

Bill as
Introduced

HB 224 - AS AMENDED BY THE HOUSE

9Apr2021... 0446h

2021 SESSION

21-0230

11/05

HOUSE BILL **224**

AN ACT relative to tinted windows on motor vehicles.

SPONSORS: Rep. Yokela, Rock. 33; Rep. Yakubovich, Merr. 24; Rep. Abramson, Rock. 37; Rep. Hill, Merr. 3; Rep. O'Hara, Belk. 9; Rep. Belanger, Rock. 9

COMMITTEE: Transportation

ANALYSIS

This bill allows for after market tinting of side windows.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to tinted windows on motor vehicles.

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

1 1 Rules of the Road; Special Rules; Tinted Windows. Amend RSA 265:95, III(a) to read as
2 follows:

3 (a) Except as permitted by subparagraph (b), no person shall drive upon any way any
4 vehicle with any sign, poster, sticker, or other nontransparent material upon or adjacent to the front
5 windshield, side wings, or side or rear windows of such vehicle which shall obstruct the driver's clear
6 view of the way or any intersecting way, unless authorized by the director so to do. No person shall
7 drive upon any way any vehicle with after market tinting on the windshield [~~or on the windows to~~
8 ~~the left and right of the driver~~], as prohibited under RSA 266:58-a.

9 2 Equipment of Vehicles; Tinted Glass. Amend RSA 266:58-a, I-III-a to read as follows:

10 I. It shall be unlawful to sell or inspect any motor vehicle in this state which has after
11 market tinting on the windshield [~~or on the windows to the left and right of the driver~~].

12 II. It shall be unlawful to install after market tinting on the windshield [~~or on the windows~~
13 ~~to the left and right of the driver~~] on any motor vehicle which is registered in this state.

14 III. It shall be unlawful to drive on any way any motor vehicle registered in this state which
15 has after market tinting on the windshield [~~or on the windows to the left and right of the driver~~].
16 Where after market tinting is applied to windows to the rear of the driver, outside rear view mirrors
17 shall be required on both the left and right side of the vehicle for the use of the driver and a front
18 seat passenger. The light transmittance of after-market tinted windows ***to the left and right of***
19 ***the driver where they are allowed shall not be less than 70 percent, and the light***
20 ***transmittance of after-market tinted rear windows*** where they are allowed shall not be less
21 than 35 percent, except that the light transmittance of after market tinted rear windows of
22 multipurpose passenger vehicles, as defined in 49 C.F.R. ***section*** 571.3 and pickup trucks may be
23 such percentage as is allowed by 49 C.F.R. ***section*** 571.205 with respect to pre-market tinted rear
24 windows.

25 III-a. Persons who require for medical reasons after market tinting on the windshield [~~or on~~
26 ~~the windows to the left and right of the driver~~] may apply for a special permit pursuant to RSA
27 266:61-a, IX.

28 3 Equipment of Vehicles; Equipment Waiver for Disabled. Amend RSA 266:61-a, IX to read as
29 follows:

30 IX. The commissioner may waive the requirements of RSA 266:58-a and issue a special
31 permit to a person who for bona fide medical reasons requires after market tinting on the windshield

HB 224 - AS AMENDED BY THE HOUSE

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1 ~~[or on the windows to the left and right of the driver]~~ and who applies for such permit. Such waiver
2 shall be granted in accordance with this section and shall only authorize the use of after market
3 tinted windows with a light transmittance of not less than 35 percent. In reviewing the application
4 for a permit under this paragraph, the commissioner may seek the advice and recommendation of a
5 medical review board designated by him *or her* for such purpose.

6 4 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 185
HB 224 - FINAL VERSION

9Apr2021... 0446h
05/27/2021 1782s
24Jun2021... 1990CofC
24Jun2021... 2067EBA

2021 SESSION

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HOUSE BILL **224**

AN ACT relative to tinted windows on motor vehicles, relative to civil liability for damage to highways, and relative to employer access to motor vehicle records.

