00 100.00 150.00 250.00	
103)	265:60	Speeding 21-25 over 65 mph limit	350.00	ł
104)	265:60	Speeding 26+ over 65 mph imit	MUST APPEAR	
105)	265:60	Speeding (Existing Road Conditions)	MUST APPEAR	
106)	265:6-a (III)	Speeding (Highway Construction or Maintenance Zone)	300.00 OR MUST APPEAR	
107)	265:60	Śpeeding (School Zone)	86.40	
108)	265:31	Stop Sign/Yield Sign	100.00	
109)	265:69	Stopping/Standing/Parking Prohibited	43.20	
110)	266:75	Television Forward of Driver's Seat or Where Visible to Driver	72.00	
111)	265:9	Traffic Control Devices	72.00	
112)	265:43	Turning on Curve or Hill	57.60	
113)	265:72	Unattended Vehicle	43.20	
114)	266:5	Uninspected Vehicle	60.00	
115)	265:21	Unlawful Driving to the Left of Center Line	72.00	ĺ
116)	266:9-16	Unlawful Height/Width/Length	144.00	
117)	265:20	Unlawful Passing on the Left	72.00	
118) 119) 120)	265:19 265:115 265:117	Unlawful Passing on the Right Unlawful Transportation of Explosives Unlawful Transportation of Hazardous Materials (1st Offense) (2nd Offense = MISDEMEANOR)	57.60 MUST APPEAR MUST APPEAR	
121) 122) 123) 124) 125)	261:40 265:44 265:79-a 265:22 263:64 (VII)	Unregistered Vehicle Unsafe Lane Change Effective 01/01/2001: Vehicular Assault (MISDEMEANOR) Veliow line violation Driving After Revocation or Suspension (1st Offense) (2nd Offense = MISDEMEANOR)	100.00 72.00 MUST APPEAR 100.00 MUST APPEAR	
126) 127) 128)	26618 266:18a 266:18b	Weight Violation, Interstate and Detense Highway System Weight Violation, Non-Interstate and General Highway System Weight Violation, Non-Interstate and General Highway System (For vehicles with additional registration)	120.00 MUST APPEAR MUST APPEAR	

You have been charged with an offense for which no fine amount is shown on the Fine Schedule. You must still follow the instructions given on the back of the (pink) summons, but **do not** include any payment when you mail in your Summons. If you decide to plead Guilty or No Contest, you will be notified of the amount of your fine by mail.

* Fine amounts represent the standard fine and penalty assessment normally imposed by the Court. The Court, however, may assess a different fine, may reject your plea and may order you to appear in person to answer to the offense charged.

New Hampshire is a member of the Non-Resident Violator Compact. If you fail to answer the Summons and are an out-of-state driver, the registry in your state will be notified and your driver's license may be suspended.



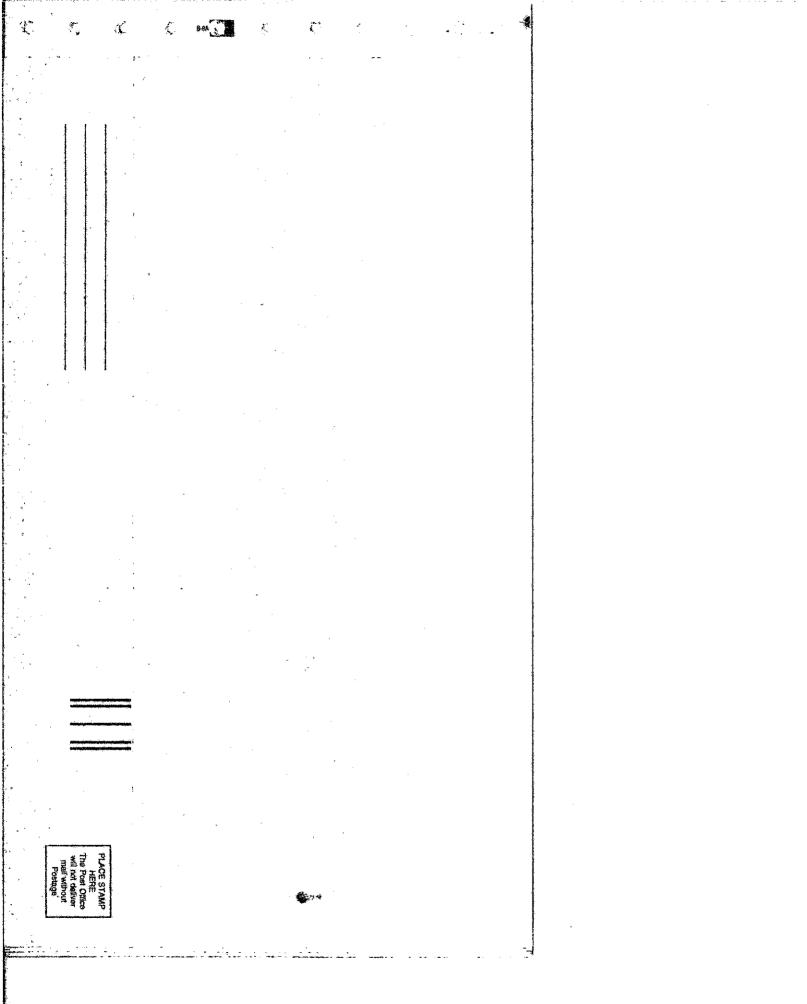
HAVE YOU READ AND COMPLETED THE BACK OF THE PINK FORM?

