

Committee Report

CONSENT CALENDAR

May 18, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Transportation to which was referred SB 131-FN,

AN ACT (New Title) adopting omnibus legislation relative to vehicles, municipal water maintenance certificates, nondriver's picture identification, and firefighter and emergency medical services decals.

Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Thomas Walsh

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Transportation
Bill Number:	SB 131-FN
Title:	(New Title) adopting omnibus legislation relative to vehicles, municipal water maintenance certificates, nondriver's picture identification, and firefighter and emergency medical services decals.
Date:	May 18, 2021
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2021-1536h

STATEMENT OF INTENT

Part one of the bill would include vehicle chargers funded by the Volkswagen trust settlement and federally funded chargers to the definition of publicly funded chargers in RSA 236:133, III. A committee amendment removes municipal tax relief equal to the value of the chargers and removes the charging station rate design standards as both were considered pre-mature by the majority of the committee. Part two of the bill requires the state police to use a newly formed tow list for the removal of vehicles. The bill includes definitions and requirements to get on the list as well as of removal for just cause. This is a fair way of spreading the opportunities to the towing industry who also supports this. Part three amends RSA 489-C:2 by renaming it the commercial applicator certification option. It clarifies the process for obtaining an individual or subordinate salt application certification under a master certification. The individual and subordinate licenses cost significantly less than a master license and they are included in the exemption of liability section unless gross negligence can be proven. Part four is a housekeeping item regarding eligibility for obtaining a non driver I.D. It removes language referring to the defunct "golden granite state discount card" along with minor changes that refer to it. A committee amendment removes a redundant line with no change to the intent of the statute. Part five is also a housekeeping measure. It simply removes the dates that are long past for the roll-out of requiring the boater education certificate for vessels with motors in excess of 25 HP. Part six allows emergency medical services (EMS) personnel to obtain an EMS decal plate. A committee amendment simply adds "leased" vehicles which was missed in drafting. Part seven is a committee amendment that increases the allowable tandem axle weight from 36,000 lbs to 40,000 lbs for trucks carrying raw forest products. These are unprocessed logs and wood chips that have not previously been moved off site. The committee heard of the challenges loading these materials in the woods with no scales available. This change more closely aligns with the limits in our neighboring states.

Vote 19-0.

Rep. Thomas Walsh

Original: House Clerk
Cc: Committee Bill File

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Transportation

SB 131-FN, (New Title) adopting omnibus legislation relative to vehicles, municipal water maintenance certificates, nondriver's picture identification, and firefighter and emergency medical services decals. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas Walsh for Transportation. Part one of the bill would include vehicle chargers funded by the Volkswagen trust settlement and federally funded chargers to the definition of publicly funded chargers in RSA 236:133, III. A committee amendment removes municipal tax relief equal to the value of the chargers and removes the charging station rate design standards as both were considered pre-mature by the majority of the committee. Part two of the bill requires the state police to use a newly formed tow list for the removal of vehicles. The bill includes definitions and requirements to get on the list as well as of removal for just cause. This is a fair way of spreading the opportunities to the towing industry who also supports this. Part three amends RSA 489-C:2 by renaming it the commercial applicator certification option. It clarifies the process for obtaining an individual or subordinate salt application certification under a master certification. The individual and subordinate licenses cost significantly less than a master license and they are included in the exemption of liability section unless gross negligence can be proven. Part four is a housekeeping item regarding eligibility for obtaining a non driver I.D. It removes language referring to the defunct "golden granite state discount card" along with minor changes that refer to it. A committee amendment removes a redundant line with no change to the intent of the statute. Part five is also a housekeeping measure. It simply removes the dates that are long past for the roll-out of requiring the boater education certificate for vessels with motors in excess of 25 HP. Part six allows emergency medical services (EMS) personnel to obtain an EMS decal plate. A committee amendment simply adds "leased" vehicles which was missed in drafting. Part seven is a committee amendment that increases the allowable tandem axle weight from 36,000 lbs to 40,000 lbs for trucks carrying raw forest products. These are unprocessed logs and wood chips that have not previously been moved off site. The committee heard of the challenges loading these materials in the woods with no scales available. This change more closely aligns with the limits in our neighboring states.

Vote 19-0.

Original: House Clerk

Cc: Committee Bill File

Amendment to SB 131-FN

1 Amend Part VI of the bill by replacing section 1 with the following:

2

3 1 Firefighter Decals. Amend RSA 261-B:3-a to read as follows:

4 261-B:3-a Firefighter ***and Emergency Medical Services*** Decals.

5 ***I.*** A city or town fire chief may issue a firefighter decal to a full-time or volunteer firefighter
6 employed by the city or town or a retired firefighter. A firefighter decal may only be placed on the
7 multi-use decal plate of a motor vehicle registered and owned or leased by the firefighter.

8 ***II.*** ***Emergency medical services chiefs and fire chiefs may issue an emergency***
9 ***medical services decal solely to emergency medical services personnel and retired***
10 ***emergency medical services personnel. An emergency medical services decal may only be***
11 ***placed on a multi-use decal plate on a motor vehicle owned and registered or leased by the***
12 ***emergency services personnel.***

Voting Sheets

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



1/22/2021 10:08:26 AM
Roll Call Committee Registers
Report

2021 SESSION

TRANSPORTATION COMMITTEE

Bill #: SB 131 Motion: OTP AM #: 1536h Exec Session Date: 5/18/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Walsh, Thomas C. Chairman	X		
Gagne, Larry G. Vice Chairman	X		
Crawford, Karel A. Clerk	X		
Smith, Steven D.	X		
Hill, Gregory G.	X		
Aron, Judy F.	X		
Ankarberg, Aidan Rep. Torosian	X		
Gorski, Ted	X		
O'Hara, Travis J.	X		
Pitaro, Matthew Rep. Johnson	X		
Sykes, George E.	X		
Cleaver, Skip J. Rep. Perez	X		
Fenton, Donovan W. Rep. Grassie	X		
Pickering, Daniel R.	X		
Rich, Cecilia	X		
Telerski, Laura D.	X		
Fox, Dru	X		
Stevens, Deb	X		
Veilleux, Daniel T.	X		
TOTAL VOTE:	19	0	

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on

BILL TITLE: HB 131

DATE: 5/18/21

LOB ROOM: 201-203

MOTION: (Please check one box)

X OTP ITL Retain (1st year) Adoption of Amendment # _____ (if offered)
 Interim Study (2nd year)

Moved by Rep. Gagne _____ Seconded by Rep. Torosian _____ Vote: 19-0

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____ (if offered)
 Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____ (if offered)
 Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____ (if offered)
 Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: X YES NO

Minority Report? _____ Yes No If yes, author, Rep: _____ Motion _____

Respectfully submitted: _____ Rep. Crawford
Rep Karel Crawford, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



1/22/2021 10:08:26 AM
Roll Call Committee Registers
Report

2021 SESSION

TRANSPORTATION COMMITTEE

Bill #: SB 131 **Motion:** OTP **AM #:** 1442h **Exec Session Date:** 5/18/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Walsh, Thomas C. Chairman	X		
Gagne, Larry G. Vice Chairman	X		
Crawford, Karel A. Clerk	X		
Smith, Steven D.	X		
Hill, Gregory G.	X		
Aron, Judy F.	X		
Ankarberg, Aidan Rep. Torosian	X		
Gorski, Ted	X		
O'Hara, Travis J.	X		
Pitaro, Matthew Rep. Johnson	X		
Sykes, George E.		X	
Cleaver, Skip J. Rep. Perez		X	
Fenton, Donovan W. Rep. Grassie		X	
Pickering, Daniel R.	X		
Rich, Cecilia		X	
Telerski, Laura D.		X	
Fox, Dru		X	
Stevens, Deb	X		
Veilleux, Daniel T.	X		
TOTAL VOTE:	13	6	

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



1/22/2021 10:08:26 AM
Roll Call Committee Registers
Report

2021 SESSION

TRANSPORTATION COMMITTEE

Bill #: SB 131 **Motion:** OTP **AM #:** 1372h **Exec Session Date:** 5/18/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Walsh, Thomas C. Chairman	X		
Gagne, Larry G. Vice Chairman	X		
Crawford, Karel A. Clerk	X		
Smith, Steven D.	X		
Hill, Gregory G.	X		
Aron, Judy	X		
Ankarberg, Aidan Rep. Torosian	X		
Gorski, Ted	X		
O'Hara, Travis J.	X		
Pitaro, Matthew Rep. Johnson	X		
Sykes, George E.	X		
Cleaver, Skip J. Rep. Perez	X		
Fenton, Donovan W. Rep. Grassie	X		
Pickering, Daniel R.	X		
Rich, Cecilia	X		
Telerski, Laura D.	X		
Fox, Dru	X		
Stevens, Deb	X		
Veilleux, Daniel T.	X		
TOTAL VOTE:	19	0	

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



1/22/2021 10:08:26 AM
Roll Call Committee Registers
Report

2021 SESSION

TRANSPORTATION COMMITTEE

Bill #: SB 131 **Motion:** OTP **AM #:** 1528h **Exec Session Date:** 5/18/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Walsh, Thomas C. Chairman	X		
Gagne, Larry G. Vice Chairman	X		
Crawford, Karel A. Clerk	X		
Smith, Steven D.	X		
Hill, Gregory G.	X		
Aron, Judy F.	X		
Ankarberg, Aidan —Rep. Torosian	X		
Gorski, Ted	X		
O'Hara, Travis J.	X		
Pitaro, Matthew —Rep. Johnson	X		
Sykes, George E.		X	
Cleaver, Skip J. Rep. Perez		X	
Fenton, Donovan W. —Rep. Grassie		X	
Pickering, Daniel R.		X	
Rich, Cecilia		X	
Telerski, Laura D.		X	
Fox, Dru		X	
Stevens, Deb		X	
Veilleux, Daniel T.		X	
TOTAL VOTE:	10	9	

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



1/22/2021 10:08:26 AM
Roll Call Committee Registers
Report

2021 SESSION

TRANSPORTATION COMMITTEE

Bill #: SB 131 Motion: OTP AM #: _____ Exec Session Date: 5/18/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Walsh, Thomas C. Chairman	X		
Gagne, Larry G. Vice Chairman	X		
Crawford, Karel A. Clerk	X		
Smith, Steven D.	X		
Hill, Gregory G.	X		
Aron, Judy F.	X		
Ankarberg, Aidan Rep. Torosian	X		
Gorski, Ted	X		
O'Hara, Travis J.	X		
Pitaro, Matthew Rep. Johnson	X		
Sykes, George E.	X		
Cleaver, Skip J. Rep. Perz	X		
Fenton, Donovan W. Rep. Grassie	X		
Pickering, Daniel R.	X		
Rich, Cecilia	X		
Telerski, Laura D.	X		
Fox, Dru	X		
Stevens, Deb	X		
Veilleux, Daniel T.	X		
TOTAL VOTE:	19	0	

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on

BILL TITLE: HB 131

DATE: 5/18/21

LOB ROOM: 201-203

MOTION: (Please check one box)

X OTP ITL Retain (1st year) Adoption of Amendment # _____ (if offered)
 Interim Study (2nd year)

Moved by Rep. Gagne _____ Seconded by Rep. Torosian _____ Vote: 19-0 _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____ (if offered)
 Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____ (if offered)
 Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____ (if offered)
 Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: YES _____ NO

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: _____ Rep. Crawford _____
Rep Karel Crawford, Clerk

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on

BILL TITLE: SB 131 Amendment – 1528h

DATE: 5/18/21

LOB ROOM: 201-203

MOTION: (Please check one box)

OTP ITL Retain (1st year) Adoption of
 Interim Study (2nd year) Amendment # 1528h ____
(if offered)

Moved by Rep. Smith Seconded by Rep. Hill Vote: 10-9 ____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of
 Interim Study (2nd year) Amendment # ____
(if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of
 Interim Study (2nd year) Amendment # ____
(if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of
 Interim Study (2nd year) Amendment # ____
(if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: ____ YES ____ NO

Minority Report? ____ Yes ____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: _____
Rep Karel Crawford, Clerk

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on

BILL TITLE: SB 131 Amendment 1442 h

DATE: 5/18/21

LOB ROOM: 201-203

MOTION: (Please check one box)

X OTP ITL Retain (1st year) X Adoption of Amendment # 1442h ____ (if offered)
 Interim Study (2nd year)

Moved by Rep. Gagne Seconded by Rep. Aron Vote: 13-6

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # ____ (if offered)
 Interim Study (2nd year)

Moved by Rep. Seconded by Rep. Vote:

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # ____ (if offered)
 Interim Study (2nd year)

Moved by Rep. Seconded by Rep. Vote:

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # ____ (if offered)
 Interim Study (2nd year)

Moved by Rep. Seconded by Rep. Vote:

CONSENT CALENDAR: YES NO

Minority Report? Yes No If yes, author, Rep: Motion

Respectfully submitted: Rep Karel Crawford, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



1/22/2021 10:08:26 AM
Roll Call Committee Registers
Report

2021 SESSION

TRANSPORTATION COMMITTEE

Bill #: SB 131 **Motion:** OTP **AM #:** 1536h **Exec Session Date:** 5/18/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Walsh, Thomas C. Chairman	X		
Gagne, Larry G. Vice Chairman	X		
Crawford, Karel A. Clerk	X		
Smith, Steven D.	X		
Hill, Gregory G.	X		
Aron, Judy F.	X		
Ankarberg, Aidan Rep. Torosian	X		
Gorski, Ted	X		
O'Hara, Travis J.	X		
Pitaro, Matthew Rep. Johnson	X		
Sykes, George E.	X		
Cleaver, Skip J. Rep. Perez	X		
Fenton, Donovan W. Rep. Grassie	X		
Pickering, Daniel R.	X		
Rich, Cecilia	X		
Telerski, Laura D.	X		
Fox, Dru	X		
Stevens, Deb	X		
Veilleux, Daniel T.	X		
TOTAL VOTE:	19	0	

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on

BILL TITLE: SB 131 Amendment 1442 h

DATE: 5/18/21

LOB ROOM: 201-203

MOTION: (Please check one box)

X OTP ITL Retain (1st year) X Adoption of Amendment # 1442h ____ (if offered)
 Interim Study (2nd year)

Moved by Rep. Gagne _____ Seconded by Rep. Aron _____ Vote: 13-6__

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # ____ (if offered)
 Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # ____ (if offered)
 Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # ____ (if offered)
 Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: ____ YES ____ NO

Minority Report? ____ Yes ____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: _____

Rep Karel Crawford, Clerk



2021 SESSION

TRANSPORTATION COMMITTEE

Bill #: SB 131 Motion: OTP AM #: 1372h Exec Session Date: 5/18/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Walsh, Thomas C. Chairman	X		
Gagne, Larry G. Vice Chairman	X		
Crawford, Karel A. Clerk	X		
Smith, Steven D.	X		
Hill, Gregory G.	X		
Aron, Judy	X		
Ankarberg, Aidan Rep. Torosian	X		
Gorski, Ted	X		
O'Hara, Travis J.	X		
Pitaro, Matthew Rep. Johnson	X		
Sykes, George E.	X		
Cleaver, Skip J. Rep. Perez	X		
Fenton, Donovan W. Rep. Grassie	X		
Pickering, Daniel R.	X		
Rich, Cecilia	X		
Telerski, Laura D.	X		
Fox, Dru	X		
Stevens, Deb	X		
Veilleux, Daniel T.	X		
TOTAL VOTE:	19	0	



2021 SESSION

TRANSPORTATION COMMITTEE

Bill #: SB 131 Motion: OTP AM #: 1442h Exec Session Date: 5/18/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Walsh, Thomas C. Chairman	X		
Gagne, Larry G. Vice Chairman	X		
Crawford, Karel A. Clerk	X		
Smith, Steven D.	X		
Hill, Gregory G.	X		
Aron, Judy F.	X		
Ankarberg, Aidan Rep. Torosian	X		
Gorski, Ted	X		
O'Hara, Travis J.	X		
Pitaro, Matthew Rep. Johnson	X		
Sykes, George E.		X	
Cleaver, Skip J. Rep. Perez		X	
Fenton, Donovan W. Rep. Grassie		X	
Pickering, Daniel R.	X		
Rich, Cecilia		X	
Telerski, Laura D.		X	
Fox, Dru		X	
Stevens, Deb	X		
Veilleux, Daniel T.	X		
TOTAL VOTE:	13	6	

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on

BILL TITLE: SB 131 Amendment - 1528h

DATE: 5/18/21

LOB ROOM: 201-203

MOTION: (Please check one box)

X OTP ITL Retain (1st year) Adoption of Amendment # 1528h ____
 Interim Study (2nd year) (if offered)

Moved by Rep. _Smith_____ Seconded by Rep. _Hill_____ Vote: 10-9 ____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: ____ YES ____ NO

Minority Report? ____ Yes ____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: _____

Rep Karel Crawford, Clerk



2021 SESSION

TRANSPORTATION COMMITTEE

Bill #: SB 131 Motion: OTP AM #: 1372h Exec Session Date: 5/18/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Walsh, Thomas C. Chairman	X		
Gagne, Larry G. Vice Chairman	X		
Crawford, Karel A. Clerk	X		
Smith, Steven D.	X		
Hill, Gregory G.	X		
Aron, Judy	X		
Ankarberg, Aidan Rep. Torosian	X		
Gorski, Ted	X		
O'Hara, Travis J.	X		
Pitaro, Matthew Rep. Johnson	X		
Sykes, George E.	X		
Cleaver, Skip J. Rep. Perez	X		
Fenton, Donovan W. Rep. Grassie	X		
Pickering, Daniel R.	X		
Rich, Cecilia	X		
Telerski, Laura D.	X		
Fox, Dru	X		
Stevens, Deb	X		
Veilleux, Daniel T.	X		
TOTAL VOTE:	19	0	



2021 SESSION

TRANSPORTATION COMMITTEE

Bill #: SB 131 Motion: OTP AM #: 1528h Exec Session Date: 5/18/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Walsh, Thomas C. Chairman	X		
Gagne, Larry G. Vice Chairman	X		
Crawford, Karel A. Clerk	X		
Smith, Steven D.	X		
Hill, Gregory G.	X		
Aron, Judy F.	X		
Ankarberg, Aidan — Rep. Torosian	X		
Gorski, Ted	X		
O'Hara, Travis J.	X		
Pitaro, Matthew — Rep. Johnson	X		
Sykes, George E.		X	
Cleaver, Skip J. Rep. Perez		X	
Fenton, Donovan W. — Rep. Grassie		X	
Pickering, Daniel R.		X	
Rich, Cecilia		X	
Telerski, Laura D.		X	
Fox, Dru		X	
Stevens, Deb		X	
Veilleux, Daniel T.		X	
TOTAL VOTE:	10	9	



2021 SESSION

TRANSPORTATION COMMITTEE

Bill #: SB 131 Motion: OTP AM #: _____ Exec Session Date: 5/18/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Walsh, Thomas C. Chairman	X		
Gagne, Larry G. Vice Chairman	X		
Crawford, Karel A. Clerk	X		
Smith, Steven D.	X		
Hill, Gregory G.	X		
Aron, Judy F.	X		
Ankarberg, Aidan Rep. Torosian	X		
Gorski, Ted	X		
O'Hara, Travis J.	X		
Pitaro, Matthew Rep. Johnson	X		
Sykes, George E.	X		
Cleaver, Skip J. Rep. Perz	X		
Fenton, Donovan W. Rep. Grassie	X		
Pickering, Daniel R.	X		
Rich, Cecilia	X		
Telerski, Laura D.	X		
Fox, Dru	X		
Stevens, Deb	X		
Veilleux, Daniel T.	X		
TOTAL VOTE:	19	0	

Public Hearing

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON

BILL TITLE: SB-131 –PART 1 Relative to electric vehicle supply equipment and infrastructure and relative to state motor vehicle fleet management

DATE: 5/11/21

LOB ROOM: 202-203

Time Public Hearing Called to Order: 9:01 am

Time Adjourned: 10:00

**Committee Members: Reps. Walsh, Gagne, Crawford, ~~Smith, Hill, Aron, Ankarberg,~~ Gorski, O'Hara, ~~Pitaro,~~ Sykes, Grassie, Fenton, Pickering, Rich, Telerski, Fox, Stevens and Veilleux
Rep. Cleaver absent
Rep. Grassie for Cleaver**

Bill Sponsors: Senator Watters

TESTIMONY

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

Senator Watters introduced the bill – Part 1 – comes from the commission three years ago, Governor Sununu supports the bill with 5.6 million some to transportation, electric school buses and infrastructure OSI and DES have worked on proposals from the Volkswagen Trust Settlement fund. Section 11 signage, parking and availability for charging, available to everyone. Section 111 enables municipalities to supply abatements or tax relief to have the equipment on their property.