SPONSORS: Rep. Yokela, Rock. 33; Rep. Yakubovich, Merr. 24; Rep. Abramson, Rock. 37; Rep. Hill, Merr. 3; Rep. O'Hara, Belk. 9; Rep. Belanger, Rock. 9

COMMITTEE: Transportation

AMENDED ANALYSIS

This bill allows for after market tinting of side windows and clarifies civil liability applicable to obstruction or injury to highways.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 185
HB 224 - FINAL VERSION

9Apr2021... 0446h
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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to tinted windows on motor vehicles, relative to civil liability for damage to highways, and relative to employer access to motor vehicle records.

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

1 185:1 Rules of the Road; Special Rules; Tinted Windows. Amend RSA 265:95, III(a) to read as
2 follows:

3 (a) Except as permitted by subparagraph (b), no person shall drive upon any way any
4 vehicle with any sign, poster, sticker, or other nontransparent material upon or adjacent to the front
5 windshield, side wings, or side or rear windows of such vehicle which shall obstruct the driver's clear
6 view of the way or any intersecting way, unless authorized by the director so to do. No person shall
7 drive upon any way any vehicle with after market tinting on the windshield [~~or on the windows to~~
8 ~~the left and right of the driver~~], as prohibited under RSA 266:58-a.

9 185:2 Equipment of Vehicles; Tinted Glass. Amend RSA 266:58-a, I-III-a to read as follows:

10 I. It shall be unlawful to sell or inspect any motor vehicle in this state which has after
11 market tinting on the windshield [~~or on the windows to the left and right of the driver~~].

12 II. It shall be unlawful to install after market tinting on the windshield [~~or on the windows~~
13 ~~to the left and right of the driver~~] on any motor vehicle which is registered in this state.

14 III. It shall be unlawful to drive on any way any motor vehicle registered in this state which
15 has after market tinting on the windshield [~~or on the windows to the left and right of the driver~~].
16 Where after market tinting is applied to windows to the rear of the driver, outside rear view mirrors
17 shall be required on both the left and right side of the vehicle for the use of the driver and a front
18 seat passenger. The light transmittance of after-market tinted windows *to the left and right of*
19 *the driver where they are allowed shall not be less than 70 percent, and the light*
20 *transmittance of after-market tinted rear windows* where they are allowed shall not be less
21 than 35 percent, except that the light transmittance of after market tinted rear windows of
22 multipurpose passenger vehicles, as defined in 49 C.F.R. *section* 571.3 and pickup trucks may be
23 such percentage as is allowed by 49 C.F.R. *section* 571.205 with respect to pre-market tinted rear
24 windows.

25 III-a. Persons who require for medical reasons after market tinting on the windshield [~~or on~~
26 ~~the windows to the left and right of the driver~~] may apply for a special permit pursuant to RSA
27 266:61-a, IX.

CHAPTER 185
HB 224 - FINAL VERSION
- Page 2 -

1 185:3 Equipment of Vehicles; Equipment Waiver for Disabled. Amend RSA 266:61-a, IX to read
2 as follows:

3 IX. The commissioner may waive the requirements of RSA 266:58-a and issue a special
4 permit to a person who for bona fide medical reasons requires after market tinting on the windshield
5 [~~or on the windows to the left and right of the driver~~] and who applies for such permit. Such waiver
6 shall be granted in accordance with this section and shall only authorize the use of after market
7 tinted windows with a light transmittance of not less than 35 percent. In reviewing the application
8 for a permit under this paragraph, the commissioner may seek the advice and recommendation of a
9 medical review board designated by him *or her* for such purpose.

10 185:4 New Paragraph; Liability for Obstruction or Injury to Highway; Civil Liability. Amend
11 RSA 236:39 by inserting after paragraph II the following new paragraph:

12 III. This section applies to all pending claims, including but not limited to claims incurred
13 before or after the effective date of this section, and future causes of action for liability and damages
14 under this section.

185:5 Effective Date. This act shall take effect 60 days after its passage.

