

LEGISLATIVE COMMITTEE MINUTES

SB22

Bill as Introduced

SB 22 - AS INTRODUCED

2013 SESSION

13-0375

08/10

SENATE BILL **22**

AN ACT exempting small trailers from inspection requirements; allowing marine dealers to inspect boat trailers; and deleting a reference to highway enforcement officers.

SPONSORS: Sen. Rausch, Dist 19; Sen. Gilmour, Dist 12; Rep. Graham, Hills 7; Rep. Campbell, Hills 33

COMMITTEE: Transportation

ANALYSIS

This bill:

- I. Deletes a reference to highway enforcement officers.
- II. Exempts small trailers from inspection requirements.
- III. Allows marine dealers to inspect boat trailers.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT exempting small trailers from inspection requirements; allowing marine dealers to inspect boat trailers; and deleting a reference to highway enforcement officers.

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

1 1 Highway Patrol and Enforcement Officers. Amend RSA 266:1-a to read as follows:

2 266:1-a ~~[Highway Patrol and Enforcement Officers]~~ ***State Police Duties Relative to Vehicle***
3 ***Inspection.***

4 I. The ***director of the division of state police, with the approval of the*** commissioner of
5 safety shall ~~[establish a force of highway patrol and enforcement officers]~~ ***assign a suitable***
6 ***complement of state troopers*** to assist the director ***of motor vehicles*** in enforcing the motor
7 vehicle inspection laws and rules. A ~~[highway patrol and enforcement officer appointed by the~~
8 ~~commissioner]~~ ***state trooper assigned*** pursuant to this section shall have the powers of a peace
9 officer, certified under RSA 188-F:26, and shall have as ~~[his or her]~~ ***a*** primary function ***statewide***
10 enforcement duties related to the inspection process, including inspection station auditing,
11 investigation of alleged inspection station malfeasance, rejected vehicle follow-up, and sticker
12 monitoring. A ~~[highway patrol and enforcement officer appointed]~~ ***state trooper assigned*** under
13 this section shall have the authority to enter any motor vehicle inspection station authorized under
14 RSA 266:1, during the station's business hours, to fulfill his or her duties, and shall be assigned
15 other enforcement duties as determined by the commissioner.

16 II. The commissioner shall furnish suitable equipment to a ~~[highway patrol and enforcement~~
17 ~~officer]~~ ***state trooper***, as the commissioner deems necessary, to ~~[distinguish the officer as an~~
18 ~~individual acting in an official capacity. A highway patrol and enforcement officer appointed by the~~
19 ~~commissioner pursuant to this section shall be directly responsible to the director and shall be a~~
20 ~~classified employee]~~ ***carry out his or her duties under this section.***

21 2 New Section; Inspection of Trailers and Boat Trailers; Exemptions. Amend RSA 266 by
22 inserting after section 1-a the following new section:

23 266:1-b Inspection of Trailers and Boat Trailers, Exemptions.

24 I. Notwithstanding any law or rule to the contrary, trailers of 10,000 pounds or less gross
25 vehicle weight rating not used in interstate commerce shall be exempt from periodic vehicle
26 inspection requirements, but shall be subject as other vehicles are to periodic roadside inspection by
27 law enforcement officers to determine that they have the proper required and fully functional safety
28 equipment.

29 II. The director may authorize properly qualified marine dealers holding utility dealer
30 registrations to inspect boat trailers of more than 10,000 pounds gross vehicle weight, to determine

SB 22 - AS INTRODUCED

- Page 2 -

1 whether they are fit to be driven, and to issue inspection stickers, under rules adopted for this
2 purpose pursuant to RSA 541-A. This section shall not apply to full trailers as defined in
3 RSA 259:37-a or semi-trailers as defined in RSA 259:98, and shall not prohibit other official
4 inspection stations from inspecting boat trailers.

5 3 Effective Date. This act shall take effect 60 days after its passage.

SB 22 - AS AMENDED BY THE SENATE

02/14/13 0110s

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SENATE BILL

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COMMITTEE: Transportation

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 14 RSA 266:1, during the station's business hours, to fulfill his or her duties, and shall be assigned
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 22 a the following new section:

23 266:1-b Inspection of Trailers, Exemptions.