Section 4 Not sure if this is necessary

There is a fiscal note for SB 131 with no impact it is out of date

Rep. Vose – Opposed to Section 1 – section 3 and 4, section 4 is pre-mature, eliminate section 4 and section 3 the tax relief and eliminate one side of the tax you end up another part of population, with the Volkswagen Trust we should not have to do that.

Rep. Aron does the settlement have time limits A. not sure

Rebecca Ohler DES –there is a time limit 80% spent within 8 years and if we are not at the level we cannot apply for additional funds and it expires in 10 years. Q - Chairman Walsh, when did the fund started – A -3 years ago and received 32 million dollars. NH missed a lot of time to get this all together and out.

Rep. Aron Q -Are there specific date to get this out. A - Ohler not specific time limit except to spend the appropriate amount.

Rep. Gorski – How do the charging stations work? A. put you credit card in and you would get the amount of electricity you need just like a gas pump. There are Tesla charging stations just for the Tesla system.

Rep. Telerski – Are the funds exclusive to just the state or can municipalities use the money. A - the state is not going to use it, it is intended to be used by the public along all interstate highways and high traffic areas. They will solicit from the public their plan and proposals and DES will evaluate it.

Chairman Walsh – you said it was 15% 4.6 million. Who paid to put the Tesla stations in at the rest areas? Tesla paid for those.

Rep. O'Hara will this turn into the charges like the phone and change all the time? A- cannot tell what the future will bring

Rep. Crawford Q does Tesla have an adapter for other cars to use there charging stations, A No
Madeleine Minear – Neutral - Clear energy of NH support most of it and do oppose section 4, it
would be restrictive and section 6 also, they make the cost extremely high and will get a high charge
if only used once a month.

Kevin Miller – ChargePoint – support 1,2,3 but are Neutral on 4 and would like it to be taken out.
Amend section 6

**Part 4 of the Bill testimony for Senator Watters testified

Housekeeping to remove section c

Rep. Telerski Q – section a and b when the disabled was done and have an amendment to take out
section a

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON

BILL TITLE: SB 131 – PART 2 Require that in the event that an abandoned or disabled vehicle needs to be removed from the roadway for public safety reasons

DATE: 5/11/21

LOB ROOM: 202-203

Time Public Hearing Called to Order: 10:00 am

Time Adjourned: 10:08

**Committee Members: Reps. Walsh, Gagne, Crawford, ~~Smith, Hill, Aron, Ankarberg,~~ Gorski, O'Hara, ~~Pitaro,~~ Sykes, ~~Cleaver,~~ Fenton, Pickering, Rich, Telerski, Fox, Stevens and Veilleux
Rep. Grassie for Rep. Cleaver**

Bill Sponsors: Senator Birdsell

TESTIMONY

- Use asterisk if written testimony and/or amendments are submitted.
Senator Birdsell sponsor for Part 11
Effort by the towing and State Police to work together and fairness for the State police to call out a rolling list of towing to be fair to all.
Ralph Cresta – Represent the NH Towing Assoc. supports have been working with State Police
Rep Aron Q would someone have to be a member of your association – A - we try to get all member to be on the list but not mandatory
Lt. Player – NH State Police – Troop G – long time coming to tow for the NH State Police. Rules

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON

BILL TITLE: SB-131 PART 3 – Municipal Winter Maintenance Certification Program

DATE: 5/11/21

LOB ROOM: 202-203

Time Public Hearing Called to Order: 10:08

Time Adjourned: 10:31

**Committee Members: Reps. Walsh, Gagne, Crawford, ~~Smith, Hill, Aron, Ankarberg,~~
Gorski, ~~O'Hara, Pitaro,~~ Sykes, ~~Cleaver,~~ Fenton, Pickering, Rich, Telerski, Fox, Stevens
and Veilleux**

Rep. Grassie for Rep. Cleaver

Bill Sponsors: Senator Morse

TESTIMONY

- Use asterisk if written testimony and/or amendments are submitted.
Senator Morse – Salt application program, to reduce salt on NH roads. Municipal will be part of this program
Ted Diers DES management of watershed division -support - adding a municipal component to the salt program to be certified for the implementation of salt on the roads
Rep. Aron Q do you anticipate any additional cost for municipalities to participate in the program?
A – in the end they save money with different kinds of equipment. Fee will be set n rule making, it will be in the \$100 range.
Rep. Aron – is that for the cost of training? We have a curriculum that they can use and we allow them to train in-house. Also have training at UNH that works through Road Scholar program.
Rep. Telerski – Q Does the program get involved in the products that are used on the road. A- yes
It's a 3 tier system using Bryan gets out ahead of the salt it helps you not to get out as quickly and it means more effect in plowing.
Rep. Grassie – Q this is a great program and the UNH program is great.
Chairman Walsh – Q Does the DES do any research on magnesium chloride have any effect on the groundwater? A Magnesium chloride is effect in lower temperatures.
Rep. Aron – could you clarify the liability aspect of this bill – A – make sure that the state have immunity against slip and fall make sure just because they are being trained that.

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON

BILL TITLE: SB – 131 PART 4 – Amend the eligibility for the issuance of a nondriver's picture ID card

DATE: 5/11/21

LOB ROOM: 202-203

Time Public Hearing Called to Order: 10:32 am

Time Adjourned: 10:35

**Committee Members: Reps. Walsh, Gagne, Crawford, ~~Smith, Hill, Aron, Ankarberg,~~
Gorski, ~~O'Hara, Pitaro,~~ Sykes, ~~Cleaver,~~ Fenton, Pickering, Rich, Telerski, Fox, Stevens
and Veilleux
Rep. Grassie for Rep. Cleaver**

**Bill Sponsors:
Senator Watters**

TESTIMONY

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

Director Bielecki Director of DMV– requested additional language – this makes it easier to manage state to state

Rep. Telerski –About the fees for the part on aging A. card issued to remove language in section 3.

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON

BILL TITLE: SB 131 – PART 5 – would allow anyone to operate a motorized vessel that exceeds 25 horsepower on state public water without obtaining a boating safety education certificate

DATE: 5/11/21

LOB ROOM: 202-203

Time Public Hearing Called to Order: 10:35

Time Adjourned: 10:38

Committee Members: Reps. Walsh, Gagne, Crawford, ~~Smith, Hill, Aron, Ankarberg,~~ Gorski, ~~O'Hara, Pitaro,~~ Sykes, ~~Cleaver,~~ Fenton, Pickering, Rich, Telerski, Fox, Stevens and Veilleux

Rep. Grassie for Rep. Cleaver

Bill Sponsors: Senator Birdsell

TESTIMONY

- Use asterisk if written testimony and/or amendments are submitted.
Senator Birdsell voting certificate requested by Dept. Safety, just taking out the DOB's housekeeping Capt. Tim Dunleavy – State Police Marine Patrol –eliminating the dates and confusing for the boating safety.

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON

BILL TITLE: SB 131 – PART 6 - allow emergency medical services and fire chiefs to issue an emergency decal to current and retired emergency medical services personnel

DATE: 5/11/21

LOB ROOM: 202-203

Time Public Hearing Called to Order: 10:38 am

Time Adjourned: 10:41

**Committee Members: Reps. Walsh, Gagne, Crawford, ~~Smith, Hill, Aron, Ankarberg,~~ Gorski, ~~O'Hara, Pitaro,~~ Sykes, ~~Cleaver,~~ Fenton, Pickering, Rich, Telerski, Fox, Stevens and Veilleux
Rep. Grassie for Rep. Cleaver**

Bill Sponsors: Senator Prentiss

TESTIMONY

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

Senator Prentiss – decals for emergency medical services chiefs and fire chiefs their multi-use decal plates.

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON

BILL TITLE: SB 131 Part VII - Amendment – 1442h -Relative to the Maximum weight of motor vehicle

DATE: 5/18/21

LOB ROOM: 201-203

Time Public Hearing Called to Order: 9:00

Time Adjourned: 10:18

Committee Members: Reps. Walsh, Gagne, Crawford, Smith, Hill, ~~Aron, Ankarberg, Gorski, O'Hara, Pitaro, Sykes, Cleaver, Fenton,~~ Pickering, Rich, Telerski, Fox, Stevens and Veilleux

**Substitute Rep. Johnson for Rep. Pitaro,
Rep. Torosian for Rep. Ankarberg
Rep. Grassie for Rep. Fenton
Rep. Perez for Rep. Cleaver**

**Bill Sponsors:
Rep Pearl**

TESTIMONY

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

Introducing Bill : Rep. Gagne

Lt. Andrew Player – to be weigh in the woods and to be weigh out on the street, State PoOlice did not have a problem and the commission did work with the sponsor

Lt. Telerski – is this the same as HB279 as amended by the committee, it is the same bill

Jason Stock supports bill – Executive director of Timberland Asso, represent forester truckers, this bill 279 passed last time. Narrow piece of legislation, raw products wood chips or logs, different weight of the products, goal is to close to 99 thousand pounds and the tandem drive axels, problems with blowing chips in to adjust the weight, no scale in the woods it is challenging. Final point is we are making a change for a special interest. See this in maple syrup and milk; Maine has an even higher weight.

Q Rep. O'Hara what does a trucker have to do when they come into NH with a heavier load – A. They are not suppose to but I can go from one state to another without penalty but cannot come into NH. Q – Now do we have increase cost A.- this bill will decrease cost

Q Chairman Walsh What is VT weight limit? A. Not sure, they use Maine's weight what is the fine, not sure.

Rep. Telerski – How they load the trucks in the wood with no scale how is it done, is it eyeballing or experience? A- It is experience and watch suspension as it is loaded,

Rep. Veilleux How do you keep the axels with wood chips out of the woods with the uneven surface and thy are shifting? A – they put plywood in the trucks to help keep them even, logs are strapped down, and they do not shift much.

Rep. Stevens – When you are in the woods when is the first opportunity to be weighed to get the product out? A – some have scales in the market where they are going or mill but most of the time they do not have a scale. Q – How would correct if you were over when you know it is over? A – they have a pretty good since of the weight before they leave.

Rep. Hill – I will vote in favor I have a question when we put this to 40,000 do you know the % of the time it goes over. A – truckers from Maine comply in Maine.

Rep. Aron – Q for Mr. Stock – Is NH already letting vehicles travel with this maximum weight? A – yes they are – Q – I believe we already prohibit on E-2 bridges is there anywhere else are they prohibited? A - unless DOT authorizes them, there is a check in statue for that.

David Rodrigue DOT – Director of Operations for DOT – Opposed – three concerns – late posting for road and bridge posting. This increases load 44,000 these are special classified vehicles. We will need to rate all bridges 2nd concern – damages to the pavement.

Rep. Aron – Q – 10% over triaxel trucks inspect bridges already. A law allows the 10%. We are not inspecting the bridges for the 10% level.

Rep. Sykes – You have focused on bridges will not the damage to the roads will also damage local roads which they will have to repair A- yes it will, 10% damage to pavement. Q – My understand many truck will be traveling on rural roads do they have lower road limits? Yes they do

Rep. O'Hara What was the limit for the E-2 bridges? A –several RSA's for limits Q- 40,000 for E-2 bridges A – for all bridges and exception for a small amount of vehicles, just except the forest products, no special bridge posting for this category being created. Q – what is the standards you use for E-2 A – harshest vehicles for each bridge

Rep. Aron – Q – Are our roads and bridges not built to the same standards as Maine and Vermont A – Vermont has a devisiable load limit is 90,000 pounds does not have any specific axel weight, Maine has weight requirement and except all vehicles.

Rep. Torosien – Does the DOT keep statists on the volume of movements of commercial trucks in the state and how many wood product we have in the state? No they do not

Rep. Veilleux – How many bridges would be effective? We will have to do couple 1000, low dosions, for this product.

Jeff Eames – Supports resident of Epsom – Own trucking company – 7 trucks - Most of our customers are in Maine.

Rep. Pearl – Original sponsor for HB 279 – contacted by the foretoy industry – looked at this bill with the Dept. of Safety. The drivers get a fine along with the fees that they have pay. The weights are already on the road; they do there best but are bring fined.

House Remote Testify

Transportation Committee Testify List for Bill SB131 on 2021-05-11

Support: 36 Oppose: 2 Neutral: 3 Total to Testify: 11

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>?</u>
Prentiss, Sue	W. Lebanon, NH jessica.bourque@leg.state.nh.us	An Elected Official	Senate District 5	Support	Yes (5m)	No	:
Diers, Ted	Concord, NH ted.diers@des.nh.gov	State Agency Staff	NH Dept. of Environmental Services	Support	Yes (5m)	No	:
Watters, Senator David	Dover, NH david.watters@leg.state.nh.us	An Elected Official	Myself (SD 4)	Support	Yes (5m)	No	:
Morse, Chuck	Salem, NH Chuck.morse@leg.state.nh.us	An Elected Official	Chuck Morse SD 22 PART III	Support	Yes (5m)	No	:
Player, Andrew	Concord, NH Andrew.J.Player@dos.nh.gov	State Agency Staff	New Hampshire State Police	Support	Yes (5m)	No	:
Miller, Kevin	Campbell, CA kevin.miller@chargepoint.com	A Member of the Public	ChargePoint	Neutral	Yes (5m)	No	:
Mineau, Madeleine	Concord, NH madeleine@cleanenergy.nh.org	A Lobbyist	Clean Energy NH	Neutral	Yes (3m)	No	:
Vose, Michael	Epping, NH michael.vose@leg.state.nh.us	An Elected Official	Myself	Oppose	Yes (3m)	No	:
Dunleavy, Captain Tim	Gilford, NH timothy.c.dunleavy@dos.nh.gov	State Agency Staff	State Police-Marine Patrol Unit	Support	Yes (1m)	No	:
Cresta, Ralph	NH, NH rcresta@nationalwrecker.com	A Member of the Public	New Hampshire Towing Association	Support	Yes (0m)	No	:
Birdsell, Senator Regina	Hampstead, NH regina.birdsell@leg.state.nh.us	An Elected Official	Senate District 19 Supporting Parts II and V Only PRIME	Support	Yes (0m)	No	:
Tremblay, RMAC Chair, Michele L.	Webster, NH mlt@naturesource.net	A Member of the Public	Rivers Management Advisory Committee	Support	No	No	:
Packard, LMAC Chair, David	Goffstown, NH appliedforce52@gmail.com	A Member of the Public	Lakes Management Advisory Committee	Support	No	No	:
Weston, Joyce	NH, NH jweston14@roadrunner.com	An Elected Official	Myself	Support	No	No	:
Wazir, Safiya	Merrimack, NH s.wazir@leg.state.nh.us	An Elected Official	My constituents	Support	No	No	:
Chase, Wendy	Rollinsford, NH wendy.chase@comcast.net	An Elected Official	Myself	Support	No	No	:
Rich, Cecilia	Somersworth, NH cecilia.rich@leg.state.nh.us	An Elected Official	Myself	Support	No	No	:
Smith, Jennifer	Pembroke, NH jaycmd7699@gmail.com	A Member of the Public	Myself	Support	No	No	:
Vogt, Robin	Portsmouth, NH robin.w.vogt@gmail.com	A Member of the Public	Myself	Support	No	No	:
Hamer, Heidi	Manchester, NH heidi.hamer@leg.state.nh.us	An Elected Official	Myself	Support	No	No	:
Hamer, Gary	Manchester, NH grhamer@aol.com	A Member of the Public	Myself	Support	No	No	:
Johnston, Cordell	Concord, NH cjohnston@nhmunicipal.org	A Lobbyist	NH Municipal Association -- Part III	Support	No	No	:

Pimentel, Rod	Henniker, NH Rodpimentel@leg.state.nh.us	An Elected Official	Myself	Support	No	No	:
Tucker, Kathy	Wilmot, NH katherine.s.tucker@valley.net	A Member of the Public	Myself	Support	No	No	:
Bixby, Peter	Dover, NH peter.bixby@leg.state.nh.us	An Elected Official	Myself	Support	No	No	:
Dontonville, Roger	Enfield, NH rdontonville@gmail.com	An Elected Official	Myself	Support	No	No	:
Dontonville, Anne	Enfield, NH Adontonville@gmail.com	A Member of the Public	Myself	Support	No	No	:
Bartlett, Rep Christy	Concord, NH christydbartlett@gmail.com	An Elected Official	Merrimack 19	Support	No	No	:
Oberdank, Jeff	DMV, NH Jeffrey.A.Oberdank@dos.nh.gov	State Agency Staff	DMV	Neutral	No	No	:
Lampert, Michael	Exeter, NH Mike@netruckcenter.com	A Member of the Public	New Hampshire Towing Association	Support	No	No	:
Moccia, Lianne	LEBANON, NH lianne.moccia@gmail.com	A Member of the Public	Myself	Support	No	No	:
Mennella, Alexandra	Hooksett, NH am88@fastmail.com	A Member of the Public	Myself	Oppose	No	No	:
Hamblet, Joan	PORTSMOUTH, NH joan.hamblet@leg.state.nh.us	An Elected Official	Myself	Support	No	No	:
Grassie, Chuck	Rochester, NH chuck.grassie@leg.state.nh.us	An Elected Official	Strafford 11	Support	No	No	:
Bennett, Dan	Bow, NH dbennett@nhada.com	A Lobbyist	NH Automobile Dealers Association	Support	No	No	:
BERGLUND, JOHN	SURRY, NH ECAR@NE.RR.COM	A Member of the Public	Myself	Support	No	No	:
Clegg, Robert	Hudson, NH Senclegg@aol.com	A Lobbyist	NH Tow Association	Support	No	No	:
perez, maria	Milford, NH mariaeli63@gmail.com	An Elected Official	District 23	Support	No	No	:
Schapiro, Joe	Keene, NH joe.schapiro@leg.state.nh.us	An Elected Official	Cheshire 16, Keene	Support	No	No	:
Drinkwater, Harrison	Enfield, NH hdrink72@gmail.com	A Member of the Public	Myself	Support	No	No	:
Booras, Hon. Efstathia	nashua, NH efstathiab73@gmail.com	An Elected Official	Constituents	Support	No	No	:

Testimony



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



Victoria F. Sheehan
Commissioner

William Cass, P.E.
Assistant Commissioner

May 17, 2021

The Honorable Thomas Walsh, Chair
House Transportation Committee
Legislative Office Building Room 203
107 North Main Street
Concord, NH 03301

Re: SB 131-FN, amendment #2021-1442h relative vehicle gross weights

Dear Transportation Committee Chairman Walsh:

SB 131-FN Amendment to add PART VII proposes a change to NH RSA 266:18-b **Weight on Non-Interstate and General Highway System for Vehicles with additional registrations**. SB 131-FN Amendment to add PART VII would provide a carve out for forest products, allowing a combination of truck-tractor and single semi-trailer with 4 or more axles that is carrying forest products, to increase the weight on any tandem axle from 36,000 lbs. to 40,000 lbs. This equates to an increase of 11%.