Approved: August 10, 2021
Effective Date: October 09, 2021

Amendments

Floor Amendment to HB 224

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

2

3 AN ACT relative to tinted windows on motor vehicles, relative to civil liability for damage to
4 highways, and relative to employer access to motor vehicle records.
5

6 Amend the bill by replacing all after section 3 with the following:

7

8 4 Liability for Obstruction or Injury to Highway; Civil Liability. Amend RSA 236:39 to read as
9 follows:

10 236:39 Civil Liability.

11 I. If any person, without authority, shall place any obstruction in a highway, or cause any
12 defect, insufficiency, or want of repair of a highway which renders it unsuitable for public travel, he
13 or she shall be *strictly* liable to the state for all damages to the highway, including *full and*
14 *current* replacement costs of protective barriers, *and any structure or device that is part of the*
15 *highway or turnpike system*, when maintained by the state, or to the municipality for all damages
16 to a highway, including *full and current* replacement costs of protective barriers *and any*
17 *structure or device that is part of the highway*, when maintained by the municipality, and for
18 all damages and costs which the state or municipality shall be compelled to pay to any person
19 injured by such obstruction, defect, insufficiency, or want of repair as established through an
20 appropriate contribution claim or under the rules of joint and several liability.

21 II. *"Full and current replacement cost" as used in this section means actual or*
22 *reasonable estimates of labor, including contracted labor; material, equipment, and*
23 *overhead. Such costs shall not be reduced for depreciation.*

24 5 New Paragraph; Motor Vehicle Records; Employer Access. Amend RSA 260:14 by inserting
25 after paragraph IV the following new paragraph:

26 IV-a.(a) Except for a person's photograph, computerized image, and social security number,
27 motor vehicle records and at least monthly electronic bulk files indicating changes in driving
28 violations and driver license status shall be made available upon proof of the identity of the person
29 requesting the records and representation by such person on a form satisfactory to the department
30 that the records will be strictly limited to one or both of the following described uses:

31 (1) For use by an entity that employs drivers in the course of their business, or an
32 authorized agent of such an entity, which requires a motor vehicle record or a monthly notification of

Floor Amendment to HB 224

- Page 2 -

1 changes to motor vehicle records in connection with pre-employment or continued employment
2 screening of employees for driver safety reasons; or

3 (2) For use with respect to requests as to whether a driver meets the requirements of
4 RSA 376-A:12.

5 (b) No motor vehicle records made available under this paragraph shall be sold, rented,
6 transferred, or otherwise made available in whole or in part, in any form or format, directly or
7 indirectly, to another person, except that an authorized agent may make such records available to
8 any principal on whose behalf the records were sought if the name of that principal was provided to
9 the department at the time the records were sought.

10 (c) Any person who makes a request under this paragraph shall have first obtained the
11 written consent of the person whose records are being requested. The written consent shall be
12 retained for a period of 3 years and shall be made available upon request to the division for
13 inspection. Motor vehicle records obtained under this paragraph shall not be subject to the
14 notarization requirements of RSA 260:14, VII.

15 6 Effective Date.

16 I. Sections 1-4 of this act shall take effect 60 days after its passage.

17 II. The remainder of this act shall take effect upon its passage.

2021-1782s

AMENDED ANALYSIS

This bill allows for after market tinting of side windows, clarifies civil liability applicable to obstruction or injury to highways, and clarifies the circumstances under which employers may access motor vehicle records.