FOLD AND TEAR THIS PORTION OFF BEFORE MAILING

HAVE YOU ENTERED A PLEA AND ENCLOSED YOUR PAYMENT?

FINANCIAL RESPONSIBILITY SECTION - PBM N.H. DEPARTMENT OF SAFETY P.O. BOX 3838 CONCORD NH 03302-3838

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Voting Sheets

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on SENATE BILL 64

BILL TITLE:removing the oath requirement for criminal complaints filed by police officers.DATE:May 3, 2011

LOB ROOM: 208

Amendments:

Sponsor: Rep. Sorg, Giuda, LaCasse, Weber	OLS Document #:	2011	1696h
Sponsor: Rep.	OLS Document #:		
Sponsor: Rep.	OLS Document #:		

Motions: OTP OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Sorg

Seconded by Rep. Weber

Vote: 16-0 (Please attach record of roll call vote.)

Motions: OTP/A, UTL, Interim Study (Please circle one.)

Moved by Rep. Sorg

Seconded by Rep. Weber

Vote: 16-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: (Y

IDAR VOTE: YES NO

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent:

Refer to Committee Report

Respectfully submitted,

Rep. Lennette M. Peterson, Clerk

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on SENATE BILL 64

removing the oath requirement for criminal complaints filed by police officers. BILL TITLE: May 3, 2011 DATE:

LOB ROOM: 208

Amendments: 📯

Sponsor: Rep. Sorg, biuda, La Casse, Weber OLS Document #: 2011-16966 QLS Document #: Sponsor: Rep. OLS Document #: Sponsor: Rep.

OTP, OTP/A, ITL, Interim Study (Please circle one.) Motions:

> Moved by Rep. Sorg Seconded by Rep. Weber

(Please attach record of roll call vote.) 16-CVote:

Motions:

OTP, OTP/A ITL, Interim Study (Please circle one.)

Moved by Rep. $\int 0 \cap S$ Seconded by Rep. Weber

Vote:

(Please attach record of roll call vote.) 16 - 0

CONSENT CALENDAR VOTE YES NO

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent:

Refer to Committee Report

Respectfully submitted,

Rep. Lennette M. Peterson, Clerk

OFFICE OF THE HOUSE CLERK

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Bill #: SB 64 Title: Movine The	Le oath requir	inent for Caimin
PH Date: 5 13 12011 Complete	nt filed by po Exec Session	n Date://
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Motion: $OTP/A / 6966$ MEMBER	Amendment YEAS	.#: NAYS
Rowe, Robert H, Chairman	1	
Sorg, Gregory M, V Chairman		
Souza, Kathleen F		······································
Hagan, Joseph M	<u></u>	<u></u>
Silva, Peter L		
Andolina, Donald C	· · ·	
Giuda, J. Brandon		
LaCasse, Paul D		
McClarren, Donald B	. /	· · · · · · · · · · · · · · · ·
Murphy, Brian JX		
Palmer, Barry J		
Peterson, Lenette M, Clerk	\checkmark	
Tregenza, Norman A	~	
Wall, Janet G		
Potter, Frances D	······	
Weber, Lucy M		
Watrous, Rick H	V	
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TOTAL VOTE: Printed: 4/6/2011	14	U)