NH Department of Transportation opposes this Bill. Passage of this amendment will impact the posting of bridges in NH, erode safety factors and increase the deterioration of existing bridges and roadway pavements. We also have concern that this could lead to demand for similar treatment from other industries. These are divisible loads and should be held to consistent limits currently set forth in statute.

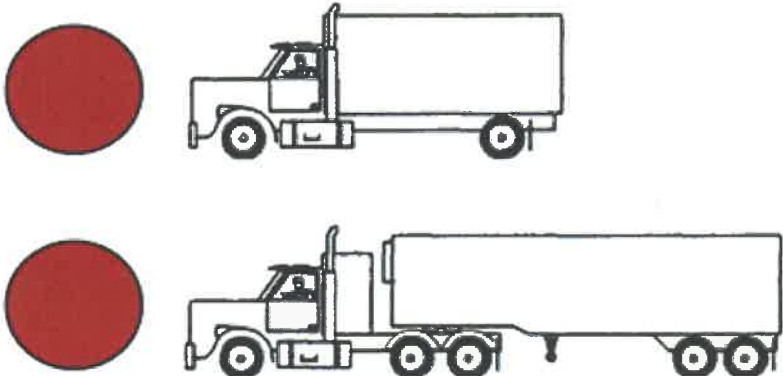
NH's roadway network is comprised of a series of roads including state and local, highways and back roads. Our Interstates are relatively modern, with highly engineered roadways and bridges. They are also more highly regulated when it comes to weight to protect the Federal taxpayer's significant investment and to preserve the Nation's ability to move commerce and defense assets across the country uninterrupted. NH RSA Section 266:18-b exercises NH's choice to increase the allowable weight of vehicles on NH's non-Interstate system that is not as tightly regulated from a Federal level. Unfortunately, while some of the non-Interstate system is made up of highly engineered roadways and bridges, much of this system is made up of roadways that have never been formally engineered or constructed. Many of the state and local bridges on the non-interstate system are old, and were built to carry much lighter vehicles than travel over them today. The load increase proposed in SB 131-FN Amendment to add PART VII will have the greatest effect on our shorter, older bridges and on the pavement on our state and local roads that were never formally constructed.

NHDOT has a sophisticated bridge inspection program and the ability to rate all of our state and local bridges for specific loads. The Department posts State bridges and directs Towns to post their bridges that cannot support specific loads. Passage of the SB 131-FN Amendment to add PART VII would require the Department to spend approximately 7,700 hours to reanalyze and rate all of the State's bridges for these proposed higher axle weights, and as a result this will almost certainly lead to the posting of additional bridges increasing the number of E-2 postings. The following graphic explains the

E-2 posting. The E-2 posting prohibits all Certified (the vehicles defined in NH RSA 266:18-d) from crossing the posted bridge. Passage of this Bill will prohibit all certified vehicles from these additional posted bridges, not just trucks carrying forest products.

E-2 Bridge Posting

E-2: This sign prohibits both Certified Single Unit and Certified Combination Vehicles from crossing the bridge.



In addition to posting bridges, heavier loads on bridges increase stresses and deflections. These increased “load effects” promote accelerated deterioration of concrete bridge decks by way of micro-cracking which allows rapid infiltration of potential salt-laden roadway runoff. Bridge decks are responsible for smoothly carrying traffic while protecting the underlying structural components from moisture and de-icing chemicals. With bridge decks deteriorating more rapidly, it can be expected that these heavier loads will have a negative impact on the expected service life of many bridges in the inventory.

These heavier loads also contribute to pavement cracking, rutting and ride quality. Trucks in general have an exponentially, to the fourth power, higher equivalent infrastructure damage. This damage is caused by the heavier per axle weight. In this case a relatively small 11% increase in weight would cause approximately 1.5 times the damage to roadway structure.

Finally this Bill proposes a carve out, or exception for a specific industry. Forest products, like milk, maple syrup, sand, gravel and many other products are “divisible loads” simply meaning they can be divided to meet the weight restrictions of any law.

If this bill passes a heavier load allows a reduction in the number of trips made, leading to a cost savings for the forest industry. The overall added cost in damage to the infrastructure and additional hauling time for all certified loads due to additional E-2 posted bridges will lead to increases in trip length and increased associated costs for certified haulers across all industries.

Sincerely,



David Rodrigue
NHDOT Director of Operations

cc: William Cass, Assistant Commissioner
Elizabeth Bielecki, Director, Division of Motor Vehicles
Lieutenant Andrew Player, NH State Police, Troop G Commander
Kathleen Mulcahey-Hampson

Archived: Monday, July 19, 2021 10:18:39 AM
From: [Tom Thomson](#)
Sent: Tuesday, May 18, 2021 7:51:44 AM
To: [~House Transportation Committee](#)
Cc: [Tom Thomson](#)
Subject: Fw: Please support Amendment #2021-1442h on Senate Bill 131
Importance: Normal

Thomson Family Tree Farm
173 Strawberry Hill Road
Orford, New Hampshire 03777

Representative Thomas Walsh, Chairman
N.H. House of Representatives Transportation Committee
New Hampshire Legislative Office Building, Room 203
Concord, NH 03301

Dear Chairman Walsh and Committee Members,

As a long time NH Forest Landowner and Tree Farmer, I would ask that you support amendment #2021-1442h on Senate Bill 131. This bill will help move our forest products in a more efficient way to our markets. Also, it will help level the playing field for our Truckers moving our forest products in NH to compete with our neighboring states.

I agree with the following points on this important issue:

- This amendment will impact a small percentage of the trucks on the road.
- This amendment will make NH's weight restrictions consistent with neighboring states --
 - Making interstate trucking easier, and
 - Making NH timberlands and forest products trucking companies competitive with those in neighboring states.

- According to the NH Dept. of Safety testimony earlier this year, this proposal will not make NH's highways more dangerous (the trucks are rated to handle these weights safely).
- The increased axle weight this bill imposes is consistent with legal axle weight limits for smaller vehicles (RSA 26618-a.I.(c)1, which states -- "22,400 # per axle on 3-axle single unit vehicles and on all other vehicles with axles 10 feet or more apart, including combination vehicles").
- It is unclear why the NH DOT would need to spend additional time and resources assessing roads and bridges in the state. They should be assessing them already.
- Neighboring states have similar provisions in their laws and their infrastructure is comparable to NH.

Thank you for your time and I hope you will support Amendment #2021-1442h on Senate Bill 131.

Thomson Family Tree Farm

Tom Thomson
Orford, NH 03777
May 17, 2021

Archived: Monday, July 19, 2021 10:18:39 AM
From: [Robert J. Sculley](#)
Sent: Monday, May 17, 2021 12:48:01 PM
Cc: [Robert J. Sculley](#)
Subject: SB-131-FN
Importance: Normal

Dear Representative:

I am writing you in support of the amendment regarding axle weights being introduced on SB 131-FN. I will do my best to testify tomorrow during the hearing but I have a medical appointment that may make it difficult for me to participate. As you recall this issue was addressed in your committee earlier this year in HB279 in which Representative Pearl was the prime sponsor.

The New Hampshire Motor Transport Association remains in support of this amendment as it addresses a very narrow segment of the trucking industry that will provide help and assistance to the forest product industry while maintaining safety on our states highways and road systems. No other segment of the trucking industry is asking for increased axle weights, only this very narrow segment. In addition, the new axle weights we are requesting will still total less weight per axle than the maximum axle weights that exist today in our border states of Vermont and Maine.

The issue being addressed here is that of loose bulk commodities (i.e. mulch & chips) shift in the trailer when being transported. On occasion additional weights above the current axle weight limits end up on the drive axles. Today, trucks that are within the total weight limit of 99,000 pounds may receive a citation for overweight axles. This makes no sense to us and therefore the request for your support on this amendment.

The current fines from the NH Department of Safety for excess axle weights is costly to the forest products industry. This proposed legislation will go a long way towards helping small New Hampshire businesses.

I met with the Commissioner of the New Hampshire Department of Safety along with representatives of his truck team (Troop G) and others to discuss this issue and to make sure that what we were requesting did not impose a safety issue to New Hampshire's motoring public. The conclusion of that meeting was that the new axle weights that we are requesting did not impose an inherent safety risk.

I please ask for your support tomorrow on the amendment to SB 131-FN. Please do not hesitate to contact me if you have any questions.

Robert J. Sculley
President



New Hampshire Motor Transport Association
19 Henniker Street
PO Box 3898
Concord, NH 03302-3898
Phone: 603-224-7337
Fax: 603-225-9361
www.nhmta.org



Archived: Monday, July 19, 2021 10:18:39 AM

From: Joe Carrier

Sent: Monday, May 17, 2021 8:29:03 AM

To: ~House Transportation Committee

Subject: HHP INC -a New Hampshire Forest Products Company / Amendment# 2021-1442h

Importance: Normal

House Transportation Committee Member,

As you know Tuesday 5/18 the House Transportation Committee will be hosting a public hearing on **Amendment# 2021-1442H**. The purpose of my email today is to express my strong support for Amendment# 2021-1442h from the view point of being in the forestry industry since high school, currently owning 7 log trucks and my business relying on hundreds of suppliers in the surrounding area to deliver logs via truck from wood landings.

My goal is to make your decision easier by explaining the upside the amendment/bill will have on the forestry industry.

- Making New Hampshire axle limit consistent with neighboring states (Vermont/Maine). Why this matters? To start it would make NH more competitive with neighboring states and ease interstate travel by creating uniform axle limits. Why let other states have an edge on NH?
- The NH Dept. of Safety stated that this will not make NH highways less safe.
- Manufacture capacity specification on our trucks is rated for much higher than the proposed increase in the Amendment. It is my understanding that all log trucks are.
- Loading Chips/ Logs on wood landings has its challenges. From personal experience, I am well aware that targeting the overall weight limit is hard enough and is somewhat of an art form. Trying to target specific axle weight adds more variables to an already difficult task.

Safety is always the first box to check. There is no evidence this will make NH roadways less safe, this statement is even supported by the NH Dept. of Safety .RSA 26618-a.l.(c)1 states "22,400 per axle". In other words **NH is already letting vehicles travel with an axle weight higher than what Amendment# 2021-1442H proposes**. What could the potential downside be? I cannot seem to find that answer.

I greatly appreciate you taking the time to read my views. The best of luck to you.

Thank you,

Joseph Carrier



Archived: Monday, July 19, 2021 10:18:40 AM
From: [Teri Hardwick](#)
Sent: Monday, May 17, 2021 8:20:44 AM
To: ~House Transportation Committee
Subject: Fwd: Axle Weights Bill 131
Importance: Normal

Hello, We badly need your support on this axle weight amendment that is in Bill 131. I am forwarding this short email I sent over to Dan Pickering yesterday. We have recently had to register/Overweight-Permit our trucks to go to New York as well as more Overweight-Permits in order to truck more to Vermont Mass. and Maine. We desperately need our loads to have consistent rules for allowed axle weights as one load travels through more states than just NH. Are loads are considered safe (with the higher axle weight) for roads in other states. NH should allow the same regulated weights. Please Support this!

Thanks for your service and hard work!

----- Forwarded message -----
From: **Teri Hardwick** <teri@dhhardwick.com>
Date: Sun, May 16, 2021 at 5:39 PM
Subject: Axle Weights Bill 131
To: Daniel Pickering <danpickeringforhouse@gmail.com>

Hi Dan, I hear the truck axle weight issue is coming up again soon. This is so very important to us as you know from my previous call. Again, We pay to register all of our trucks to haul up to 99,000 lbs. like all of our surrounding states. We need this amendment to allow us to continue hauling what is legal on our axles and please believe me when I say these logging trucks are built to handle these loads and they are very safe.

As I said before, we can be 96,000 gross weight for our unit when weighed by DOT and still get a fine for axle overweights. This is a killer as we can't really fix this issue hauling forest products. I think Jasen Stock with NHTOA has taken lots of time to explain the situation. I will not go into it again too much here. Axle groupings allowed at 40,000 instead of the current 36,000 makes sense.

We are not asking for special preference, we are asking for common-sense actions to be taken.

There should not be extra time needed for DOT to research conditions of roads and bridges in NH. They have already been doing this for years for a variety of reasons and one of them is weight loads on bridges. This is why the DOT Permit office has revamped its system a couple years ago, using extensive data and research.

With the critical state of NH Low-Grade wood markets, we are forced to travel out of state more now to find markets for this low-grade wood. Recently registering several trucks for NHY and Mass and VT for overweight hauling. We really do "DESPERATELY" need our home state to support trucking these forest products and to conform to other state guidelines!

We need to fix the axle weight issues, please help to make this happen. We need your help!

Sawmills may be in good times at the moment but the Lumber Boom is not passing down to loggers or landowners.

Loggers trucking wood is tougher than ever before!

Please Support Amendment #2021-1442h on Tuesday!

--
--



Teri Hardwick
D.H. Hardwick & Sons, Inc.
P.O Box 430, Antrim NH 03440
603-588-6618



<https://www.dhhardwick.com>
<https://www.facebook.com/dhhardwick/>

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Archived: Monday, July 19, 2021 10:18:40 AM
From: Pete Howland
Sent: Sunday, May 16, 2021 7:37:36 AM
To: ~House Transportation Committee
Subject: AMENDMENT #2021-1442h
Importance: Normal

Dear House Transportation Committee,

I would like to urge you to support amendment #2021-1442h.

This amendment would increase the weight allowance for tandem axles (on truck/trailer combinations where there are more than 4 axles hauling forest products) to 40,000# for forest products being hauled from log landings. The current weight limit is 36,000#. This will make New Hampshire consistent with our neighboring states and will address a perennial problem with weight distribution unique to chip vans and log trucks. These trucks are already set up with at least 40,000# and most with 44,000# axles so that they can handle the loads that they haul on a daily basis in the woods.

The weight problem is unique to forest products, because log and chip weights vary by species, season of harvest, and weather conditions such as ice, snow, mud, etc. Landings are uneven and the surface varies by season and soil type.

We can hit the legal weight limits for the overall gross vehicle weight easily, hitting specific axle weights (especially the current 36,000# limit for the tandem drive axles) is difficult. This is not unique to New Hampshire. In fact, Maine law allows trucks hauling forest products (or potatoes) to have tandem weight limits as high as 44,000#.

This amendment will impact only a small percentage of the trucks on the road (only log and chip trucks hauling off log landings, I have about three operators logging for me from year to year, on the White Mtn. Nat'l. forest and many smaller private landowners.

This amendment will make NH's weight restrictions consistent with neighboring states, thus making interstate trucking easier, knowing that weights are basically the same and not having to worry about trying to load for different weights. This will make NH timberlands and forest products trucking companies competitive with those in neighboring states.

According to the NH Dept. of Safety testimony earlier this year, this proposal will not make NH's highways more dangerous. These trucks are already set-up to handle these weights safely as mentioned previously.

It is unclear why the NHDOT would need to spend additional time and resources assessing roads and bridges in the state, for a job they should be doing on a regular basis already. **They simply need to do there job and use the funds that they receive from trucks, thru fuel taxes, taxes on tires and the fees they charge for registrations and the overweight (99,000#) registrations that are in place now, instead of building bike paths all over the state that they don't get a dime from.**

Thank You for your time and consideration on this very important amendment to make our industry and the many New Hampshire timberland owners more competitive with our neighboring states.

Sincerely,
Pete

--

Pete Howland
P.O. Box 2291
Conway, New Hampshire
03818-2291
(c) 603-455-6389
petehowland47@gmail.com

Archived: Monday, July 19, 2021 10:18:40 AM
From: [Madeleine Mineau](#)
Sent: Monday, May 10, 2021 2:36:57 PM
To: ~House Transportation Committee
Cc: [David Watters](#)
Subject: SB131 part 1 Electric Vehicle Charging Station Rate Design Standards
Importance: Normal

Dear members of the House Transportation Committee,
Clean Energy NH (CENH) is a non-profit membership-based organization. We are New Hampshire's leading clean energy advocate that is dedicated to supporting policies and programs that strengthen our state's economy by encouraging a transition to renewable energy and promoting energy efficiency. We also coordinate Drive Electric NH.

Drive Electric NH and CENH participated in the SB517 EV Commission and IR20-004 docket at the PUC. The rate design standards included in section 4 of part 1 of SB131 are PUC Staff's recommendations in the IR20-004 docket however, there was not broad agreement among parties in this docket on some of these recommendations.

Specifically, CENH and several other parties would disagree that " VI. Demand charges may be appropriate rate design for high demand draw electric vehicle supply equipment"
Demand charges are currently a major barrier to the establishment of DC fast charging infrastructure and other EV charging infrastructure in NH. Especially at low utilization rate, which is expected initially, demand charge can make the cost of electricity for these charging stations prohibitively expensive.