Committee Minutes

SENATE CALENDAR NOTICE
Transportation

Sen Regina Birdsell, Chair
Sen David Watters, Vice Chair
Sen Denise Ricciardi, Member
Sen Ruth Ward, Member
Sen Tom Sherman, Member

Date: April 15, 2021

HEARINGS

Tuesday	04/20/2021	
(Day)	(Date)	
Transportation	REMOTE 000	1:00 p.m.
(Name of Committee)	(Place)	(Time)
1:00 p.m.	HB 424	establishing a commission to study ways to reduce texting while driving.
1:15 p.m.	HB 461	relative to motorcycle auxiliary lamping, and adding the New Hampshire Motorcyclists' Rights Organization to the traffic safety commission.
1:30 p.m.	HB 260-FN	relative to number plates for motor vehicles.
1:45 p.m.	HB 224	relative to tinted windows on motor vehicles.
2:00 p.m.	HB 251-FN	requiring children under the age of 2 years to be restrained in a motor vehicle.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/91892878760>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: 13126266799,,91892878760# or 19292056099,,91892878760#
4. Webinar ID: 918 9287 8760
5. To view/listen to this hearing on YouTube, use this link:
<https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:
<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 424

Rep. Torosian

Rep. Janigian

Rep. Gould

HB 461

Rep. Packard

HB 260-FN

Rep. Prout

Rep. Conley

Rep. Osborne

Rep. Torosian

Rep. Warden

Rep. A. Lekas

Rep. T. Lekas

HB 224

Rep. Yokela

Rep. Yakubovich

Rep. Abramson

Rep. Hill

Rep. O'Hara

Rep. Belanger

HB 251-FN

Rep. Fenton

Kirsten Koch 271-3266

Regina Birdsell
Chairman

Senate Transportation Committee

Kirsten Koch 271-3266

HB 224, relative to tinted windows on motor vehicles.

Hearing Date: April 20, 2021

Time Opened: 2:07 p.m.

Time Closed: 2:23 p.m.

Members of the Committee Present: Senators Birdsell, Watters, Ricciardi, Ward and Sherman

Members of the Committee Absent : None

Bill Analysis: This bill allows for after market tinting of side windows.

Sponsors:

Rep. Yokela

Rep. Yakubovich

Rep. Abramson

Rep. Hill

Rep. O'Hara

Rep. Belanger

Who supports the bill: Rep. Josh Yokela, Rockingham 33; Rep. Judy Aron, Sullivan 7; Rep. Greg Hill, Merrimack 3; William Haynes, State Police and New Hampshire Office of Highway Safety; Bill Alleman; Dan Lindbom; D.B. Smit, International Window Film Association.

Who opposes the bill: John Drury; Gregory Walters; Mark Chase; Steven Russo; Domenic Richardi; Timothy Carpenter; David Goldstein; Mike Bilodeau; Jeff Sprankle; Brenda Fisher; Gary Fisher; Christine Maille; Victoria Lapointe; Richard Stillman; Jeanne McFadden; Anthony Bean Burpee; Joseph Mahoney; Charles Reynolds; Robert Krieger; Christopher Connelly; David Croft; David Noyes; Brian Levesque; John Parsons; Doug Hackett; John Bryfonski, NH Association Chiefs of Police; Patrick Sullivan; Bradley Osgood.

Who is neutral on the bill: None.

Summary of Testimony Presented:

Representative Josh Yokela, Rockingham 33

- Rep. Yokela said, this bill is relative to tinting to driver and passenger side windows. The proposed tint matches window tint levels allowed in Maine and Massachusetts. The tint proposed is 70% light transmittance.
- Rep. Yokela said, the logic currently is if you buy an SUV, or a larger vehicle, they already have standard stock with 70% window tint allowed. However, y would not be allowed to have additional tint. Smaller or older cars do not have that window tint allowed from the factory, or as an after market option. This bill levels the playing field between older and newer cars for tint.
- Sen. Ricciardi said, I had a constituent reach out to me about their vehicle that passed NH inspection for three years in a row and then it did not this year because of their tint. Then

they could not find somewhere local to remove the tint, so they had to go to Massachusetts to have it done.

- Rep. Yokela said, when I moved here, I had to remove my tint from my windows. It is common problem that happens if you buy cars from Massachusetts. The history of the car is not coming into play in the law, and it is an issue. NH is one of three states that does not allow tint on driver or passenger windows. This is an issue when buying cars across state lines. Tint businesses would be more likely to open up shop in NH if this bill passed.