24 I. Notwithstanding any law or rule to the contrary, trailers of 10,000 pounds or less gross
 25 vehicle weight rating not used in interstate commerce shall be exempt from periodic vehicle
 26 inspection requirements, but shall be subject as other vehicles are to periodic roadside inspection by
 27 law enforcement officers to determine that they have the proper required and fully functional safety
 28 equipment.

29 II. The director may authorize properly qualified dealers holding utility dealer registrations

SB 22 - AS AMENDED BY THE SENATE

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1 to inspect trailers of more than 10,000 pounds gross vehicle weight, to determine whether they are
2 fit to be driven, and to issue inspection stickers, under rules adopted for this purpose pursuant to
3 RSA 541-A. This section shall not apply to full trailers as defined in RSA 259:37-a or semi-trailers
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5 trailers.

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CHAPTER 127
SB 22 – FINAL VERSION

02/14/13 0110s

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13-0375
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SENATE BILL

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AN ACT

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Sen. Rausch, Dist 19; Sen. Gilmour, Dist 12; Rep. Graham, Hills 7; Rep. Campbell, Hills 33

COMMITTEE:

Transportation

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CHAPTER 127
SB 22 - FINAL VERSION

02/14/13 0110s

13-0375
08/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

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1 127:1 Highway Patrol and Enforcement Officers. Amend RSA 266:1-a to read as follows:

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3 ***Inspection.***

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CHAPTER 127
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4 as defined in RSA 259:98, and shall not prohibit other official inspection stations from inspecting
5 trailers.

6 127:3 Effective Date. This act shall take effect 60 days after its passage.

7

8 Approved: June 25, 2013

9 Effective Date: August 24, 2013

Amendments



Amendment to SB 22

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT exempting small trailers from inspection requirements; allowing qualified dealers
4 to inspect trailers; and deleting a reference to highway enforcement officers.
5

6 Amend the bill by replacing section 2 with the following:

7

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9 a the following new section:

10 266:1-b Inspection of Trailers, Exemptions.

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2013-0110s

AMENDED ANALYSIS

This bill:

- I. Deletes a reference to highway enforcement officers.
- II. Exempts small trailers from inspection requirements.
- III. Allows qualified dealers to inspect trailers.

Committee Minutes

**SENATE CALENDAR NOTICE
TRANSPORTATION**

Senator Jim Rausch Chairman
 Senator Peggy Gilmour V Chairman
 Senator David Boutin
 Senator Nancy Stiles
 Senator David Watters

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/>	Bill Status
<input type="checkbox"/>	Docket
<input type="checkbox"/>	Calendar
Proof: <input type="checkbox"/>	Calendar <input type="checkbox"/> Bill Status

Date: January 17, 2013

HEARINGS

Tuesday

1/22/2013

TRANSPORTATION

LOB 103

1:00 PM

(Name of Committee)

(Place)

(Time)

EXECUTIVE SESSION MAY FOLLOW

<p>1:00 PM SB21</p> <p>1:15 PM SB29</p> <p>1:30 PM SB22</p> <p>2:00 PM SB32</p> <p>2:30 PM SB20</p>	<p>making technical corrections to the International Registration Plan.</p> <p>relative to the motorist service signing program.</p> <p>exempting small trailers from inspection requirements; allowing marine dealers to inspect boat trailers; and deleting a reference to highway enforcement officers.</p> <p>relative to Selective Service registration upon driver's license application or renewal.</p> <p>making modifications to the DWI ignition interlock program.</p>
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Sponsors:

SB21

Sen. Jim Rausch

SB29

Sen. Jim Rausch

SB22

Sen. Jim Rausch

SB32

Sen. Sharon Carson
 Rep. Jeanine Notter

SB20

Sen. Jim Rausch

Sen. Peggy Gilmour

Sen. Sam Cataldo
 Rep. Lars Christiansen

Sen. Peggy Gilmour

Rep. John Graham

Sen. John Reagan

Sen. David Boutin

Rep. David Campbell

Rep. David Lundgren

Rep. Candace Bouchard

SENATE TRANSPORTATION COMMITTEE

Jennifer Horgan, Legislative Aide

SB 22 – exempting small trailers from inspection requirements; allowing marine dealers to inspect boat trailers; and deleting a reference to highway enforcement officers.