Eversource recently proposed a demand charge alternative for EV charging in docket DE21-078 (<https://www.puc.nh.gov/regulatory/Docketbk/2021/21-078.html>) and Unitil has proposed a demand charge "holiday" in the current rate case (DE 21-030).

We ask that this line regarding demand charges be deleted from the bill.
These rate design guidelines were meant to be recommendations and we are concerned that putting them into law will be overly prescriptive and not allow the flexibility needed by each utility to develop EV charging rate design that works for them.

I look forward to testifying before you at the hearing for this bill tomorrow.

Madeleine

--

Madeleine Mineau
Executive Director
Clean Energy NH (formerly NHSEA)
Cell phone: 607-592-6184





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The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

May 7, 2021

The Honorable Thomas Walsh
Chairman, House Transportation Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: SB 131 FN – Part III – AN ACT adopting omnibus legislation relative to vehicles, municipal water maintenance certificates, safety certificates, nondrivers's picture I.D.s, decals, and private roads program.

Dear Chairman Walsh and Members of the Committee:

Thank you for the opportunity to comment on SB 131. Part III of this bill proposes to allow municipalities to have their municipal winter maintenance programs certified by the Department of Environmental Services (NHDES), and includes a number of minor changes based on program experience over the past five years.

This bill was introduced at the request of NHDES. For many years, NHDES has been certifying commercial salt applicators under our Green SnowPro program. This program teaches winter maintenance professionals how to reduce their salt use while protecting public safety. Salt contamination in rivers and ponds around the state (not to mention impacts to drinking water and highway infrastructure) is a well-documented problem.

We have heard from communities that they have interest in salt applicator certification for a variety of reasons, including:

1. Cost savings – getting training and keeping equipment calibrated saves towns money in the long run with reduced salt usage.
2. Public pressure, environmental improvement – there are many communities getting pressure from lake associations and others about their salt use.
3. Regulatory – the new federal Municipal Separate Storm Sewer System (MS4) permit requires town personnel to get training in those towns with chloride impairments.
4. Pride and accomplishment, *esprit de corps* – public works managers tell us that this training builds staff satisfaction and motivation.

NHDES has been informed by our legal counsel that the current statutory authorization only applies to commercial applicators and not to municipal winter snow and ice control activities. This legislation would lend NHDES the ability to certify municipal programs and recognize the individuals who get trained. The general idea is to certify a community based on certain

The Honorable Representative Walsh
Chairman, House Transportation Committee
May 7, 2021
Page 2

requirements (such as staff training, calibrations and other policies, deicing practices, and salt accounting), that are similar to those in the commercial applicator certification program.

The primary difference from the commercial certification in this new bill is that the certification will apply to municipal programs, rather than to individual people. NHDES does not have the staff to track and certify all the individuals in municipalities unless we were to charge fees similar to those in the commercial application certification, and doing so seems unnecessarily complicated. This proposed legislation foresees a different approach that recognizes the individuals but applies the certification to the overall winter program.

The draft legislation also includes a number of minor clarifications to the Voluntary Commercial Salt Application Certification. There are two types of clarifications. The first is a set of added text to make the distinction between types of certifications (master, individual and subordinate) more clear. The second is to address confusion in the limited liability relief section of the statute (RSA 508:22). These changes will add to the strength of that provision.

Last session, we shared the draft legislation with the Seacoast and Manchester/Nashua Stormwater Coalitions and other interested parties. The response to this approach has been generally favorable, and NHDES is open to working with the committee if additional improvements are identified in the future.

Thank you again for the opportunity to comment on SB 131. Should you have questions, or need additional information, please feel free to contact Ted Diers, Watershed Management Bureau Administrator, NHDES Water Division, at 603-271-3289 or ted.diers@des.nh.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Scott", with a long horizontal flourish extending to the right.

Robert R. Scott
Commissioner

cc: Sponsor of SB 131 – Senators Morse and Watters

Voting Members:

David Packard
Chair
NH Lakes Assn.

Shane Bradt
Scientific Community

Tiffany Grade
Conservation
Community

Janet Kidder
Planning Boards

Frank Lemay
NH BIA

Jared Maraio
NH Travel Council

Lisa Morin
State Conservation
Committee

Rex Norman
Municipal Official

Dick Smith
Fishing Interests

Bruce Temple
NH Fish & Game
Commission

Vacant
Conservation
Commissions

Vacant
NH Association of
Realtors

Vacant
Marine Trades
Association

Non-Voting Members:

Garret Graaskamp
Vice Chair
NH Fish & Game Dept.

Capt. Tim Dunleavy
NH Dept. of Safety

Eric Feldbaum
NH Dept. of Natural and
Cultural Resources

Jennifer Gilbert
NH Office of Strategic
Initiatives

Mark Hemmerlein
NH Dept. of Trans.

Shawn Jasper
NH Dept. of
Ag, Markets & Food

Staff:

Tracie Sales
Program Administrator

Vacant
Watershed Coordinator

Vacant
Program Assistant

N.H. Lakes Management and Protection Program
N.H. Lakes Management Advisory Committee

May 11, 2021

The Honorable Thomas Walsh, Chair
House Transportation Committee
Legislative Office Building, Room 203
Concord, NH 03301

RE: SB 131 - AN ACT adopting omnibus legislation relative to vehicles, municipal water maintenance certificates, nondriver's picture identification, and firefighter and emergency medical services decals.

Dear Chair Walsh and Members of the Committee:

RSA 483-A established the New Hampshire Lakes Management and Protection Program and the Lakes Management Advisory Committee (LMAC) to complement and reinforce existing state and federal water quality laws. Within its responsibilities of advising the NHDES Commissioner and the department, the LMAC reviews and takes positions on legislation pertaining to New Hampshire's lakes. The LMAC appreciates the opportunity to comment on Senate Bill 131.

At the meeting of the LMAC on January 11, 2021, the LMAC voted to support LSR 523, which has become Part III of SB 131. NHDES has noted dramatic and rising concentrations of chloride from road salt in New Hampshire waters since nearly all of the chloride applied as road salt will eventually end up in the nearby surface waters or groundwater. In 2020, New Hampshire listed 50 chloride-impaired water bodies on the 303(d) list under the Clean Water Act. At this time, the only way to prevent chloride from reaching surface waters and groundwater is to reduce the amount applied to our roadways, parking lots and sidewalks. Since 2016, the NHDES Green SnowPro Program has successfully offered commercial applicators training and certification in salt reduction practices that prioritize public safety while mitigating salt usage. It is time to allow municipalities into the Program in order to reduce chloride pollution to New Hampshire's lakes to the maximum extent possible.

The LMAC is a legislatively created body of stakeholders, in support of lakes, representing the NH Lakes Association, conservation commissions, scientific community, conservation community, planning boards, Business and Industry Association, tourism industry, state conservation committee, NH Municipal Association, fishing interests, NH Fish & Game Commission, NH Association of Realtors, Marine Trades Association, and several state agencies. Committee members are appointed by the Governor and Council or the head of the state agency and are charged with supporting the legislative intent of the Lakes Management and Protection Program.

In conclusion, the LMAC supports SB 131, section III, for the reasons stated above. Thank you for the opportunity to comment. Should you have further questions about this letter, please feel free to contact me at (603) 867-9299 or appliedforce52@gmail.com.

Respectfully,



David Packard
Chair

The Honorable Thomas Walsh
Chair, House Transportation Committee
SB 131 May 11, 2021
Page 2

ec: Sen. David Watters
Sen. Chuck Morse
LMAC Representatives
Robert R. Scott, Commissioner, NHDES
Tom O'Donovan, Director, Water Division, NHDES
Ted Diers, Administrator, Watershed Mgmt. Bur., NHDES
Tracie Sales, Rivers and Lakes Programs Manager, NHDES

 **NEW HAMPSHIRE FARM BUREAU FEDERATION**

295 Sheep Davis Road • Concord, New Hampshire 03301-5747 • (603) 224-1934 • Fax (603) 228-8432 • www.nhfarmbureau.org

May 17, 2021

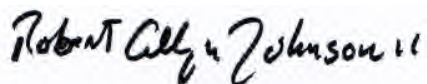
NH House Transportation Committee
C/o www.gencourt.state.nh.us

Re: Amendment #2021-1442h to **SB 131-FN** (providing the maximum weight of motor vehicles)

Dear Mr. Chairman and Members of the Committee:

We urge the Committee to support Amendment #2021-1442h. This amendment will make New Hampshire's trucking law consistent with our neighboring states and result in added efficiencies for haulers of the state's forest products. Any efficiencies gained by forest product haulers will only help New Hampshire forest landowners return on their investment of forest land and help to maintain our state's open spaces.

Sincerely,



Robert Johnson, II, Policy Director
Direct: (603) 312-6877
robj@nhfarmbureau.org

New Hampshire Farm Bureau (NHFB) is a non-profit federation, established in 1916, of New Hampshire's 10 county Farm Bureau organizations which consist of nearly 2,000 NH farm families and over 1,000 supporting members statewide. NHFB is dedicated to advocating for and educating the public about agriculture. NHFB is a general farm organization where the members establish policy and direction through a member driven policy development process. We are "The Voice of Agriculture" in New Hampshire.



ChargePoint, Inc.
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+1.408.841.4500 or US toll-free +1.877.370.3802

The Honorable Thomas Walsh, Chair
House Transportation Committee
Room 203, Legislative Office Building
107 North Main Street
Concord, NH 03301

May 11, 2021

Re: SB 131 – Part I: Relative to electric vehicle supply equipment and infrastructure and relative to state motor vehicle fleet management.

Dear Chair Walsh:

Thank you for providing ChargePoint with the opportunity to provide testimony regarding Part I of Senate Bill 131, which deals with electric vehicle (“EV”) charging infrastructure, also known as EV supply equipment (“EVSE”). While ChargePoint is supportive of Sections 1, 2, and 3, we have serious concerns about the language included in Section 4. ChargePoint could only be supportive of SB 131 if the Committee were to amend Paragraph VI of Section 4 as follows:

VI. Alternatives to traditional, demand-based electricity rates ~~Demand charges~~ may be appropriate ~~rate design~~ for high demand draw electric vehicle supply equipment, ~~but not for residential charging applications.~~

I. Background on ChargePoint

Since 2007, ChargePoint has been creating the new fueling network to move all people and goods on electricity. ChargePoint is committed to making it easy for businesses and drivers to go electric, with a world leading EV charging network and most complete set of charging solutions available today. ChargePoint’s cloud subscription platform and software-defined charging hardware is designed internally and includes options for every charging scenario from home and multifamily to workplace, parking, hospitality, retail and fleets of all kinds.

ChargePoint’s primary business model consists of selling smart charging solutions directly to businesses and organizations while offering tools that empower station owners to deploy charging designed for their individual application and use case. ChargePoint provides charging network services and data-driven, cloud-enabled capabilities that enable site hosts to better manage their charging assets and optimize services. For example, with those network capabilities, site hosts can view data on charging station utilization, frequency and duration of charging sessions, set access controls to the stations, and set pricing for charging services. These features are designed to maximize utilization and align the EV

driver experience with the specific use case associated with the specific site host. Additionally, ChargePoint has designed its network to allow other parties, such as electric utilities, the ability to access charging data and conduct load management to enable efficient EV load integration onto the electric grid.

II. ChargePoint Supports Sections 1, 2, and 3

The findings in **Section 1** are consistent with the Final Report of the SB 517 Electric Vehicle Charging Stations Infrastructure Commission, and would appropriately identify capital cost barriers associated with retrofitting existing parking spots for EVSE.

Section 2 would clarify that EV charging stations that receive any public funding, which are accessible to the public, shall enable universal access so that any driver can pull up and charge their vehicle.

The provision in **Section 3** would enable cities and towns to make a decision to provide tax relief on the value of EVSE, which ensures that local governments have the tools to help incentivize private investments in EV charging infrastructure.

III. The Committee Should Amend or Strike Section 4 of SB 131

Section 4 addresses the most significant barrier to deploying high-powered EV charging stations: outdated electricity rate designs that do not reflect customer needs or how EVs are charged. However, the specific language of Section 4 would inadvertently prevent utilities from effectively designing rates, and also prevent the New Hampshire Public Utilities Commission (“PUC”) from effectively considering the range of costs and benefits associated with transportation electrification.

In order to ensure that regulators have sufficient flexibility to effectively evaluate the costs and benefits of electricity rates for evolving technologies, ChargePoint respectfully recommends that the Committee, at a minimum, amend Paragraph VI as follows:

VI. Alternatives to traditional, demand-based electricity rates Demand charges may be appropriate rate design for high demand draw electric vehicle supply equipment, but not for residential charging applications.
--

A. Background on Electricity Rate Design for Electric Transportation

Most EV charging takes place at home and the workplace over longer periods of time, which is typically supported by EV charging stations that are installed behind a utility customer’s existing meter. Since that charging be supported by longer-term and lower-powered charging stations. Faster, higher-powered Direct Current fast charging (“DCFC”) stations are vital components a successful and responsible EV adoption strategy. DCFC can increase EV driver “range confidence” with fast charging along highways, increase availability of community charging in dense urban areas, and enable the electrification of medium- and heavy-duty fleets for public (e.g. school buses, public transit) and private entities (e.g., last-mile delivery, transportation-networking companies).

Most residential electric customers pay for the total amount of energy used each month in terms of *kilowatt-hours* (“kWh”). In contrast, traditional commercial electric customers (e.g., factories) can have a

much higher energy demand for long periods of time, and typically pay an additional *demand charge* based on the highest peak demand for power capacity in a given month.

Unfortunately, traditional electricity rates were never designed to reflect the unique characteristics of light-, medium-, and heavy-duty EV charging.

As explained by the Great Plains Institute, high-powered EV chargers “*will likely incur demand charges, especially if two or three vehicles are charging simultaneously. Even if this only happens once in a month, the operator will get billed for a very large demand since this charge is based on the peak use occurrence for each billing cycle.*”¹

Demand charges are not an effective price signal for public charging stations because the only way to avoid or reduce demand charges is to shift or curtail load, which is typically not an option for travelers “on-the-go” who must charge their vehicles at a public charging station in order to complete their travel. In addition, the Regulatory Assistance Project issued a report identify how demand charges do not accurately reflect cost causation.²

B. Paragraph VI is inconsistent with legislative and regulatory best practices

There is broad consensus that demand charges represent the most significant barrier to deploying high-powered EV chargers for personal vehicles, as well as for fleets of medium and heavy-duty vehicles like electric transit buses and electric school buses. The PUC is already in the process of exploring alternatives to traditional, demand-based electricity rates.

Innovative alternatives to traditional, demand-based distribution electricity rates are already in place in California, Colorado, Connecticut, Florida, Massachusetts, Michigan, New Jersey, Nevada, Oregon, Pennsylvania, Virginia, Washington, and Wisconsin.

States have also specifically passed or advanced legislation requiring utilities to develop alternatives to traditional, demand-based distribution rates in support of statewide goals for transportation electrification.³

IV. Conclusion

ChargePoint appreciates the opportunity to provide testimony on this important issue. Thank you for your consideration, and please let me know if I can provide additional information.

Sincerely,



Kevin George Miller
Director, Public Policy
ChargePoint

¹ [Great Plains Institute. “How Demand Charges Impact Electric Vehicle Fast Charging Infrastructure.”](#)

² [Regulatory Assistance Project, “Demand Charges: What Are They Good For? An Examination of Cost Causation.”](#)

³ Massachusetts [Ch. 383 of the Acts of 2021 Sec. 29](#), and New York [A. 3876 & S. 3929](#)

Bill as
Introduced

SB 131-FN - AS INTRODUCED

2021 SESSION

21-0839
06/04

SENATE BILL **131-FN**

AN ACT adopting omnibus legislation relative to vehicles, municipal water maintenance certificates, safety certificates, nondrivers's picture I.D.s, decals, and private roads.

SPONSORS: Sen. Watters, Dist 4

COMMITTEE: Transportation

ANALYSIS

This bill adopts legislation relative to:

- I. Electric vehicle supply equipment and infrastructure and relative to state motor vehicle fleet management.
- II. Removal of abandoned or disabled vehicles by towing.
- III. The municipal winter maintenance certification program.
- IV. Implementing a mandatory OHRV and snowmobile safety certificate program.
- V. Eligibility for the issuance of a nondriver's picture identification card.
- VI. The operation of bicycles at or approaching intersections.
- VII. Certificate of boating safety.
- VIII. Allowing emergency medical services chiefs and fire chiefs to issue decals for multi-use decal plates.
- IX. Private roads.

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.

21-0839
06/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT adopting omnibus legislation relative to vehicles, municipal water maintenance certificates, safety certificates, nondrivers's picture I.D.s, decals, and private roads.

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

1 Sponsorship. This act consists of the following proposed legislation:

Part I. LSR 21-0839, relative to electric vehicle supply equipment and infrastructure and relative to state motor vehicle fleet management, sponsored by Sen. Watters, Prime/Dist. 4; Sen. Prentiss, Dist. 5; Sen. Sherman, Dist. 24; Rep. P. Schmidt, Straf. 19; Rep. Sykes, Graf. 13.

Part II. LSR 21-0324, relative to removal of abandoned or disabled vehicles by towing, sponsored by Sen. Birdsell, Prime/Dist. 19.

Part III. LSR 21-0523, relative to the municipal winter maintenance certification program, sponsored by Sen. Morse, Prime/Dist. 22.

Part IV. LSR 21-0869, relative to implementing a mandatory OHRV and snowmobile safety certificate program, sponsored by Sen. Watters, Prime/Dist. 4; Sen. Ward, Dist. 8; Rep. Sykes, Graf. 13.

Part V. LSR 21-0896, relative to eligibility for the issuance of a nondriver's picture identification card, sponsored by Sen. Watters, Prime/Dist. 4; Rep. Sykes, Graf. 13.

Part VI. LSR 21-0986, relative to the operation of bicycles at or approaching intersections sponsored by Sen. Daniels, Prime/Dist. 11; Rep. Ammon, Hills. 40; Rep. Sheehan, Hills. 23.

Part VII. LSR 21-0325, relative to certificate of boating safety, sponsored by Sen. Birdsell, Prime/Dist. 19.

Part VIII. LSR 21-1055, relative to allowing emergency medical services chiefs and fire chiefs to issue decals for multi-use decal plates, sponsored by Sen. Prentiss, Prime/Dist. 5; Sen. Watters, Dist. 4; Sen. Sherman, Dist. 24; Rep. Merchant, Sull. 4; Rep. Goley, Hills. 8; Rep. McGuire, Merr. 29.

Part IX. LSR 21-1065, relative to private roads, sponsored by Sen. Carson, Prime/Dist. 14; Rep. Abramson, Rock. 37.

2 Legislation Enacted. The general court hereby enacts the following legislation:

PART I

Relative to electric vehicle supply equipment and infrastructure and
relative to state motor vehicle fleet management.