Rep. Gregory Hill, Merrimack 3

- Rep. Hill said, the level of tint proposed in this bill has been deemed safe by the highway safety administration and it has been deemed safe when applied by the manufacturer.
- Rep. Hill said, what studies can anyone show that tinted windows are dangerous for the police? We certainly do not hear of attacks of vicious window tinting around the country.
- Rep. Hill said, window film blocks UV rays and prevents skin cancer.
- Sen Watters said, can I state for the record that you are introducing this as an important climate change bill?
 - Rep. Hill said, certainly, that's a good one.

D.B. Smit, International Window Film Association

- Mr. Smit said he promotes reasonable standards for tint across the country.
- Mr. Smit said, reasonable window tint limits do not add to the risk of police officers.
- Mr. Smit said he supports 70% tint in passenger and driver windows and supports 35% in rear windows.
- Mr. Smit said, manufacturers make lower than 35% and the federal government standard for window tinting is 35%.
- Sen. Sherman said, as the husband of a dermatologist I have to ask this question: do all tints provide similar protection from UV individuals?
 - Mr. Smit said, yes, all tints provide UV protection.

William R. Haynes, State Police and NH Office of Highway Safety

- Mr. Haynes said he is in support of not having window tint.
- Mr. Haynes said this is about seeing around you as a driver while looking out the windows. Real dark tint prohibits that. It goes beyond police safety.
- Mr. Haynes said, there are clear film tints that provide UV tints to reduce skin cancer.
- Mr. Haynes said, from a highway safety prospective, for pedestrians and operators, it is important to not darken the passenger and driver windows.

Speakers

Senate Remote Testify

Transportation Committee Testify List for Bill HB224 on 2021-04-20

Support: 6 Oppose: 9 Neutral: 0 Total to Testify: 3

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>§</u>
Yokela, Josh	josh.yokela@leg.state.nh.us	603-722-0501	An Elected Official	Rockingham 33	Support	Yes	4
Hill, Greg	greghillnh@gmail.com	Not Given	An Elected Official	Merrimack # 3	Support	Yes	4
Smit, Demerst ("D. B.")	d.smit@comcast.net	804.971.8366	A Member of the Public	International Window Film Association	Support	Yes	4
Drury, John	jdrury@farmingtonpd.com	603.755.2731	A Member of the Public	Myself	Oppose	No	4
Haynes, Bill	william.r.haynes@dos.nh.gov	Not Given	State Agency Staff	State Police and New Hampshire Office of Highway Safety	Support	No	4
Aron, Judy	judy.aron@leg.state.nh.us	603.843.5908	An Elected Official	Myself	Support	No	4
Osgood, Bradley	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4
Sullivan, Patrick	Patsully@comcast.net	Not Given	A Member of the Public	Myself	Oppose	No	4
Bryfonski, John	jbryfonski@bedfordnh.org	603.792.1330	A Member of the Public	NH ASSOCIATION CHIEFS OF POLICE	Oppose	No	4
Hackett, Doug	doug.hackett@cornishnh.net	603.359.3943	A Member of the Public	Myself	Oppose	No	4
Parsons, John	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4
Levesque, Brian	blevesque@merrimacknh.gov	603.860.4478	A Member of the Public	Myself	Oppose	No	4
Noyes, David	pdchief@wvpublicsafety.com	603.236.4732	A Member of the Public	Myself	Oppose	No	4
Croft, David	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4
Lindbom, Dan	Not Given	Not Given	A Member of the Public	Myself	Support	No	4

Voting Sheets

Senate Transportation Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Hearing Date: 4/20/21

Bill # HB 224

Executive Session Date: 5/25/21

Motion of: OTP Vote: 5-0

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

Motion of: Consent Calabrese Vote: 5-0

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

Motion of: _____ Vote: _____

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

Motion of: _____ Vote: _____

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

Reported out by: Sen. Ricciardi

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Tuesday, May 25, 2021

THE COMMITTEE ON Transportation

to which was referred **HB 224**

AN ACT relative to tinted windows on motor vehicles.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Denise Ricciardi
For the Committee

This bill allows for after market tinting of side windows. This bill allows for older motor vehicles to achieve the tinting as provided by manufacturers in newer motor vehicles. Window tinting provides protection from harmful UV rays. This bill will decrease the number of issues related to window tint percentages during car inspections. This bill may encourage more businesses to offer their window tinting services in New Hampshire so that individuals do not have to travel out of state to find these services.