Committee Report

CONSENT CALENDAR

May 11, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on JUDICIARY to which was referred SB 64,

AN ACT removing the oath requirement for criminal complaints filed by police officers. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Gregory M Sorg

FOR THE COMMITTEE

Original: House Clerk Cc: Committee Bill File

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COMMITTEE REPORT

Committee:	JUDICIARY
Bill Number:	SB 64
Title:	removing the oath requirement for criminal complaints filed by police officers.
Date:	May 11, 2011
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS WITH AMENDMENT

STATEMENT OF INTENT

This bill seeks to amend RSA 592-A:7 by expanding the offenses that can be initiated by the unsworn complaint of a police officer to include not just violationlevel offenses as under present law, but misdemeanors as well. The purpose of the bill is to address the difficulty frequently encountered, particularly in rural areas or late at night, in locating notaries or justices of the peace before whom to attest. The Committee was sympathetic with the desire for convenience, but wanted to prevent possible abuses. Accordingly, as amended by the Committee, the proposed expansion is limited to class B misdemeanors (the penalties for which do not allow for imprisonment), and requires the complaint to be signed by the officer and to contain a warning that the officer's making a false statement on the complaint could result in his or her criminal prosecution. The Committee amendment also amends RSA 592-A:8 to make clear – consistent with Article 19 of Part I of the New Hampshire Constitution, that a complaint used as the basis of an arrest warrant must continue to be signed under oath.

Vote 16.0.

Rep. Gregory M Sorg FOR THE COMMITTEE

Original: House Clerk Cc: Committee Bill File

CONSENT CALENDAR

JUDICIARY

SB 64, removing the oath requirement for criminal complaints filed by police officers. OUGHT TO PASS WITH AMENDMENT.

Rep. Gregory M Sorg for JUDICIARY. This bill seeks to amend RSA 592-A:7 by expanding the offenses that can be initiated by the unsworn complaint of a police officer to include not just violation-level offenses as under present law, but misdemeanors as well. The purpose of the bill is to address the difficulty frequently encountered, particularly in rural areas or late at night, in locating notaries or justices of the peace before whom to attest. The Committee was sympathetic with the desire for convenience, but wanted to prevent possible abuses. Accordingly, as amended by the Committee, the proposed expansion is limited to class B misdemeanors (the penalties for which do not allow for imprisonment), and requires the complaint to be signed by the officer and to contain a warning that the officer's making a false statement on the complaint could result in his or her criminal prosecution. The Committee amendment also amends RSA 592-A:8 to make clear — consistent with Article 19 of Part I of the New Hampshire Constitution, that a complaint used as the basis of an arrest warrant must continue to be signed under oath Vote 16-0.

Original: House Clerk Cc: Committee Bill File

COMMITTEE REPORT
COMMITTEE: Judiciary
BILL NUMBER: SO 64
TITLE: removing the ath requirement for
Cumina complaintalfiled by plice officers
DATE: $5 - 1/-1/$ CONSENT CALENDAR: YES NO
OUGHT TO PASS
OUGHT TO PASS W/ AMENDMENT Amendment No.
INEXPEDIENT TO LEGISLATE
INTERIM STUDY (Available only 2 nd year of biennium)

STATEMENT OF INTENT:

SB 64 Ought to Pass as Amended

Rep Gregory M. Sorg for the Majority of Judiciary:

This bill seeks to amend RSA 592-A:7 by expanding the offenses that can be initiated by the unsworn complaint of a police officer to include not just violation-level offenses as under present law, but misdemeanors as well. The purpose of the bill is to address the difficulty frequently encountered, particularly in rural areas or late at night, in locating notaries or justices of the peace before whom to attest. The Committee was sympathetic with the desire for convenience, but wanted to prevent possible abuses. Accordingly, as amended by the Committee, the proposed expansion is limited to class B misdemeanors (the penalties for which do not allow for imprisonment), and requires the complaint to be signed by the officer and to contain a warning that the officer's making a false statement on the complaint could result in his or her criminal prosecution. The Committee amendment also amends RSA 592-A:8 to make clear – consistent with Article 19 of Part I of the New Hampshire Constitution, that a complaint used as the basis of an arrest warrant must continue to be signed under oath.

Vote: 16-0

COMMITTEE VOTE: 16-8 RESPECTFULLY SUBMITTED, • Copy to Committee Bill File • Use Another Report for Minority Report Rev. 02/01/07 - Yellow