1 Findings. The general court finds that:

I. Transportation emissions contribute approximately 40 percent of the greenhouse gas emissions in the mid-Atlantic and northeastern regions of the United States. There is a compelling economic and environmental need to make a significant reduction in greenhouse gas emissions. It is therefore in the public interest to minimize our transportation system's reliance on high-carbon fuels, promote sustainable growth, and help build the clean energy economy.

II. Availability of electric vehicle supply equipment (EVSE) is critical to facilitating the development of the overall electric vehicle (EV) market in the region and will support our tourism-based economy. Adequate EVSE in New Hampshire, and in particular direct current fast chargers (DCFC) along major travel corridors in the state, is necessary to enable travel within and through the state, promote tourism, generate jobs, and support consumers, businesses, and automobile dealers and manufacturers. The state should commit to the development of zero emission vehicles (ZEV) technology and infrastructure, including the state, private and rental residence, business, and municipal installation of EVSE.

III. Electric utility investments in grid infrastructure to support the installation of EVSE lowers the barriers to such installation. Electric distribution companies (EDC) are uniquely positioned to enable strategic electrification as part of larger investments in grid modernization capabilities, specifically investments in electric vehicle charging infrastructure. EDC owned or funded behind the meter enabling infrastructure, also known as "make-ready" infrastructure, can accelerate charging infrastructure deployment, and it has the potential to put downward pressure on rates by spreading fixed costs over a greater volume of electric sales.

IV. Initial investment from the Volkswagen Settlement and other potential sources should prioritize EVSE installation along the interstate highway system, the New Hampshire turnpike system, and other roadways, with careful consideration of the needs of rural areas and tourism centers, prioritized as determined by the office of strategic initiatives, the New Hampshire department of environmental services, and the New Hampshire department of transportation, in consultation with interested parties.

2 Electric Vehicle Charging Stations Infrastructure Commission; Final Recommendations Adopted. State agencies and departments and the New Hampshire transportation council shall utilize the recommendations of the Electric Vehicle Charging Stations Infrastructure Commission.

3 Office of Strategic Initiatives; Rebate Program Established. The office of strategic initiatives shall allocate a portion of the New Hampshire Volkswagen Trust for a non-proprietary Level 2 EVSE rebate program for

municipalities for publicly accessible chargers, to be administered by a non-governmental entity.

4 Utilities; Support of Installation of EVSE. Regulated utilities may include EVSE make-ready programs to fund upgrades necessary to support the installation of EVSE in the systems benefits charge or other mechanisms.

5 Electric Vehicle Charging Station Requirements. Amend RSA 236:133, III to read as follows:

III. All publicly funded chargers, ***including those funded by the Volkswagen Trust Settlement or by federal or other competitively awarded funds***, installed after the effective date of this paragraph that are accessible to the public shall be equipped to enable universal access.

6 Motor Vehicles; Additional Fees for Registration Permits. Amend RSA 261:154 to read as follows:

261:154 Additional Fees for Registration Permits. The governing bodies of towns and cities of a population greater than 50,000 as determined by the last federal census may, subject to the provisions of RSA 261:155, direct the city treasurer or the town clerk to collect in addition to the fees imposed in RSA 261:153, fees for such permits as follows: a sum not to exceed 5 mills on each dollar of the maker's list price for a current model year vehicle, a sum not to exceed 4 mills on each dollar of the maker's list price for the first preceding model year vehicle, a sum not to exceed 3 mills on each dollar of the maker's list price for the second preceding model year vehicle, a sum not to exceed 2 mills on each dollar of the maker's list price for the third preceding model year vehicle, and a sum not to exceed one mill on each dollar of the maker's list price for the fourth preceding model year vehicle and any model year prior thereto. In no event, however, shall the fee be less than one dollar. The director shall make the final determination of any vehicle model year in any case in which a dispute arises. All fees collected under this section shall be used for the construction, operation and maintenance of public parking facilities as provided in RSA 231:114-129 ***and electric vehicle supply equipment***.

7 New Subparagraph; Motor Vehicles; Registration Fees; Plug-In Hybrid and Electric Vehicles. Amend RSA 261:141, III by inserting after subparagraph (dd) the following new subparagraph:

(ee) In addition to any other fee required by this paragraph, for each hybrid and electric vehicles -\$20, to be used exclusively by the department of transportation for construction of electric vehicle supply equipment on state highways and turnpikes.

8 New Section; Community Revitalization Tax Relief; Electric Vehicle Supply Equipment. Amend RSA 79-E by inserting after section 7-a the following new section:

79-E:7-b Public Benefit; Electric Vehicle Supply Equipment. Cities and towns may provide tax relief under this chapter on the value of electric vehicle supply equipment installed in residential homes and rental properties, businesses, and industries.

9 State Facility Energy Cost Reduction; Use of State-Owned Vehicles; Definitions. RSA 21-I:19-g, III-a is repealed and reenacted to read as follows:

III-a. In this section:

(a) "Light duty truck" means a land vehicle which has a gross vehicle weight rating of up to 10,000 pounds and which does not fall within the definition of a passenger vehicle as defined in subparagraph (b).

(b) "Passenger vehicle" means a land vehicle that is defined by the department of administrative services' fleet manager as a passenger sedan, sports activity vehicle, sports utility vehicle, cross-over vehicle, or station wagon.

10 Fleet Efficiency and Redistribution; Definition; Motor Vehicle. RSA 21-I:19-i, II(b) is repealed and reenacted to read as follows:

(b) "Motor vehicle" means a passenger vehicle or light duty truck as defined by RSA 21-I:19-g.

11 New Section; Fleet Efficiency; Zero Emissions. Amend RSA 21-I by inserting after section 19-j the following new section:

21-I:19-k Zero Emissions.

I. The intent of this section is that all state purchased and leased vehicles shall be the lowest emission vehicles available, to the extent feasible, practicable, and cost effective based on total cost of ownership, exclusive of the cost of electric vehicle supply equipment (EVSE), using projected actual ownership time, and that all purchased or leased vehicles shall be zero emission vehicles by 2041, to the extent feasible, practicable and cost effective. Due consideration shall be given to purchasing such vehicles from New Hampshire dealerships that sell and service electric vehicles.

II. In this section, the term "zero emissions vehicle" or ZEV means a vehicle that emits no exhaust gas from the on-board source of power, such as an electric vehicle powered solely by a battery or by the use of a hydrogen fuel cell.

III. Notwithstanding any provision in RSA 21-I:19-i, the department of administrative services shall establish procedures intended to ensure that to the maximum extent feasible, and consistent with the ability of vehicles to perform their intended functions, all the state's motor vehicles will be ZEVs by the year 2042. The procedures shall be subject to the approval of the ZEV 2042 committee established in paragraph VI. These procedures shall not be subject to the rulemaking requirements of RSA 541-A, but shall be binding on all state officials and state agencies.

IV. By 2026, all new leases or purchases of light duty trucks or passenger vehicles as defined in RSA 21-I:19-g shall be ZEVs and by 2032 any new leases or purchase of trucks and other vehicles in excess for 10,000 pounds in weight shall be ZEVs.

V. Any agency or department of the state that purchases, leases, or otherwise acquires or currently operates a motor vehicle shall develop a plan to transition its vehicles entirely to ZEVs, to the extent feasible for particular vehicles and vehicle classes by 2042. Agencies and departments shall consult with the ZEV 2042 committee established in paragraph VI in developing such feasibility plans and such plans shall only be adopted with the approval of the committee. Transition plans shall be developed by all state agencies and departments for submission to the office of strategic initiatives by June 30, 2022 and revised and submitted every 2 years thereafter until all of the state's motor vehicles are ZEVs. Such plans shall be predicated upon the adequacy of funding and shall take the existence of adequate funding into account. If ZEV vehicles are not determined to be a feasible option for a particular vehicle acquisition, or for a class of vehicles intended for use by emergency response agencies, then the lowest emission vehicle available that is suitable for that purpose may be considered. Agencies and departments shall include funding for this program each biennium in requests for funding in the general court and the capital budget.

VI.(a) There is established the ZEV 2042 committee which shall consult with any agency or department of state that purchase, leases, or otherwise acquires or currently operates motor vehicles in order to transition such vehicles entirely to ZEVs by 2042.

(b) Membership of the committee shall be as follows:

- (1) The commissioner of the department of administrative services.
- (2) The director of the division of procurement and support services of the department of administrative services, or designee.
- (3) The commissioner of the department of transportation, or designee.
- (4) The commissioner of the department of safety, or designee.
- (5) The commissioner of the department of environmental services, or designee.

(c)(1) The committee shall consult with agencies and departments in developing plans to transition such agency or department's vehicles entirely to ZEVs to the extent feasible for particular vehicles and classes by 2042. The committee shall identify in such plans the cost of EVSE, and develop a comprehensive plan and cost analysis for this infrastructure.

(2) Within 90 days of receiving an agency or department's plan to transition the committee shall review and may approve such plans if they comply with this section prior to their adoption by a department or agency. If such plans are not approved the submitting agency or department may revise and resubmit such plan to the committee for approval within 30 days of denial of the initial approval.

12 Low Carbon Fuel Standards Programs; State Participation. Amend RSA 21-O:23 to read as follows:

21-O:23 Low Carbon Fuel Standards Programs; State Participation.

I. The state of New Hampshire shall not join~~[- implement,]~~ or participate in any state, regional, or national low carbon fuel standards program or any similar program that requires quotas, caps, or mandates on any fuels used for transportation, industrial purposes, or home heating without seeking and receiving prior legislative approval.

II. The department of environmental services **and the department of transportation** may engage in regional and national discussions of such programs.

~~III. The department of environmental services shall report all expenses resulting from its discussions to the fiscal committee of the general court on a semi-annual basis.]~~

13 New Subdivision; Electric Vehicle Charging Station Rate Design Standards. Amend RSA 378 by inserting after section 54 the following new subdivision:

Electric Vehicle Charging Station Rate Design Standards

378:55 Electric Vehicle Charging Station Rate Design Standards. In determining the schedule of rates, fares, charges, and prices applicable to electric vehicle supply equipment pursuant to RSA 378:1, every public utility shall

adhere to the following rate design standards:

I. Initial electric vehicle charging rate design shall reflect the marginal cost of providing electric vehicle charging services to the maximum extent practicable, provided that these rates will be updated and reconciled on a regular basis to ensure they reflect costs associated with customer usage patterns.

II. Declining block rates shall not be used for electric vehicle charging for separately metered electric vehicle supply equipment; provided that where declining block rates are already offered, such rates may be appropriate for customers that do not want to separately meter electric vehicle supply equipment.

III. Seasonal rates may be charged to account for the seasonality of winter and summer cost drivers on the electric system. Such rate changes may occur coincident with other rate changes.

IV. Interruptible rates are not appropriate for electric vehicle charging.

V. Load management offerings may be an appropriate strategy for electric vehicle rate design, especially when offered in conjunction with electric vehicle time of use rate offerings.

VI. Demand charges may be appropriate rate design for high demand draw electric vehicle supply equipment, but not for residential charging applications.

VII. Time of use rates are appropriate for electric vehicle charging, provided that utilities propose a separately metered electric vehicle time of use rate.

VIII. Any separately metered residential electric vehicle charging rate shall:

- (a) Be based directly on cost causation.
- (b) Incorporate time varying energy supply, transmission, and distribution components.
- (c) Have off-peak, mid-peak, and peak periods.
- (d) Be seasonably differentiated.
- (e) Have an average price differential between off-peak and peak of no less than 3:1 for the entire year.
- (f) Have a peak period no longer than 5 hours.

IX. Each utility seeking approval of an electric vehicle time of use rate shall provide a quantification of costs, including but not limited to billing, metering, and marketing costs.

14 Effective Date. Part I of this act shall take effect January 1, 2022.

PART II

Relative to removal of abandoned or disabled vehicles by towing.

1 New Section; Abandoned Vehicles; Use of Tow List Required. Amend RSA 262 by inserting after section 31 the following new section:

262:31-a Use of Tow List Required. In the event the state police in the interest of public safety and pursuant to applicable statutes and rules, including but not limited to clearing roads and entrances of disabled or abandoned vehicles, seeks to tow any vehicle, the tow company responsible for removal and storage shall be chosen from a tow list in accordance with RSA 106-B:26 through RSA 106-B:34.

2 New Subdivision; Removal of Abandoned Vehicles by State Police. Amend RSA 106-B by inserting after section 25 the following new subdivision:

Removal of Abandoned Vehicles by State Police

106-B:26 Applicability.

I. This subdivision shall apply to the enforcement of provisions of the motor vehicle laws by the state police, including clearing roads and entrances of stolen, unregistered, illegally parked, disabled or abandoned vehicles, vehicles involved in accidents or crimes or other situations, regarding the removal, storage, and release of such vehicles towed and transported by wreckers, towing, and emergency road service organizations in a fair and equitable manner, upon request of the division of state police:

- (a) In response to requests from owners or custodians of vehicles that have encountered mechanical problems that rendered them inoperable or unsafe to be driven;
- (b) In response to requests from a state trooper when a vehicle has been abandoned on private property without consent of the property owner;
- (c) When a vehicle is found obstructing the passage of vehicles from a public street or highway onto the driveway of such private property or public building;
- (d) When a vehicle was involved in a traffic accident or crime or its driver is incapacitated or under arrest, or is without a valid driver's license;

- (e) When a vehicle is interfering with snow removal or highway maintenance;
- (f) When a vehicle has been left unattended within a state-owned park and ride facility for a period greater than 21 days; or
- (g) When a vehicle is without proper registration or apparently unsafe to be driven.

II. Nothing in this subdivision shall restrict the authority of town and city law enforcement agencies to enforce relevant state statutes, to enact local bylaws or ordinances not in conflict with any state law or administrative rule regarding the clearance of disabled, abandoned, illegally parked, unregistered, or stolen vehicles or vehicles involved in crimes or collisions in areas where the local police have sole or shared jurisdiction with state police, or to enter into contractual agreements with tow companies for the removal of vehicles at the request of local authorities.

106-B:27 State Police; Use of Tow List.

I. In the event the division of state police seeks to tow or remove any vehicle pursuant to applicable laws and rules, whenever practicable the tow company responsible for such towing or removal shall be chosen from a tow list in accordance with this subdivision.

II. To facilitate the timely and effective towing and removal of vehicles pursuant to this subdivision, the division of state police is authorized to develop and maintain a rotating list of qualified tow services within each geographical troop. Where long distances could cause unreasonably long wrecker response times, the director of state police or designee may authorize a separate rotation list by county or group of municipalities within a troop. The director from time to time may enlarge or shrink an area if necessary, to ensure an adequate number of qualified tow businesses to handle the call workload and travel distances involved, and shall review the lists periodically to ensure that needs are being met. The list may be further segmented to distinguish between heavy and light/medium duty wreckers, recovery vehicles, rollback carriers and other specialized equipment.

III. Rotation lists shall include notations identifying tow businesses that maintain heavy duty wreckers, heavy duty recovery vehicles, and recovery vehicles, and whenever there is a specific, identified need for one of those vehicles it shall be summoned from the rotating list in the order in which it appears. Nothing herein shall prevent a tow business on a tow list from responding to a call with a larger, heavier, or more sophisticatedly equipped vehicle where only a lighter wrecker is required, provided the tow business does not exceed its normal charge for a lighter duty wrecker.

IV. The director of state police with the approval of the commissioner of safety may adopt rules pursuant to RSA 541-A consistent with relevant provisions of this subdivision setting forth minimum qualifications of tow companies and their employees to participate in the state police tow list, including qualifications, training, and minimum standards for equipment, response times, storage and release of towed vehicles and their contents, and criminal history and motor vehicle record checks of tow truck drivers.

V. State troopers handling an incident shall not call a tow business that, in their opinion, lacks a vehicle of sufficient size and equipment for a particular job. Under such conditions a tow business not called shall retain its position on the rotation list.

VI. Whenever a desired tow business is unable to respond to a call in a timely manner with the proper equipment, the tow business next on the rotation list shall be called.

VII. Tow businesses may also be called for service, such as for fuel, tire changes, dead battery, and removal of disabled, stolen, or abandoned vehicles according to placement on the appropriate rotation list and shall have a service vehicle suitably equipped and personnel capable of handling the assignment.

106-B:28 Definitions. In this subdivision:

I. "Heavy duty wrecker" means a wrecker intended and suitably equipped for towing vehicles in excess of 10,000 pounds gross weight, such as a tractor-trailer, large truck, or similar vehicle but excluding carriers and flatbeds, and meeting the following requirements, provided that come-a-longs, chains, or other similar devices shall not be used as substitutes for winch and cable:

- (a) A truck chassis having a minimum gross vehicle weight rating of not less than 54,500 pounds;
- (b) Tandem axles, or a cab-to-axle length of not less than 102 inches;
- (c) A combined winch capacity of not less than 50,000 pounds, as rated by the winch manufacturer;
- (d) A single winch in good operating condition with a capacity of 50,000 pounds, as rated by the winch manufacturer, or if equipped with 2 winches, a combined rating of 50,000 pounds;

- (e) A manufactured wheel-lift in good operating condition, with retracted lifting capacity of not less than 20,000 pounds, as rated by the lift manufacturer, with safety chains or a tow bar of equal capacity;
- (f) A winch cable rated as specified by the winch manufacturer, in good condition;
- (g) Light and airbrake hookups for the towed vehicle; and
- (h) Additional safety equipment as specified in this chapter and consistent with United States Department of Transportation inspection requirements.

II. "Light/Medium duty wrecker" means a wrecker intended and suitably equipped for safely towing vehicles weighing 26,000 pounds or less gross weight, including passenger cars, pickup trucks, motorcycles, small trailers, and similar vehicles, that meets the following requirements, provided that come-a-longs, chains, or other similar devices shall not serve as substitutes for a winch and cable:

- (a) A minimum gross vehicle weight rating of not less than 14,500 pounds;
- (b) Individual boom capacity of not less than 8,000 pounds, as rated by the boom manufacturer;
- (c) Individual power takeoff or hydraulic power or electric winch capacity of not less than 8,000 pounds, as rated by the manufacturer, and wire rope of a capacity and length consistent with the device manufacturer;
- (d) A manufactured wheel-lift with a retracting lifting capacity of not less than 3,500 pounds, as rated by the manufacturer, with safety chains;
- (e) Dual rear wheels;
- (f) Two chock blocks that will prevent rolling or slippage of the wrecker; and
- (g) Additional safety equipment as specified in this chapter and consistent with United States Department of Transportation inspection requirements.

III. "Recovery vehicle" means a motor vehicle consisting of a commercially available truck chassis equipped with a commercially manufactured tow body or bed and that is rated and issued a serial number by the manufacturer, designed and equipped for and used in the towing or recovery of vehicles, in good condition and capable of towing a vehicle by means of a tow bar, sling, or wheel lift, and capable of recovering a vehicle by means of a hoist, winch, or towline.