Hearing Date: 01/22/13

Time Opened: 1:39pm

Time Closed: 1:53pm

Members of the Committee Present: Senators Rausch, Boutin, Stiles, Watters

Members of the Committee Absent: Senator Gilmour

Bill Analysis: This bill:

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- III. Allows marine dealers to inspect boat trailers.

Sponsors: Sen. Rausch, Dist 19; Sen. Gilmour, Dist 12; Rep. Graham, Hills 7; Rep. Campbell, Hills 33

Who supports the bill: Senator Rausch, Senator Gilmour, Earl Sweeny (Asst. Commissioner, DOS), Rick Bailey (Director, DMV), Ryan Crawford (NH Marine Trades), John Irwin (NH Marine Trades), Ed Crawford (NH Marine Trades), Ryan Crawford (NH Marine Trades)

Who opposes the bill: No one

Summary of testimony presented in support:

Senator Rausch

- Started out as allowing marine dealers to inspect trailers and everyone he knew did not realize that they had to have their boats inspected. He brought that to the attention of the Asst. Commissioner and DOS decided to change the requirement to 10,000lbs or more.

Rick Bailey (DMV, presented position paper)

- This cleans up of the regulations of the Department in that there are references to the Highway Enforcement Officers, which was disbanded in 2007. All of its duties have been taken on by other divisions.
- Trailers that weigh or carry less than 10,000lbs (small boats, utility trailers, and snowmobiles, non-commercial) do not cause a large safety risk and most are unaware that they need to be inspected.
- The Department met with the Marine Trades Association and they learned that the dealers give you a form that says your trailer is unsafe because it has not been inspected.
- There are not clear processes for how to inspect a trailer and it is not being enforced.
- Larger trailers/commercial truckers are aware that they need to have inspections and some federal requirements come into play, so there are no problems there.
- This will allow mechanics to have the authority to inspect the trailers and people will be able to have it inspected on the dealer lot.

Ryan Crawford (NH Marine Trades)

- They have worked with Director Bailey and this seemed to be best for everyone. Want to keep boat sells in NH strong and abide by the rules.

Senator Boutin asked Director Bailey if when they have to get it inspected is addressed in rules.

- The requirement is there for annual inspections and this would make for only over 10,000lbs and this would allow us to implement it in rules.
- Senator Boutin asked where it says it is an annual requirement.
 - It is in a different section.

Senator Stiles asked how we would let boat owners know about this.

- Director Bailey said that they already required by law to have it done. With commercial drivers they have no problems. They have not envisioned a type of information dispersal, but could pass it out in their annual promotional information.

Summary of testimony presented in opposition:

- None

Fiscal Note: N/A

Future Action: The Committee took the bill under advisement.

JCH

Date hearing report completed: 1/23/13

[file: SB22 report]

Speakers

Testimony

NH DEPARTMENT OF SAFETY

LEGISLATIVE POSITION PAPER

HB ___ SB_22_ AS INTRODUCED () AMENDMENT NO. ____

This bill was introduced at the request of the Department of Safety to address a problem that was brought to our attention by the Marine Dealers, but it also contains a provision about Highway Enforcement Officers that we requested to be included in the bill.

Section 1 of the bill deals with Highway Enforcement Officers. They no longer exist. The Bureau of Highway Enforcement at DMV was disbanded in 2007 and the Highway Enforcement Officers were transferred into State Police and became Troop G, the commercial vehicle enforcement troop and the troop that provides liaison to support the DMV. When the force of Highway Patrol and Enforcement Officers was disbanded in 2007 nobody thought to change RSA 266:1-a, which still requires the Commissioner of Safety to delegate Highway Enforcement Officers to assist the DMV Director in operating the motor vehicle safety inspection program. Obviously this law is no longer needed, but there is a need to ensure that someone from State Police carries on the duties that these people had. Therefore this bill amends RSA 261:1-a to delete the references to Highway Patrol and Enforcement Officers and provides that the Director of State Police with approval of the Commissioner of Safety will assign and equip a suitable complement of State Troopers (which is what we did with Troop G) to assist the DMV Director in enforcing the motor vehicle inspection regulations.

The second section of the bill addresses the problem of the marine dealers. Most people do not even realize that the law requires trailers, even small utility trailers to be inspected. Lots of people unknowingly violate this law every year. There is no indication that a significant number of trailers are causing accidents due to having faulty safety equipment. However, when a marine dealer sells a boat it usually comes with a trailer. The marine dealer has to tell his new customer that he or she must bring the boat to a regular car and truck inspection station and get it inspected. Many regular car and truck inspection stations do not want to be bothered with inspecting a trailer and if they are busy they may refuse to do so and the new boat owner has to hunt around to find someone who will inspect his trailer.