Kirsten Koch 271-3266

FOR THE CONSENT CALENDAR

TRANSPORTATION

HB 224, relative to tinted windows on motor vehicles.

Ought to Pass, Vote 5-0.

Senator Denise Ricciardi for the committee.

This bill allows for after market tinting of side windows. This bill allows for older motor vehicles to achieve the tinting as provided by manufacturers in newer motor vehicles. Window tinting provides protection from harmful UV rays. This bill will decrease the number of issues related to window tint percentages during car inspections. This bill may encourage more businesses to offer their window tinting services in New Hampshire so that individuals do not have to travel out of state to find these services.

General Court of New Hampshire - Bill Status System

Docket of HB224

Docket Abbreviations

Bill Title: (New Title) relative to tinted windows on motor vehicles, relative to civil liability for damage to highways, and relative to employer access to motor vehicle records.

Official Docket of HB224.:

Date	Body	Description
1/4/2021	H	Introduced (in recess of) 01/06/2021 and referred to Transportation HJ 2 P. 39
1/27/2021	H	Public Hearing: 02/05/2021 01:00 pm Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/92807074926 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/19/2021	H	Executive Session: 02/19/2021 02:00 pm Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/98257633759
3/25/2021	H	Majority Committee Report: Ought to Pass with Amendment #2021-0446h (Vote 12-7; RC) HC 18 P. 60
3/25/2021	H	Minority Committee Report: Inexpedient to Legislate
4/9/2021	H	Amendment #2021-0446h : AA VV 04/09/2021 HJ 7 P. 52
4/9/2021	H	Ought to Pass with Amendment 2021-0446h: MA RC 200-167 04/09/2021 HJ 7 P. 52
4/13/2021	S	Introduced 04/08/2021 and Referred to Transportation; SJ 12
4/15/2021	S	Remote Hearing : 04/20/2021, 01:45 pm; Links to join the hearing can be found in the Senate Calendar; SC 20
5/25/2021	S	Committee Report: Ought to Pass, 05/27/2021; Vote 5-0; CC; SC 25A
5/27/2021	S	Sen. Carson Moved to Remove HB 224 from the Consent Calendar; 05/27/2021; SJ 17
5/27/2021	S	Sen. Carson Floor Amendment #2021-1782s , AA, VV; 05/27/2021; SJ 17
5/27/2021	S	Ought to Pass with Amendment 2021-1782s, MA, VV; OT3rdg; 05/27/2021; SJ 17
6/7/2021	H	House Non-Concurs with Senate Amendment 2021-1782s and Requests CofC (Reps. Walsh, Gagne, Hill, Pickering): MA VV 06/04/2021 HJ 9 P. 52
6/10/2021	S	Sen. Birdsell Accedes to House Request for Committee of Conference, MA, VV; 06/10/2021; SJ 19
6/10/2021	S	President Appoints: Senators Birdsell, Ricciardi, Watters; 06/10/2021; SJ 19
6/15/2021	H	Conference Committee Meeting: 06/15/2021 01:00 pm LOB 201-203
6/17/2021	S	Conference Committee Report Filed, #2021-1990c ; 06/24/2021
6/24/2021	S	Conference Committee Report #2021-1990c , Adopted, VV; 06/24/2021; SJ 20
6/24/2021	H	Conference Committee Report 2021-1990c: Adopted, VV 06/24/2021
7/13/2021	S	Enrolled Bill Amendment #2021-2067e Adopted, VV, (In recess of 06/24/2021); SJ 20
7/15/2021	H	