IV. "Rollback carrier" means a flatbed vehicle in good condition that meets the following requirements, provided that come-a-longs, chains, or similar devices shall not be used as substitutes for a winch and cable:

- (a) A minimum gross vehicle weight rating of at least 19,500 pounds;
- (b) A specially equipped chassis with a ramp on wheels and a hydraulic lift with a capacity to haul or tow another vehicle;
- (c) At least one 8,000 pound winch, as rated by the winch manufacturer, with at least 50 feet of cable, as recommended by the winch manufacturer; and
- (d) Additional safety equipment as specified in this chapter and consistent with United States Department of Transportation inspection requirements.

V. "Tow business" means a person, enterprise, partnership, company, LLC, or other corporation having a registered trade name, an active New Hampshire tax identification number, an active New Hampshire workers' compensation insurance policy or exemption papers, an active New Hampshire employment security account, and that meets all state and local legal requirements including, but not limited to, those related to payment of business related taxes, fees, and insurance coverage, and that regularly engages in the impoundment, recovery, transport, or storage of towed or abandoned vehicles, or in the disposal of abandoned vehicles.

VI. "Tow list" means a list or lists of qualified New Hampshire businesses compiled by the division of state police and used by them to dispatch wreckers and recovery and road service vehicles to tow, recover, and temporarily store a vehicle when the owner, driver, or other person responsible for the vehicle is not present or wishes to have the vehicle removed and expresses no choice or preference of a specific tow business, or when public safety requires the law enforcement official in charge at the scene to clear the vehicle from the location believing, in his or her sole opinion, the vehicle is causing a public hazard or safety issue or is stolen, unregistered, was involved in a crime, or is in violation of a statute that requires immediate removal.

VII. "Vehicle storage area" means a suitable yard or enclosed building where a qualified tow business keeps or stores towed or impounded vehicles.

VIII. "Wrecker" for purposes of this chapter and except where the context clearly indicates otherwise, means a tow truck, road service vehicle, or carrier and recovery vehicle used by tow businesses on the state police tow list.

106-B:29 Use of Tow List.

I. When a towing situation being handled by state police involves a vehicle that requires recovery, towing, or removal from the scene, the trooper in charge shall make a best effort attempt to allow the owner, operator, or other person lawfully responsible for the vehicle to contact a preferred tow business, unless doing so will delay the timely restoration of safe traffic movement, prolong a serious hazard, or compromise the preservation or collection of evidence. The preferred tow business when called shall notify state police communications of its estimated time of arrival. The trooper on scene shall determine if that time will unduly continue a hazardous condition or cause serious inconvenience for the public and, if so, state police communications shall summon the next appropriate tow business from the tow list. If there is no one on site who is the owner, operator, or other person lawfully responsible for the vehicle, and in the opinion of the trooper the vehicle presents a hazard or unreasonable delay to the public, the trooper on site shall request that state police communications contact the next appropriate tow business on the list.

II. To help ensure a timely and professional response and to promote fairness to individual towing businesses, the division of state police shall maintain a separate rotation list for each state police geographical troop area. In any case where distances involved could cause unreasonably long wrecker responses, the director of state police may authorize a separate rotational list by county or group of communities for that troop. The director may enlarge or shrink an area if necessary to provide a sufficient number of tow businesses to handle the number of calls in the area and the travel distances involved, and shall review the zones periodically to determine if needs are being met.

III. If the desired tow business is unable to respond to a call in a timely manner with the proper equipment, the tow business next in line on the rotation list will be called.

IV. Placement on the tow list shall be by order of application. Whenever a new tow business becomes authorized, it shall be placed on the bottom of the appropriate list or lists for which the director finds the tow business qualified. The director shall have authority to determine when a tow list is adequately staffed with towing businesses and may refuse to add a business to the list if he or she determines the amount and type of calls in that zone is insufficient to justify a larger list.

V. Separate rotation lists shall be maintained for each category of wrecker. When a situation requires services of a specific category of wrecker, such wrecker shall be called from the appropriate tow list unless the person responsible for the vehicle is present and has a preference for a different tow business with that category of wrecker, in which case the preferred wrecker shall be summoned if available within a reasonable response time.

VI. Nothing in this chapter shall be construed to confer any vested property rights upon a tow business to continue on the rotating list.

VII. Calling a tow company from the list does not create a contract with or obligation on the part of the state police or state police personnel to reimburse any fee or towing charge, except when towing a vehicle owned or leased by the state police or that is later forfeited to the state police, or if a court determines that the state police wrongfully authorized the tow and orders the state police to pay transportation and storage fees.

VIII. Placement on the rotation list does not guarantee a particular number of calls, an equal number of calls to every tow business on the list, nor any compensation as a consequence of not being called in accordance with the list, or when removed from the rotation list. If a towing business responds to a state police call and the call is later canceled due to the vehicle no longer being disabled, or the circumstances change such that after calling a tow company the vehicle must be stored in a manner that preserves all evidence in or on the vehicle and the tow business is not so equipped, the tow business shall go back to the top of the list.

IX. A tow business shall, upon receiving a request from the state police, use its own equipment and shall not refer a call to another tow business.

X. A tow business may terminate or temporarily suspend its designation as a service provider and be removed from the rotation list by providing prompt written notice to state police communications. In the event of unforeseen circumstances such as death, fire, bankruptcy, or loss of equipment from accident or failure, a tow business on the tow list shall timely notify the director of state police in writing of its intent to suspend its designation as a service provider. If and when it desires to return to service, such tow company shall send a new application to the director. If approved to resume operation, they shall be placed at the bottom of the rotation list.

XI. New tow businesses, when qualified and accepted, shall be placed on the bottom of the rotation list.

XII. The trooper in charge at the scene of a towing situation shall have discretionary authority to deny a request for a specific tow business whenever time is of the essence and the request will delay the restoration of safe traffic movement.

XIII. If a motorcycle is to be towed, a tow sling, wheel lift, car carrier, or other comparable device shall be used that has the capability to transport motorcycles.

XIV. The division shall not call a tow business that, in its opinion, does not have a vehicle of sufficient size and equipment for a specific job. Under these conditions, the tow business not called will remain on the top of the rotation list.

XV. A tow business shall not sell, assign, transfer, pledge, surrender, encumber, or dispose of its place on the rotation list. By applying to be placed on the list, a tow business agrees to respond to all state police calls 24 hours a day, 7 days a week. If for any reason the business cannot respond to a call, it rotates to the bottom of the list. Businesses that develop a pattern of non-response to calls may be subject to removal from the rotation list.

XVI. A tow business shall appear on the rotation list only once. The listing shall use the name of the business submitted at the time of application and a designation for any specialty in which the business is qualified. A tow business conducting business at a location shall not receive multiple listings or classifications by utilizing a different or fictitious name for trucks operating from the same location or trucks operating with the same name out of different locations within that zone.

XVII. When emergency conditions necessitate, the state police may request the services of the tow business that is best equipped to handle the emergency and can reach the scene in the shortest time, regardless of its position on the rotation list. A call made under these circumstances shall count as such business's next rotation call.

XVIII. Whenever heavy equipment or large vehicles are involved in an incident, and it is determined that the tow business next up on the rotation list lacks adequate equipment to handle the incident, the division may call a larger piece of equipment from a business on the list that can handle the situation. In such case, the tow business shall be repositioned on the rotation list accordingly. Having only one large rotation wrecker shall not justify for being called to all truck accidents.

XIX. In the event of an overturned truck, the state police shall determine at the time if the situation requires the use of only one tow business or if additional vehicles are required. The first named tow business shall determine the amount of assistance necessary to remove any public hazards. The tow business responding to the law enforcement request shall be responsible for contacting others meeting the qualifications to operate in New Hampshire and shall be the business responsible for efficient and safe handling of the recovery. Decisions made pursuant to this paragraph shall be based on the public safety concerns.

XX. At no time shall any towing vehicle exceed its manufacturer's gross vehicle weight rating or the manufacturer's rated capacity for the towing assembly or be attached to a vehicle which by its size and or weight would make towing it an unsafe movement.

106-B:30 Requirements for Placement on the Tow List.

I. Any tow business that wishes to be placed on the rotation list with appropriate designation shall make application to the director of state police.

II. The tow business shall provide as part of its application a list of all tow truck operator personnel, including full name, current address, date and place of birth, driver's license number and type, and any restrictions, license expiration date, and social security number. The application shall be updated with state police communications within 5 days of whenever a new employee is hired, or an employee leaves the employ of the business.

III. The application shall include an individual form approved by the director of state police for each tow truck operator and for the owner and manager of the business and any supervisors, listing under penalty of unsworn falsification their full name, date and place of birth, driver license number and type and any restrictions or limitations, and a listing of all motor vehicle offense convictions in this or any other state or Canadian province including type, court, and year in the preceding 5 years, and a list of any criminal convictions in this or any other state or Canadian province within the past 10 years, including type of offense, year of conviction, court, and sentence imposed, and whether the person is currently on probation or parole or has ever been a registered sex offender or subject to a domestic violence protective order. Nothing in this paragraph shall restrict the employer or state police in case of doubt from verifying the information through a record check or checks.

IV. Any criminal history of convictions involving a felony against persons or property involving fraudulent activity, aggravated assaults, sex offenses, burglary or thefts resulting in a felony conviction within the last 3 years, or a serious or repetitive motor vehicle violation history of any such individual shall be grounds for refusing to place on or removing the business from the rotation list.

V. If an operator is employed by more than one listed towing company, each company shall maintain an independent and separate driver file on such individual. When a driver, manager, or supervisor ceases employment at the business or a new such employee is hired, the company shall notify the state police director in writing within 10 days and include a copy of the application including a copy of the form described in paragraph III. It shall be the responsibility of the operator to maintain appropriate records of driving times showing full compliance with all applicable laws, rules, and regulations.

VI. In the event the ownership of a tow business changes for any reason including but not limited to the sale of the business, death, or retirement of the owner, the tow business shall reapply before the effective date of the change in ownership for approval or the tow business shall be removed from the rotation list until such time as the new owner complies with the application process.

VII. The business shall have a telephone number listed in its name and shall also have an after-hours telephone number where it can be contacted after normal business hours. The business shall be staffed Monday through Friday from at least 9 a.m. to 5 p.m. with someone who will be available for administrative matters and the release of a vehicle or other related items stored on premises. After normal business hours and on weekends or holidays a responsible person shall be on call to provide those services.

VIII. Wreckers dispatched shall arrive at the scene within 30 minutes of being called, except for cases where the travel distance, posted speeds, or traffic and weather conditions and volume of traffic make this unreasonable. For heavy duty calls the company shall respond within a maximum of 60 minutes regardless of the time of day. If the time exceeds the above limit and the tow business does not provide state police communications or the trooper in charge at the scene a valid reason for the delay within that time, a second rotation wrecker may be dispatched. If a second wrecker is requested before the arrival of the initially dispatched rotation wrecker, the initially requested wrecker shall forfeit the call and leave the incident scene. Repeated tardiness may result in suspension or removal from the rotation list.

IX. If a tow business responds to a rotation call and through no fault of its own, does not tow the vehicle, the business shall retain its position on the rotation list.

X. Towing personnel shall wear reflective clothing meeting Federal Highway Administration specifications at all times when working in or adjacent to the roadway.

XI. The tow business shall maintain a reasonably secure area for the safe storage of motor vehicles or other items stored at the request of the state police. Storage facilities shall be clearly marked as belonging to that tow business and shall have adequate lighting to illuminate the enclosed area. If a vehicle must be stored for processing after a crime, death, or serious injury then storage facilities shall include a gated or fenced area adequate to reasonably secure the storage facility and prevent unauthorized entrance. Camera surveillance is recommended but not mandatory.

XII. A secure building that provides written proof that it meets all applicable state and local codes and which is suitably alarmed may substitute for a fenced area if the tow business provides for total inside storage.

XIII. The tow business shall provide reasonable accommodations for after-hours release of personal property in stored vehicles or other related storage once the state police releases any hold on personal or other property not affixed to the towed vehicle, and upon payment in full or mutual agreement for payment of all towing and storage fees. The towing of a vehicle at the request of law enforcement shall grant a lien to the tow business, equal to the cost of recovery and storage.

XIV. Under no circumstance may a tow business withhold wallets, purses, life essential clothing, mail, legal documents, child safety seats, eyeglasses or contact lenses, medicines, medical equipment, license plates, or house or place of business keys pending payment of fees.

XV. Any towing or recovery vehicle used by the tow business shall display lettering on both sides of the vehicle in letters that contrast in color with the background and are readily legible during daylight hours from a distance of 50 feet while the vehicle is stationary, and kept and maintained in a manner that retains such legibility, indicating the name or trade name of the wrecking service or owner thereof, the city or town and state in which the vehicle is

customarily based, and the business telephone number on each front door of the truck. The identification number issued by the Federal Motor Carrier Safety Administration to the motor carrier, preceded by the letters "USDOT"; shall also be included in such lettering.

XVI. The tow business participating in the tow list shall maintain tow and hook, liability, and garage-keepers' liability insurance in an amount not less than that designated under New Hampshire law or administrative rule. This shall include a minimum coverage of \$1,000,000 in liability including garage-keeper's insurance coverage. The tow business shall also comply with all other business requirements and taxes required under state or federal law.

XVII. The tow business shall not place or imprint on its vehicles, buildings, equipment, clothing, or correspondence anything that suggests or implies an official relationship between the company and any emergency services provider or law enforcement agency. This shall extend to paint schemes, colors, shoulder patches, or decals similar in design to department of safety or state police vehicles or any name or logo implying an official connection. State police may design and issue a suitable decal to indicate that a tow vehicle's owner is on the rotating list. Termination of services or suspension, even if temporary, from the rotation list shall require any decal provided, issued, or approved by state police to be removed immediately from the tow vehicle if such vehicle will be operated on public roads.

XVIII. The tow business shall provide state police with a complete updated list of all rates for the services it performs related to the towing and storage of vehicles, on the letterhead of the business, and shall update such list when prices change. State Police shall not set the fees for these services nor use the rate schedule provided in determining placement on a rotation schedule. Price lists shall remain confidential except when determining the reasonable fee in a requested hearing conducted by the department of safety.

XIX. Whenever the owner of a towed or impounded vehicle or their agent pays a towing company for those services, the company shall provide a detailed receipt to the owner or agent for the services rendered.

XX. Motorists using a wrecker under the rotation list shall have the option of paying by cash or major debit or credit card. The tow business may inquire, prior to accepting a dispatch, as to how the motorist will be paying. The owner of a towed or impounded vehicle who believes an exorbitant or unreasonable fee was charged for towing the vehicle if such service rendered was covered by RSA 262:31 through RSA 262:40-c, may file a complaint with the commissioner of safety and request review pursuant to RSA 262:35-a. If not covered by RSA 262:31 through RSA 262:40-c, the owner or his or her agent shall be notified of his or her ability to make a complaint to the consumer protection division of the department of justice.

XXI. A tow business shall not be operated without a Federal Motor Carrier Safety Administration safety registration, an active United States Department of Transportation number, and valid New Hampshire registration. 106-B:31 Requirements to Remain on the Tow List.

I. Tow personnel shall perform a general cleanup of an accident area before leaving the scene, and remove any glass, vehicle parts, debris, or other substances dropped or spilled prior to leaving an incident scene. Vehicle fluids or hazardous substances shall not be intentionally drained or left on the road or surrounding environment. There will be no charge for normal highway cleanup of 30 minutes or less unless cleanup is a regular part of the itemized bill. If the debris field was caused by more than one vehicle all tow personnel shall share in the cleanup duties under the direction of the trooper in charge at the scene.

II. The tow business shall be responsible for securing and preserving personal property in a vehicle to be towed, unless the owner or person responsible is present and wishes to take custody of it.

III. The tow business shall employ reasonable safeguards and procedures so that all personal belongings and contents in the towed vehicle are intact and returned to the vehicle's owner or authorized agent upon release of the vehicle upon payment in full or mutual agreement for payment of fees with the exception of those essential items as provided.

IV. All personal property left in a vehicle and unclaimed shall be handled in accordance with applicable state laws.

V. No tow business shall accept a call if the employee who will be responding is under the influence of any substance that could cause impairment or has the odor of alcohol on his or her breath, nor shall a tow business employee respond in such a condition.

VI. The tow business shall maintain a log or ledger of all vehicles towed at the request of state police. It shall contain the date, time, and location of the tow, a description of the vehicle towed including the owner's name and address, vehicle identification number, registration plate number and state of registration, name of the tow vehicle operator, name and address of the person to whom the vehicle was released, and location to which the vehicle was

towed. This record and any other records and equipment associated with compliance with these applicable state statutes and these rules shall be open to inspection by department of safety personnel during normal business hours and retained for the year when the record was made and one full year beyond.

VII. The owner, operator, and any employee of the tow business on the list shall comply with all applicable state and federal laws and local ordinances. In matters where conflict of laws arises the tow business shall follow the lawful direction of the law enforcement officer controlling the scene of the investigations and shall be held harmless from any conflicts.

VIII. All wrecker drivers shall have a valid driver's license for the class of vehicle they are operating. Wrecker drivers shall have a motor vehicle record free of convictions of serious motor vehicle offenses, or license revocations, or suspensions for serious motor vehicle offenses for the past 3 years.

IX. Tow companies on the tow list shall not permit any person to drive a wrecker if said person has been convicted for any felony against persons or property involving fraudulent activity, sex offenses, aggravated assaults, burglary, theft resulting in a felony conviction within the last 3 years. No tow company shall permit any person to drive a wrecker if the person is currently subject to probation, parole restrictions, or court order restricting the area the person may or may not be present in at any time.

X. Wreckers at the scene of a service call may be asked to provide minor on-site repairs, such as jump-starting a dead battery or changing a tire.

XI. Each tow vehicle shall carry at a minimum the following supplies and equipment in good working order, in addition to meeting the requirements herein for each class of vehicle that will be responding to wrecker calls:

(a) Emergency lights meeting statutory requirements, visible at 3/4 of a mile when illuminated, and visible over any vehicle being towed. Sirens are prohibited.

(b) At least one working spotlight capable of being aimed.

(c) One fire extinguisher, 5-lb. carbon monoxide or dry powder, fully charged and able to be operated.

(d) At least one heavy duty push broom and garbage container.

(e) A steering lock mechanism or capability to properly lock steering.

(f) A first aid kit.

(g) A reflectorized safety vest for each employee on the vehicle.

(h) For heavy duty vehicles and heavy-duty recovery vehicles, portable lighting equipment.