Most small boat trailers have a gross vehicle weight rating of 10,000 lbs. or less. This bill exempts trailers with 10,000 lbs. or less gross vehicle weight rating from the periodic vehicle inspection requirements provided they are not used in interstate commerce but still allows a police officer to pull them over and check them to be sure they are safe. The bill also allows properly qualified marine dealers holding utility dealer plates to inspect trailers of more than 10,000 lbs. gross vehicle weight rating, but not the large semi-trailers that are part of a tractor/trailer rig. This will allow the mechanics that work for a boat dealer to be trained and when a marine dealer sells a large boat and trailer, the customer will be able to get it inspected before he or she drives it off the dealer's lot, and will not have to spend time hunting around for someone who will inspect the trailer.

We believe this is a pro-business and pro-consumer bill that creates a "win/win" situation for everyone.

APPROVED:

Earl M. Sweeney

Assistant Commissioner

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Date: 01/30/13

THE COMMITTEE ON Transportation

to which was referred Senate Bill 22

AN ACT . exempting small trailers from inspection requirements;
allowing marine dealers to inspect boat trailers; and
deleting a reference to highway enforcement officers.

Having considered the same, the committee recommends that the Bill:

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 0110s

CONSENT CALENDAR VOTE: 5-0

Senator Peggie Gilmour for the Committee

This bill and amendment are at the request of the Department of Safety to exempt trailers under 10,000lbs from inspection requirements, allow qualified dealers to inspect trailers and delete a reference to highway enforcement officers. It will permit for the department's statutes and procedures to be updated and appropriate.

Jennifer Horgan 271-3091

New Hampshire General Court - Bill Status System

Docket of SB22

Docket Abbreviations

Bill Title: (New Title) exempting small trailers from inspection requirements; allowing qualified dealers to inspect trailers; and deleting a reference to highway enforcement officers.

Official Docket of SB22:

Date	Body	Description
1/3/2013	S	Introduced and Referred to Transportation; SJ 4
1/17/2013	S	Hearing: 1/22/13, Room 103, LOB, 1:30 p.m.; SC5
1/31/2013	S	Committee Report: Ought to Pass with Amendment # 2013-0110s , NT, 2/14/13; Vote 5-0; CC; SC8
2/14/2013	S	Committee Amendment 0110s, NT, AA, VV
2/14/2013	S	Ought to Pass with Amendment 0110s, NT, MA, VV; OT3rdg; SJ 5
3/27/2013	H	Introduced and Referred to Transportation; HJ31 , PG.1073
4/8/2013	H	Public Hearing: 4/23/2013 1:15 PM LOB 203
5/1/2013	H	Executive Session: 5/14/2013 10:45 AM LOB 203
5/15/2013	H	Committee Report: Ought to Pass for May 22 (Vote 16-0; CC); HC39 , PG.1262
5/22/2013	H	Ought to Pass: MA VV; HJ43 , PG.1471
5/29/2013	H	Enrolled; HJ45 , PG.1527
5/30/2013	S	Enrolled
6/27/2013	S	Signed by the Governor on 06/25/2013; Chapter 0127; Effective 08/24/2013

NH House

NH Senate

Other Referrals

COMMITTEE REPORT FILE INVENTORY

SB22 ORIGINAL REFERRAL _____ RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

DOCKET (Submit only the latest docket found in Bill Status)

COMMITTEE REPORT

CALENDAR NOTICE

HEARING REPORT

_____ HANDOUTS FROM THE PUBLIC HEARING

PREPARED TESTIMONY AND OTHER SUBMISSIONS

SIGN-UP SHEET(S)

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

- AMENDMENT # 0110s _____ - AMENDMENT # _____
_____ - AMENDMENT # _____ _____ - AMENDMENT # _____

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED _____ AS AMENDED BY THE HOUSE
 FINAL VERSION AS AMENDED BY THE SENATE

_____ OTHER (Anything else deemed important but not listed above, such as amended fiscal notes): _____

DATE DELIVERED TO SENATE CLERK

7/23/13


BY COMMITTEE AIDE