

LEGISLATIVE COMMITTEE MINUTES

SB398

Bill as Introduced

SB 398 - AS INTRODUCED

2018 SESSION

18-2734
03/01

SENATE BILL

398

AN ACT

relative to information contained in certain motor vehicle records.

SPONSORS:

Sen. Watters, Dist 4; Sen. Carson, Dist 14; Sen. Lasky, Dist 13; Sen. Birdsell,
Dist 19; Rep. Wall, Straf. 6

COMMITTEE:

Transportation

ANALYSIS

This bill allows access to records of motor vehicle accidents by authorized legal representatives.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to information contained in certain motor vehicle records.

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

1 1 Release of Motor Vehicle Accident Reports. Amend RSA 260:14, VII-a(a) to read as follows:

2 (a) Copies of reports of motor vehicle accidents prepared by the agency, and filed with
3 the division pursuant to RSA 264:25 and RSA 264:26, to an owner, operator, or passenger of a
4 vehicle involved in said accident, pedestrian hit by a vehicle in said accident, owner of property
5 damaged in said accident, [ex] the insurance company of any of the foregoing parties, **or the**
6 **authorized legal representative of any of the aforementioned.** Such agency may charge a
7 reasonable fee therefor, to be deposited into the general fund of said political subdivision.

8 2 Conduct After Accident. Amend RSA 264:25, I to read as follows:

9 I. The driver of a vehicle who knows or should have known that he or she has just been
10 involved in any accident which resulted in death, personal injury or damages to property, shall
11 immediately stop such vehicle at the scene of the accident and give to the driver or owner of any
12 other vehicle involved in said accident, and to any person injured, and to the owner of any property
13 damaged, the driver's name and address, the driver's license number, the driver's or owner's
14 insurance provider and policy information, if applicable, the registration number of the vehicle, and
15 the name and address of each occupant. If by reason of injury, absence or removal from the place of
16 the accident, or other cause, such injured person, or driver of such other vehicle, or owner of the
17 property damaged, or any of them, is unable to understand or receive the information required in
18 this section, such information shall be given to any uniformed police officer arriving at the scene of
19 the accident or immediately to a police officer at the nearest police station. Police officers receiving
20 such information, and other employees of such officers' law enforcement agencies, shall be
21 authorized to provide that information to such injured persons, drivers, [ex] owners, **or the**
22 **authorized legal representative of such injured persons, drivers, or owners.** Any person
23 driving a vehicle which is in any manner involved in an accident or any person who owns a vehicle
24 which was illegally parked when it was involved in an accident shall within 15 days after such
25 accident report in writing to the division the facts required hereunder together with a statement of
26 the circumstances if any person is injured or killed, or if damage to property is in excess of \$1,000,
27 unless the accident is investigated by a police officer, in which case a report filed by such officer
28 shall satisfy the requirements of this section; provided, however, that any person not otherwise
29 required by this paragraph to file a report, who owns a vehicle which was involved in an accident,
30 may file a report as provided by this paragraph. Voluntary intoxication shall not constitute a
31 defense in the matter of knowledge under the provisions of this section. All reports, filed as

SB 398 - AS INTRODUCED

- Page 2 -

1 required in this paragraph, shall be in the form prescribed by the director and shall contain
2 information to enable the division to determine whether the requirements for the deposit of security
3 under RSA 264:3 are inapplicable by reason of the existence of insurance or other exceptions
4 specified in that section. If such driver is physically or mentally incapable of making such report,
5 the owner of the vehicle involved in such accident or the owner's representative shall, after learning
6 of the accident, forthwith make such report. The driver or the owner shall furnish such additional
7 relevant information as the division shall require. The provisions of this section shall be of general
8 application and shall not be restricted to a way as defined in RSA 259.

9 3 Effective Date. This act shall take effect 60 days after its passage.

Committee Minutes

Senate Transportation Committee

Kat Lehmann 271-3091

SB 398, relative to information contained in certain motor vehicle records.

Hearing Date: January 30, 2018

Time Opened: 2:06 p.m.

Time Closed: 2:10 p.m.

Members of the Committee Present: Senators Ward, Watters and Cavanaugh

Members of the Committee Absent : Senators Birdsell and Gannon

Bill Analysis: This bill allows access to records of motor vehicle accidents by authorized legal representatives.

Sponsors:

Sen. Watters

Sen. Carson

Sen. Lasky

Sen. Birdsell

Rep. Wall

Who supports the bill: Senator Birdsell, Senator Lasky, Senator Carson, Senator Watters, Anna Zimmerman (NHAJ), Marissa Chase (NHAJ)

Who opposes the bill: No one

Who is neutral on the bill: No one

Summary of testimony presented in support:

Senator Watters

Prime Sponsor

- This bill allows access to records of motor vehicle accidents by authorized legal representatives.
- This statute was worked on extensively last session to guarantee that certain individuals were able to get information from police departments concerning accidents.
- It has been heard that some local police departments do not interpret the statute the way that it was intended.
- This legislation seeks to further clarify language so that the statute is clearer.

Anna Zimmerman

NHAJ

- Ms. Zimmerman echoed Senator Watters' comments regarding the legislation.

Summary of testimony presented in opposition: None

Neutral Information Presented: None

Future Action: Pending

KAL
Date Hearing Report completed: January 30, 2018

Speakers

SENATE TRANSPORTATION COMMITTEE

Date: 01/30/2018

Time: 2:00 PM

Public Hearing on SB 398

SB 398 – relative to information contained in certain motor vehicle records.

Name	Representing	Support	Oppose	Speaking?	Yes	No
Sen. Birdell	SD # 19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Lasky	SD # 13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Sharon Carson	SD # 14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. David Waters	SD # 4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Lu Oenlan	Sullivan District 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Anna Zimmermann	NHAJ	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marissa Chase	NHAJ	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
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		<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>

Voting Sheets

Senate Transportation Committee
EXECUTIVE SESSION RECORD
2017-2018 Session

Bill # SB 398

Hearing date: 01/30

Executive Session date: 02/13

Motion of: OTP Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: WATTERS

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, February 14, 2018

THE COMMITTEE ON Transportation

to which was referred **SB 398**

AN ACT

relative to information contained in certain motor
vehicle records.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator David Watters
For the Committee

This bill allows access to records of motor vehicle accidents by authorized legal representatives. Last session, this statute was amended extensively to guarantee that certain individuals were able to get information from police departments concerning accidents. After learning that some local police departments did not interpret the statute the way that it was intended, this legislation seeks to further clarify this language.

Kat Lehmann 271-3091

FOR THE CONSENT CALENDAR

TRANSPORTATION

SB 398, relative to information contained in certain motor vehicle records.

Ought to Pass, Vote 5-0.

Senator David Watters for the committee.

This bill allows access to records of motor vehicle accidents by authorized legal representatives. Last session, this statute was amended extensively to guarantee that certain individuals were able to get information from police departments concerning accidents. After learning that some local police departments did not interpret the statute the way that it was intended, this legislation seeks to further clarify this language.