(i) Heavy duty wreckers and heavy-duty recovery vehicles shall have 10 of at least 2 of the following: reflector flare, road flare, colored LED flashing road flare. Lighter vehicles shall have at least 3 of 2 or more of the following: reflector flare, road flare, colored LED flashing road flare. Traffic cones may be substituted for one of the above on a clear day during the hours from dawn to dusk.

(j) At least one flat scoop type shovel.

(k) For heavy duty wreckers and heavy-duty recovery vehicles, necessary equipment to perform the tasks necessary for towing a vehicle.

(l) For any wreckers called to recover vehicles with air assisted brakes, the capability to provide air to the towed vehicle to facilitate brake operation.

(m) A current, valid motor vehicle registration and a current, valid state safety inspection sticker.

(n) An FCC licensed 2-way business radio or a wireless telephone.

(o) Portable lights for any vehicle being towed including taillights, stop lights, and directional signals.

(p) A minimum of 40 pounds of sand or other appropriate absorbent material designed and verified by the manufacturer to absorb hazardous waste and spills in an efficient and effective manner.

XII. The management of a towing business on the rotating list shall be primarily responsible to the division of state police to inspect and maintain an ongoing awareness of compliance with relevant rules, regulations, and laws affecting the business and to make prompt corrections of any discrepancies. Each tow business on the list shall annually, on or before January 15 of the following year, certify to the director of state police under penalty for unsworn falsification that it has conducted an internal inspection and that the business is in compliance with the provisions of this subdivision and any administrative rules adopted pursuant to it.

XIII. State troopers or other designated department of safety personnel may be assigned at the discretion of the state police director to conduct reviews from time to time of towing businesses, their records, and equipment to ensure compliance with relevant rules and laws and make a recommendation through the state police

communications commander to the director as to the level of compliance and any appropriate action. Tow businesses participating in the tow list shall make, during normal business hours, their records, vehicles, facility, and equipment available for examination for such reviews by troopers or other department of safety employees. In cases of non-compliance, the state police communications commander shall recommend appropriate action to the director, which may include a verbal or written reprimand, suspension, or revocation from continued participation in the rotating list. Such action is discretionary and shall be based on the nature and seriousness of the discrepancy and any prior record of the business.

XIV. Before being removed from the rotating list for disciplinary reasons, a tow business or employee shall be served with a written notice of intent describing the reasons, and notified that it may request a hearing before the department of safety bureau of hearings prior to any such removal. A tow business that is removed from the list may contest the result of the hearing in superior court. Nothing in this subdivision shall be construed to confer any vested property rights upon a tow business or employee to remain on the state police rotating tow list.

XV. Tow vehicle owners, operators, and employees shall not be abusive, disrespectful, or use profane language when dealing with the public or officials and shall cooperate with the members of the state police.

XVI. Tow businesses shall employ only drivers who demonstrate an ability to perform required services in a safe, timely, courteous and civil manner and who satisfy all applicable state and federal laws and regulations.

XVII. The tow business shall tow disabled vehicles to any destination requested by the vehicle owner or person in charge of the vehicle after financial obligations have been finalized to the satisfaction of the tow business providing the service. The tow business may hold the vehicle for payment of services at the business location if not satisfied with payment on site.

XVIII. Access to the storage facility or yard by insurance inspectors, appraisers, attorneys and their assistants and private investigators shall be at their own risk and the tow business shall not be responsible for any injury sustained. A vehicle owner or the owner's authorized agent, upon presentation of suitable identification, may enter the yard at their own risk under supervision by the tow business to remove personal items or belongings.

XIX. A wrecker operator on the rotation list shall not offer towing services to the owner or operator of a vehicle currently under the supervision of state police unless dispatched by the rotation list or specifically hailed for service by the trooper or other law enforcement officer under emergency circumstances. Any activity done or designed for the purpose of circumventing the list shall be cause for the division to remove the business from the rotating list permanently or for a specific time determined by the division.

XX. Tow service vehicles shall not be driven at an unsafe or unreasonable speed, commit other moving motor vehicle violations or drive recklessly on the way to or from a towing service call, and may be removed from the list for such behavior.

XXI. State police shall not show any favoritism or circumvent the tow list to favor one or more businesses and shall be subject to divisional discipline for doing so.

106-B:32 Recordkeeping; Mandatory Records.

I. Each operator or business on the rotating list shall maintain a record system covering all services performed in roadside service, pulling, towing, or transporting vehicles in response to calls from the state police, which shall include the following information:

- (a) The date and time of day the business was contacted and requested to the scene and the times of arrival and departure from the scene.
- (b) The name of the person requesting the service.
- (c) The location of the vehicle or incident.
- (d) A description of the vehicle including license plate and vehicle identification number.
- (e) The name and address of the owner or lessee of the vehicle, if known.
- (f) The name and address, date of birth, driver license number, and licensing state or province of the driver of the vehicle, if known.
- (g) The service or towing charge and other related fees.

II. All such records shall be available for inspection and copying by state troopers or agents of the department of safety during normal business hours at the place of business of the wrecker business, and shall be maintained for the current calendar year and the year immediately prior to the current calendar year.

106-B:33 Confiscated Vehicles; Impoundment. A state trooper may impound or confiscate a vehicle towed by a tow business that is on the rotation list in furtherance of law enforcement duties, such as when the vehicle is reported stolen or involved in a crime, is unsafe to be driven, or is to be processed for possible forensic evidence of a crime. In such events:

I. The vehicle may be towed to a location specified by the processing officer to facilitate evidence preservation, collection, or processing, otherwise it shall be securely stored on the premises of the towing service.

II. The towing and storage of the vehicle shall be at the expense of the state police. The wrecker business shall not release the vehicle to anyone unless and until authorized to do so by the trooper who arranged for the hold or a state police officer superior in rank to that trooper, or on an order by the court.

III. The tow business shall not allow anyone except a member of the law enforcement agency having jurisdiction or someone having written permission from the state police to enter, inspect, or touch the vehicle or any parts from the vehicle.

IV. When the vehicle is released, the tow business shall require that the person to whom the vehicle is released display a valid photo driver license or other official government photo identification, and the tow business shall keep a photocopy of such card or document.

106-B:34 Compliance Action; Disciplinary Enforcement. Participation in the state police tow list is a privilege, not a right. The director of state police is charged with the responsibility of ensuring that the towing, storage, roadside emergency service, and recovery of vehicles at the direction or request of the division of state police is accomplished consistent with state law and administrative rules and in a manner that maintains the confidence and respect of the motoring public. To accomplish this, the director may take appropriate action to uphold the integrity and efficiency of the tow list and the duties and responsibilities of businesses participating in the list and their owners, managers, and employees. The director may take appropriate action including removal of a tow business or a tow business employee from participating in the tow list, and which may include upon satisfactory evidence of violations or deliberate noncompliance, a verbal or written warning, suspending the business or employee or both from the list for a period of one to 120 days, or removal from the list and ineligibility for restoration for up to 2 years, depending on the seriousness of the offense, any prior history of violations, and any resulting harm. Causes for such action shall include violations of the equipment and other requirements set forth in RSA 106-B:28, and the provisions of RSA 106-B:29 through 106-B:33. Disciplinary actions may be appealed to the department of safety bureau of hearings and to the superior court as provided in RSA 106-B:31, XIV.

3 Effective Date. Part II of this act shall take effect 60 days after its passage.

PART III

Relative to the municipal winter maintenance certification program.

1 Salt Applicator Certification; Definitions. New Paragraph; Municipal Winter Maintenance Certification Program. Amend RSA 489-C to 489-C:1 by inserting after paragraph IV the following new paragraph:

IV-a "Municipal winter maintenance certification program" means a program implemented by a governmental unit as defined in RSA 507-B:1, I to maintain public roads, parking areas, and walkways in the winter months to be safe for public passage.

2 Commercial Applicators; Certification Option.. Amend RSA 489-C:2 to read as follows:

489-C:2 **Commercial Applicator** Certification Option.

I. Commercial applicators may elect to be [~~annually~~] certified by the department. Applicator certificates shall be issued by the department **and may be renewed annually.**

II. Any business that employs multiple commercial applicators may obtain a master certificate for the owner or chief supervisor, and commercial applicators employed by the business may obtain [~~certificates~~] **either an individual certificate or a subordinate certificate** to qualify under the master certificate. Any business holding a master certificate shall ensure that all commercial applicators operating **with a subordinate certificate** under its master certificate receive the required training and shall provide the required record keeping on behalf of all commercial applicators **working under the master certificate.**

III. **The department shall charge an annual fee for master, individual, and subordinate certificates.**

Annual fees for [~~certificates~~] **a subordinate certificate** obtained under a master certificate shall be significantly less than the fees for a master certificate. **Annual fees for individual certificates shall be higher than the fee for a subordinate certificate but less than the fee for a master certificate.**

3 New Section; Municipal Winter Maintenance Certification Program Option. Amend RSA 489-C by inserting after section 2 the following new section:

489-C:2-a Municipal Winter Maintenance Certification Program Option.

I. Any governmental unit that has a municipal winter maintenance program may elect to have the program certified by the department. Municipal winter maintenance certification program certificates shall be issued by the department and may be renewed annually.

II. Any governmental unit holding a municipal winter maintenance program certificate shall ensure that each applicator operating under its certificate receives the required training approved by the department and shall provide record keeping on behalf of all applicators working under the municipal winter maintenance certificate. A governmental unit may meet the training requirement by requiring its employees to obtain commercial applicator individual certificates.

III. The department may create more than one class of certificate to recognize different complexity levels of municipal winter maintenance programs. If such classes are created, the department shall, through rules adopted pursuant to RSA 541-A, identify the criteria, required record keeping, and other requirements as may apply to each level.

IV. The department shall charge an annual fee for a municipal winter maintenance program certificate.

4 Salt Applicator Certification; Rulemaking. Amend RSA 489-C:3, V to read as follows:

V. Recordkeeping [~~required for commercial applicators to maintain certification~~] **and reporting requirements for certificate holders.**

5 New Paragraph; Salt Applicator Licenses; Rulemaking. Amend RSA 489-C:3 by inserting after paragraph VI the following new paragraph:

VII. Procedures for governmental units to obtain certification for their municipal winter maintenance programs.

6 Snow, Ice, and Other Weather Hazards. Amend RSA 507-B:2-b to read as follows:

507-B:2-b Snow, Ice, and Other Weather Hazards. Notwithstanding RSA 507-B:2, a governmental unit shall not be liable for damage arising from insufficiencies or hazards on any premises owned, occupied, maintained, or operated by it, even if it has actual notice of them, when such hazards are caused solely by snow, ice, or other inclement weather, and the governmental unit's failure or delay in removing or mitigating such hazards is the result of its implementation, absent gross negligence or reckless disregard of the hazard, of a winter or inclement weather maintenance policy or set of priorities with respect to such premises, adopted in good faith by the official responsible for such policy. All governmental units, officials, and agents shall be presumed to be acting pursuant to such a policy or set of priorities in the absence of proof to the contrary. ***Municipal winter maintenance programs certified under RSA 489-C:2-a shall be presumed to meet the standards herein for all public roads, parking areas, and walkways in the absence of proof to the contrary.***

7 Liability Limited for Winter Maintenance. Amend RSA 508:22 to read as follows:

508:22 Liability Limited for Winter Maintenance.

I. No commercial applicator as defined in RSA 489-C:1, II and certified under RSA 489-C:2, ***or his or her employer or principal***, or ***an*** owner, occupant, or lessee of land whose premises is maintained by a commercial applicator certified under RSA 489-C:2, ***whether by contract with the commercial applicator or his or employer or principal***, shall be liable for damages arising from insufficiencies or hazards on any premises owned, occupied, maintained, or operated by them, even with actual notice thereof, when such hazards are caused solely by snow or ice, and the [~~commercial applicator's, owner's, occupant's, or lessee's~~] failure or delay in removing or mitigating such hazards is the result of [~~its~~] ***the*** implementation, absent gross negligence or reckless disregard of the hazard, of best management practices for winter road, parking lot, and sidewalk maintenance adopted and published by the department of transportation and the department of environmental services. All commercial applicators, owners, occupants, or lessees who adopt such best management practices shall be presumed to be acting pursuant to the best management practices in the absence of proof to the contrary.

II. In order to receive the liability protection provided in paragraph I, a commercial applicator as defined in RSA 489-C:1, II, or an owner, occupant, or lessee of land shall keep a written record describing its winter road, parking lot and property maintenance practices. The written record shall include the type [~~and rate of application~~] of de-icing materials used, ***the rate or quantity of deicing materials used***, the dates of treatment, and the weather conditions for each event requiring de-icing. Such records shall be kept for a period of 3 years.

8 Effective Date. Part III of this act shall take effect July 1, 2021.

PART IV

Relative to implementing a mandatory OHRV and snowmobile safety certificate program.

1 Off Highway Recreational Vehicles; Snowmobile or OHRV Training Program. RSA 215-A:32-a is repealed and reenacted to read as follows:

215-A:32-a Snowmobile or OHRV Training Program; Statistics.

I. No person shall operate an OHRV on land not owned or leased by such person or such person's parent, grandparent, or guardian unless such person carries a valid temporary or permanent certificate evidencing completion of an approved snowmobile or OHRV training program as required by this section. Any person may voluntarily complete program requirements and obtain the certificate earlier than required in this section. The temporary certificate requirement shall take effect January 1, 2023. The lifetime permanent certificate requirement shall be implemented for all operators on the following schedule:

Operator Date of Birth: Certificate Required:

January 1, 1998 January 1, 2023

January 1, 1988 January 1, 2024

January 1, 1978 January 1, 2025

January 1, 1968 January 1, 2026

January 1, 1958 January 1, 2027

All January 1, 2028

II. The executive director shall administer the snowmobile or OHRV training program in accordance with rules adopted pursuant to RSA 541-A which shall be consistent with the following:

(a) A program guideline that covers the inherent risks of operation on and off the trails, recommendations for personal protective equipment, basic theory of equipment parts, maintenance, and repairs, skills and measures available to reduce or eliminate such risks, and rules of operation at highway crossings and along approved highways in accordance with statutory rules of the road.

(b) Minimum requirements for courses, whether offered by live instructors or by electronic or other means, that will result in the issuance of either a temporary safety education certificate or a lifetime safety education certificate.

(c) Minimum qualification and other requirements for an instructor to be approved to offer any live course in the program.

(d) Provision for administration of an examination to a registrant at the conclusion of each course that demonstrates competency in the materials presented in the program guideline.

(e) Issuance by the department or its agents of a temporary safety education certificate to a person 16 years of age or older who passes an approved examination administered by the department or its agents, which shall be valid for a period of up to 10 days after the effective date noted on the certificate and allow operation by nonresidents in accordance with RSA 215-A:23, V-b, and equipment registered to a New Hampshire licensed dealer or rental operation. No person shall receive more than one such certificate in any calendar year.

(f) Issuance of a lifetime safety education certificate by the department to a person 12 years of age or older who passes an approved examination administered by the department or its agents which shall be valid for the lifetime of the person, provided that actual operation of an OHRV by such person under the age of 25 shall be restricted as otherwise provided in this chapter.

(g) Provision for the enforcement of the requirements of this program upon any operator who has been involved in an accident, or who has been cited, charged with, or warned for a violation of any other provision of this chapter, or any other offense under the laws of this state.

(h) Provision for imposition of a uniform schedule of administrative or court based fines for violation of this program.

(i) Provision for the suspension or revocation of a lifetime safety education certificate issued to a person for cause, following notice and opportunity for a hearing in accordance with RSA 541-A, including for conviction by a court in this or any other state of an OHRV offense.

(j) Provision for the suspension or revocation of any license or permit that would allow an agent of the department to issue a temporary or lifetime safety education certificate for cause, following notice and opportunity for a hearing, in accordance with RSA 541-A.

(k) A schedule of fees to be charged for the following services:

- (1) Administration of an approved safety education course and competency examination, whether provided in person or by electronic means.
- (2) Issuance of a temporary safety education certificate, which may be in paper or electronic format.
- (3) Issuance of a lifetime safety education certificate, which shall be in a durable written format, suitable to be carried upon the person.
- (4) Replacement of a lost or destroyed lifetime safety education certificate upon written request of the person entitled to the same.
- (5) Reissuance of a lifetime safety education certificate if reinstated after a period of suspension or revocation for cause.

III. The executive director shall report annually to the registrar of vital records pursuant to RSA 5-C:2 on any deaths or injuries occurring in the state related to OHRV operation.

2 Snowmobiles; Snowmobile or OHRV Training Program. RSA 215-C:53 is repealed and reenacted to read as follows:

215-C:53 Snowmobile or OHRV Training Program; Statistics.

I. No person shall operate a snowmobile on land not owned or leased by such person or such person's parent, grandparent, or guardian unless such person carries a valid temporary or permanent certificate evidencing completion of an approved snowmobile or OHRV training program as required by this section. Any person may voluntarily complete program requirements and obtain the certificate earlier than required in this section. The temporary certificate requirement shall take effect January 1, 2023. The lifetime permanent certificate requirement shall be implemented for all operators on the following schedule:

Operator Date of Birth: Certificate Required:

January 1, 1998 January 1, 2023

January 1, 1988 January 1, 2024

January 1, 1978 January 1, 2025

January 1, 1968 January 1, 2026

January 1, 1958 January 1, 2027

All January 1, 2028

II. The executive director shall administer the snowmobile or OHRV training program in accordance with rules adopted pursuant to RSA 541-A which shall be consistent with the following:

- (a) A program guideline that covers the inherent risks of operation on and off the trails, recommendations for personal protective equipment, basic theory of equipment parts, maintenance, and repairs, skills and measures available to reduce or eliminate such risks, and rules of operation at highway crossings and along approved highways in accordance with statutory rules of the road.
- (b) Minimum requirements for courses, whether offered by live instructors or by electronic or other means, that will result in the issuance of either a temporary safety education certificate or a lifetime safety education certificate.
- (c) Minimum qualification and other requirements for an instructor to be approved to offer any live course in the program.
- (d) Provision for administration of an examination to a registrant at the conclusion of each course that demonstrates competency in the materials presented in the program guideline.
- (e) Issuance by the department or its agents of a temporary safety education certificate to a person 16 years of age or older who passes an approved examination administered by the department or its agents, which shall be valid for a period of up to 10 days after the effective date noted on the certificate and allow operation by nonresidents in accordance with RSA 215-A:23, V-b, and equipment registered to a New Hampshire licensed dealer or rental operation. No person shall receive more than one such certificate in any calendar year.
- (f) Issuance of a lifetime safety education certificate by the department to a person 12 years of age or older who passes an approved examination administered by the department or its agents which shall be valid for the lifetime of the person, provided that actual operation of a snowmobile by such person under the age of 25 shall be restricted as otherwise provided in this chapter.
- (g) Provision for the enforcement of the requirements of this program upon any operator who has been involved in an accident, or who has been cited, charged with, or warned for a violation of any other provision of this chapter, or any other offense under the laws of this state.