		Enrolled Bill Amendment # 2021-2067 EBA: AA VV (in recess of) 06-24-2021 HJ 11
7/21/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); SJ 20
7/23/2021	H	Enrolled (in recess of) 06/24/2021

NH House

NH Senate

Other Referrals

1 Committee of Conference Report on HB 224, relative to tinted windows on motor vehicles.

2

3 Recommendation:

4 That the House recede from its position of nonconcurrency with the Senate amendment, and
5 concur with the Senate amendment, and

6 That the Senate and House adopt the following new amendment to the bill as amended by the
7 Senate, and pass the bill as so amended:

8

9 Amend the bill by replacing all after section 3 with the following:

10

11 4 Liability for Obstruction or Injury to Highway; Civil Liability. Amend RSA 236:39 to read as
12 follows:

13 236:39 Civil Liability.

14 *I. If any person, without authority, shall place any obstruction in a highway, or cause any*
15 *defect, insufficiency, or want of repair of a highway which renders it unsuitable for public travel, he*
16 *or she shall be liable to the state for all damages to the highway, including full and current*
17 *replacement costs of protective barriers, and any structure or device that is part of the*
18 *highway or turnpike system, when maintained by the state, or to the municipality for all damages*
19 *to a highway, including full and current replacement costs of protective barriers and any*
20 *structure or device that is part of the highway, when maintained by the municipality, and for*
21 *all damages and costs which the state or municipality shall be compelled to pay to any person*
22 *injured by such obstruction, defect, insufficiency, or want of repair as established through an*
23 *appropriate contribution claim or under the rules of joint and several liability.*

24 *II. "Full and current replacement cost" as used in this section means actual or*
25 *reasonable estimates of labor, including contracted labor, material, equipment, and*
26 *overhead. Such costs shall not be reduced for depreciation.*

27 *III. This section applies to all pending claims, including but not limited to claims*
28 *incurred before or after the effective date of this section, and future causes of action for*
29 *liability and damages under this section.*

30 5 Effective Date. This act shall take effect 60 days after its passage.

Committee of Conference Report on HB 224
- Page 2 -

The signatures below attest to the authenticity of this Report on HB 224, relative to tinted windows on motor vehicles.

Conferees on the Part of the Senate

Conferees on the Part of the House

Sen. Birdsell, Dist. 19

Rep. Walsh, Merr. 24

Sen. Ricciardi, Dist. 9

Rep. Gagne, Hills. 13

Sen. Watters, Dist. 4

Rep. Hill, Merr. 3

Rep. Pickering, Hills. 3

Committee of Conference Report on HB 224
- Page 3 -

2021-1990-CofC

AMENDED ANALYSIS

This bill allows for after market tinting of side windows and clarifies civil liability applicable to obstruction or injury to highways.

July 12, 2021
2021-2067-EBA
08/04

Enrolled Bill Amendment to HB 224

The Committee on Enrolled Bills to which was referred HB 224

AN ACT relative to tinted windows on motor vehicles, relative to civil liability for damage to highways, and relative to employer access to motor vehicle records.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 224

This enrolled bill amendment corrects section 4 of the bill to avoid duplicating language already enacted into law in section 134 of HB 2-FN-A-L of the 2021 regular legislative session.

Enrolled Bill Amendment to HB 224

Amend the bill by replacing section 4 with the following:

4 New Paragraph; Liability for Obstruction or Injury to Highway; Civil Liability. Amend RSA 236:39 by inserting after paragraph II the following new paragraph:

III. This section applies to all pending claims, including but not limited to claims incurred before or after the effective date of this section, and future causes of action for liability and damages under this section.

Senate Inventory Checklist for Archives

Bill Number: HB 224

Senate Committee: Transportation

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

N/A Prepared testimony, presentations, & other submissions handed in at the public hearing none

Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted): none

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

- amendment # 1782s ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

as amended by the senate

as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Kirsten Koch
Committee Aide

7/26/21
Date

Senate Clerk's Office [Signature]