(h) Provision for imposition of a uniform schedule of administrative or court based fines for violation of this program.
(i) Provision for the suspension or revocation of a lifetime safety education certificate issued to a person for cause, following notice and opportunity for a hearing in accordance with RSA 541-A, including for conviction by a court in this or any other state of a snowmobile offense.

(j) Provision for the suspension or revocation of any license or permit that would allow an agent of the department to issue a temporary or lifetime safety education certificate for cause, following notice and opportunity for a hearing, in accordance with RSA 541-A.

(k) A schedule of fees to be charged for the following services:

(1) Administration of an approved safety education course and competency examination, whether provided in person or by electronic means.

(2) Issuance of a temporary safety education certificate, which may be in paper or electronic format.

(3) Issuance of a lifetime safety education certificate, which shall be in a durable written format, suitable to be carried upon the person.

(4) Replacement of a lost or destroyed lifetime safety education certificate upon written request of the person entitled to the same.

(5) Reissuance of a lifetime safety education certificate if reinstated after a period of suspension or revocation for cause.

III. The executive director shall report annually to the registrar of vital records pursuant to RSA 5-C:2 on any deaths or injuries occurring in the state related to the operation of snowmobiles.

3 Effective Date. Part IV of this act shall take effect 60 days after its passage.

PART V

Relative to eligibility for the issuance of a nondriver's picture identification card.

1 Identification Cards; Eligibility. Amend RSA 260:21, I to read as follows:

I. The department shall upon application issue a nondriver's picture identification card to any resident who:

(a) Is 12 years of age or older and does not possess a driver's license, **or**

(b) Is disabled and does not possess a driver's license~~[-or~~

~~(c) Is 65 years of age or older, whether or not said resident possesses a driver's license].~~

2 Identification Cards; Design and Validity. Amend RSA 260:21, III and IV to read as follows:

III. The identification card shall bear the name, address, date of birth, blood type (optional), gender indicated as "M" for "male," "F" for "female," or "X" for "other," veteran's status for the purposes of identification for receiving benefits and services under New Hampshire law (optional), **and the** picture and signature of the applicant~~[-and in the case of a card issued pursuant to RSA 260:21, I(c), said card shall bear the notation "Golden Granite State Discount Card."].~~ The identification card shall bear an approved security marking indicating that it was not issued in compliance with Public Law 109-13 and is therefore not acceptable for federal identification purposes.

IV. The identification card shall be valid for 5 years from the date of issuance; provided, however, that ~~[a card issued pursuant to RSA 260:21, I(c) shall be valid for as long as the holder is a resident of the state and]~~ a card issued pursuant to RSA 260:21, XI shall be valid for 2 years from the date of issuance. If the director has adopted rules under RSA 263:10, II with respect to on-line renewal of licenses, the director shall provide the same on-line option for identification cards, provided that the applicant is eligible for identification card renewal and has a computerized image on file with the division. An identification card may be renewed on-line only once in every other license renewal cycle and the next cycle shall require appearance in person at a licensing facility.

3 Administration of Motor Vehicle Laws; Disposition of Fees; Reimbursement to the Highway Fund. Amend RSA 260:22 to read as follows:

260:22 Disposition of Fees; Reimbursement to the Highway Fund. The necessary expenses incurred under RSA 260:21 shall be a charge against the operating budget of the department of safety, division of motor vehicles, motor vehicle and driver safety, driver licensing. Pursuant to RSA 260:21, 50 percent of all fees collected shall be credited to the department to reimburse operating expenditures and are hereby appropriated for that purpose. Fifty percent of all fees collected shall be credited as unrestricted revenue to the highway fund~~[-provided, however, that 50 percent of all fees collected for cards issued pursuant to RSA 260:21, I(c) shall be credited to the state committee on aging pursuant to RSA 161-F:29].~~ Upon prior approval of governor and council, transfers may be made from nondriver's

picture identification card unrestricted revenue for other related expenditures, but in no event shall the cumulative annual transfers exceed 50 percent of all fees collected.

4 Effective Date. Part V of this act shall take effect 60 days after its passage.

PART VI

Relative to the operation of bicycles at or approaching intersections.

1 New Paragraph; Rules of the Road; Riding on Bicycles. Amend RSA 265:144 by inserting after paragraph XII the following new paragraph:

XIII. A person operating a bicycle, human-powered vehicle, or an electric-assisted bicycle approaching a stop sign shall slow down and, if required for safety, stop before entering the intersection. After slowing to a reasonable speed or stopping, the person shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time the person is moving across or within the intersection or junction of highways, except that a person, after slowing to a reasonable speed and yielding the right-of-way, if required, may cautiously make a turn or proceed through the intersection without stopping.

XIV. A person operating a bicycle or human-powered vehicle approaching a steady red traffic control light shall stop before entering the intersection and shall yield to all other traffic. Once the person has yielded, he or she may proceed through the steady red light with caution; provided however, that a person, after slowing to a reasonable speed and yielding the right-of-way, if required, may cautiously make a right-hand turn. A left-hand turn onto a one-way highway may be made on a red light after stopping and yielding to other traffic.

2 Effective Date. Part VI of this act shall take effect 60 days after its passage.

PART VII

Relative to certificate of boating safety.

1 Safe Boater Education; Certificate Required. Amend RSA 270-D:10, I to read as follows:

I. No person ~~[born on or after the dates provided in this section]~~ shall operate a motorized vessel with any type of power motor in excess of 25 horsepower on the public waters of this state without first obtaining a certificate of boating safety education in accordance with this subdivision[:

~~Date of Birth: Certificate Required:~~

~~January 1, 1983 January 1, 2002~~

~~January 1, 1977 January 1, 2003~~

~~January 1, 1973 January 1, 2004~~

~~January 1, 1967 January 1, 2005~~

~~January 1, 1963 January 1, 2006~~

~~January 1, 1957 January 1, 2007~~

~~All January 1, 2008].~~

2 Effective Date. Part VII of this act shall take effect upon its passage.

PART VIII

Relative to allowing emergency medical services chiefs and fire chiefs

to issue decals for multi-use decal plates.

1 New Paragraph; Multi-Use Decal Plates; Authorized Organizations. Amend RSA 261-B:9 by inserting after paragraph XV the following new paragraph:

XVI. Emergency medical services chiefs and fire chiefs, provided that such decals are issued solely to emergency medical services personnel and retired emergency medical services personnel.

2 Effective Date. Part VIII of this act shall take effect 60 days after its passage.

PART IX

Relative to private roads.

1 New Section; Qualified Private Communities. Amend RSA 231 by inserting after section 80-a the following new section:

231:80-b Qualified Private Communities.

I. In this section, "qualified private community" means a residential condominium, cooperative, fee simple community, or horizontal property regime, the residents of which do not receive any tax abatement or tax exemption related to its construction, comprised of a community trust or other trust device, condominium association, homeowners' association, or council of co-owners, wherein the cost of maintaining roads, streets, water and sewer

infrastructure and providing essential services is paid for by a not-for-profit entity consisting exclusively of unit owners within the community. No apartment building or garden apartment complex owned by an individual or entity that receives monthly rental payments from tenants who occupy the premises shall be considered a qualified private community. No "proprietary campground facility" shall be considered to be a qualified private community.

II. The governing body of every municipality shall reimburse a qualified private community pursuant to RSA 72:87 for the following services or provide the following services within a qualified private community in the same fashion as the municipality provides these services on public roads and streets:

- (a) Removal of snow, ice, and other obstructions from the roads and streets.
- (b) Lighting of the roads and streets, to the extent of payment for the electricity required, but not including the installation or maintenance of lamps, standards, wiring, or other equipment; and
- (c) Collection of leaves and recyclable materials along the roads and streets and the collection or disposal of solid waste along the roads and streets.
- (d) Repairs and replacement of roads and streets.
- (e) For qualified private communities connected to municipal water or sewer services, repairs, maintenance and replacement of water and sewer infrastructure within the qualified private communities.

III. Nothing in this section shall require a municipality to operate any municipally owned or leased vehicles or other equipment, or to provide any of the services enumerated in subsection (a) of this section, upon, along or in relation to any road or street in a qualified private community which either is not accepted for dedication to public use or does not meet all municipal standards and specifications, except for width, grade, and sidewalks.

2 Repair of Highway by Town; Expenditure. Amend RSA 231:59 to read as follows:

231:59 Expenditure. The money so raised and collected shall be expended in repairing class IV and class V highways, and class VI highways and private ways pursuant to RSA 231:80-b by the agents elected or appointed for the purpose, under the direction of the selectmen.

3 New Section; Qualified Private Community; Tax Credit. Amend RSA 72 by inserting after section 86 the following new section:

72:87 Qualified Private Community. A municipality shall grant a tax credit to any person that owns property in a qualified private community, as defined in RSA 231:80-b, equal to the sum of the amounts paid by said owner for private contracting of services provided by such municipality to publicly maintained ways, including Class IV and Class V Highways.

4 Effective Date. Part IX of this act shall take effect April 1, 2022.

LBA
21-0839
Revised 2/3/21

SB 131-FN- FISCAL NOTE
AS INTRODUCED

AN ACT adopting omnibus legislation relative to vehicles, municipal water maintenance certificates, safety certificates, nondrivers's picture I.D.s, decals, and private roads.

PART I: Relative to electric vehicle supply equipment and infrastructure and relative to state motor vehicle fleet management

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input checked="" type="checkbox"/> Highway	<input checked="" type="checkbox"/> Other-
	NH Volkswagen Trust Mitigation Fund			

LOCAL:

Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

The Public Utilities Commission was contacted for a fiscal note worksheet on January 8, 2021 and January 12, 2021, which the Commission has not supplied as of February 2, 2021.

METHODOLOGY:

This section requires state agencies and departments and the New Hampshire Transportation Council (RSA 238-A:2) to utilize the recommendations of the Electric Vehicle Charging Stations Infrastructure Commission. This section also does the following:

- Requires the Office of Strategic Initiatives to allocate a portion of the New Hampshire Volkswagen Trust for a non-proprietary Level 2 Electric Vehicle Supply Equipment (EVSE) rebate program for municipalities for publicly accessible chargers, to be administered by a non-governmental entity.
- Regulated utilities may include EVSE make-ready programs to fund upgrades necessary to support the installation of EVSE in the systems benefits charge or other mechanisms.
- Requires all publicly funded chargers, including those funded by the New Hampshire Volkswagen Trust Settlement or by federal or other competitively awarded funds installed after January 1, 2022 to be equipped for universal access.
- Allows municipalities with populations greater than 50,000 to expand the use motor vehicle permit fees collected pursuant to RSA 261:154 to fund the construction, operation and maintenance of EVSE.
- Establishes a \$20 registration fee on all electric and hybrid vehicles to fund the construction of EVSE on state highways and turnpikes.
- Authorizes municipalities to provide property tax relief under RSA 79-E on the value of EVSE installed in residential homes and rental properties, businesses, and industries.
- Amends the definitions of the terms "light duty truck", "passenger vehicle" and "motor vehicle" as applied to the state's motor vehicle fleet.
- Requires the Department of Administrative Services to establish procedures to convert the state's vehicle fleet of light duty trucks and passenger vehicles to (Zero Emission Vehicles) ZEVs by 2042. Requires that by 2026, all new leases or purchases of light duty trucks or passenger vehicles shall be ZEVs and by 2032 any new leases or purchase of trucks and other vehicles in excess for 10,000 pounds in weight shall be ZEVs. Transition plans shall be developed by all state agencies and departments for submission to the Office of Strategic Initiatives by June 30, 2022 and revised and submitted every 2 years thereafter until all of the state's motor vehicles are ZEVs.
- Establishes electric vehicle charging station rate design standards.

The Department of Environmental Services (DES) states the recommendations of the Electric Vehicle Charging Stations Infrastructure Commission include actions relating to the development of electric vehicle supply equipment (EVSE); the use of the Volkswagen settlement's New Hampshire Volkswagen Beneficiary Mitigation Trust (NH VW Trust) for such development; the sale of electric vehicles (EVs) in New Hampshire; the adoption of EVs by state agencies; participation in regional programs aimed at increasing adoption of EVs; investment by regulated utilities to support EVSE installations; adoption of building codes to encourage EVSE installation; and other measures will result in some level of unknown expense for state agencies.

DES states the rebate program using the NH VW Trust funds could utilize up to 15% of the project cost for administrative expense with no expected impact on general funds. The Trust Fund has a maximum allowable funding for support of EVSE but the impact on this fund from this provision is indeterminable..

DES projects the additional \$20 registration fee on 4,713 electric vehicles (EVs) including plug-in hybrids, registered in New Hampshire as of January 1, 2021, would yield approximately \$94,260 in additional revenue. The number of EVs is expected to increase over time.

DES also notes the cost to transition the state vehicle fleet to ZEVs over time is required to be performed "to the extent feasible, practicable and cost effective."

The Office of Strategic Initiatives states the recommendations of the Electric Vehicle Charging Station Infrastructure Commission includes actions relating to the development of EVSE and the use of the NH VW Trust funds for such development. The NH VW Trust may only be spent as allowed by the terms of the Trust and would have no impact on general funds. The impact to the Trust is indeterminable.

The Department of Justice provides some assistance to the Office of Strategic Initiatives in its administration of the NH VW Trust but DOJ states there may only be a slight increase in necessary assistance resulting from this section. Since any such assistance would be negligible and would be accomplished within the current budget, there is no fiscal impact on the Department.

The Department of Administrative Services assumes the requirement to convert the state fleet to ZEVs does not apply to heavy construction equipment, ATVs, snowmobiles, boats or other equipment not used primarily on roads and highways. The department also assumes most new ZEVs will be electric vehicles. Capital expenditures would increase beginning in FY 2023 with new EV sites and the first agency EV purchases and leases would begin in FY 2024. The department expects incremental costs to replace existing vehicles, EV charging site development costs and maintenance and training costs for state agency personnel. More frequent upgrades of vehicles and equipment are also anticipated. The department estimates it will cost the state \$46.3 million to replace the entire state fleet with ZEVs. The department estimates charging site development and infrastructure at 50 locations would cost between \$4.5 million-\$14.5 million for Level 2 Public Advanced Technology Chargers and between \$6.9 million-\$20.5 million for Level 3 DC Fast Chargers.

The Department of Safety states the current vehicle counts for electric (3,102) and plug-in electric vehicles (543) at \$20 per vehicle would yield \$72,900 per year or \$36,450 for FY 2022 with an effective date of January 1, 2022.

The Department estimates a state expenditure of \$540,000 in FY 2022 for the programming of the vehicle registration system (MAAP) and reprogramming of the VIN decoder. State highway expenditures would increase beginning in FY 2023 pursuant to RSA 235:23 which requires 12% of the gross road toll revenue and motor vehicle fees collected in the prior year to be distributed as local highway aid.

The Department of Transportation indicates the construction of ESVE on state highways and turnpikes, long term operation and maintenance, including power, communications, lights and paving and winter maintenance will require a significant unknown expense. Utility make ready charges and extension of power to such facilities may exceed construction costs. The requirement to purchase and lease the lowest emission vehicles available as practicable will still require the Department to perform additional analyses to determine which vehicles are appropriate and may affect field usage of such vehicles with limited charging options. Changing the definitions of light duty trucks and passenger vehicles for the DOT fleet may impact employee efficiency and vehicle performance if the transportation of staff, materials, tools and equipment is compromised for the work task or for long distance travel. The department would require the use of outside consultants to develop and maintain a plan for transition of its vehicle fleet to entirely ZEVs. The total cumulative fiscal impact of these provisions is indeterminable but is expected to be in the tens of millions of dollars.

The New Hampshire Municipal Association states the rebate program may provide additional revenue to municipalities to offset the cost of publicly accessible chargers but the purchase of this equipment is voluntary and therefore the amount of such revenue is indeterminable. The use of fees under RSA 261:154 would allow municipalities to utilize these existing fees for this purpose but it does not affect municipal revenues or

expenditures. The provision for tax relief pursuant to RSA 79-E for EVSE on private property is also voluntary and would not change revenues or expenditures, but would shift the tax burden among taxpayers.

AGENCIES CONTACTED:

Departments of Environmental Services, Administrative Services, Safety, Transportation, and Justice, Office of Strategic Initiatives, Public Utilities Commission, and New Hampshire Municipal Association

PART II: Relative to removal of abandoned or disabled vehicles by towing.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General Turnpike Fund	<input type="checkbox"/> Education	<input checked="" type="checkbox"/> Highway	<input checked="" type="checkbox"/> Other-

METHODOLOGY:

This section modifies procedures surrounding the removal of abandoned or disabled vehicles. Department of Safety states any impact to state expenditures is indeterminable relative to administering this bill, specifically regarding inspecting and approving wrecker or other motorist service assistance vehicles for a tow list. The Department cannot estimate the number of complaints that would be received and require investigation and processing. State police uniformed officers are currently challenged to provide rapid response to emergencies and thorough follow-up to calls. With existing current backlogs in clerical functions, it may also require additional full or part-time clerical personnel or overtime to maintain current operations.

AGENCIES CONTACTED:

Department of Safety

PART III: Relative to the municipal winter maintenance certification program.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation, as introduced, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2021 through 2024.

AGENCIES CONTACTED:

Department of Environmental Services

PART IV: Relative to implementing a mandatory OHRV and snowmobile safety certificate program certification program.

The Fish and Game Department was contacted for a fiscal note worksheet on January 4, 2021, which the Department has not supplied as of February 2, 2021.

PART V: Relative to eligibility for the issuance of a nondriver's picture identification card.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation, as introduced, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2021 through 2024.

PART VI: Relative to the operation of bicycles at or approaching intersections.

This part has no fiscal impact.

PART VII: Relative to certificate of boating safety.

This part has no fiscal impact.

PART VIII: Relative to allowing emergency medical services chiefs and fire chiefs to issue decals for multi-use decal plates.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation, as introduced, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2021 through 2024.

PART IX: Relative to private roads.

FISCAL IMPACT: [] State [] County [X] Local [] None

LOCAL:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill defines a "qualified private community" and requires a municipality to reimburse or provide such communities and property owners within such communities with services related to roads equivalent to what is provided for properties along public roads, including: removal of snow, ice, and other obstructions from the roads and streets; street lighting charges; collection of leaves and recyclable materials and collection or disposal of solid waste; and repairs, maintenance and replacement of water and sewer infrastructure within qualified private communities. Municipalities currently do not provide such services to private entities. To the extent that any municipality has such communities, there would be a significant but variable increase in expenditures to provide these services to this population. The increase in municipal expenditures is therefore indeterminable. There is no increase in municipal revenues.

The bill also requires municipalities to repair class VI roads, which is currently not done and will similarly require an indeterminable expense that varies by municipality.

AGENCIES CONTACTED:

New Hampshire Municipal Association