

Bill as
Introduced

HB 424 - AS INTRODUCED

2021 SESSION

21-0562
11/05

HOUSE BILL

424

AN ACT

establishing a commission to study ways to reduce texting while driving.

SPONSORS:

Rep. Torosian, Rock. 14; Rep. Janigian, Rock. 8; Rep. Gould, Hills. 7

COMMITTEE:

Transportation

ANALYSIS

This bill establishes a commission to study ways to reduce texting while driving.

.....

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT establishing a commission to study ways to reduce texting while driving.

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

1 1 New Subdivision; Commission to Study Ways to Reduce Texting While Driving. Amend RSA
2 265 by inserting after section 161 the following new subdivision:

3 Commission to Study Ways to Reduce Texting While Driving
4 265:162 Commission to Study Ways to Reduce Texting While Driving.

5 I. There is established a commission to study ways to reduce texting while driving.

6 II. The members of the commission shall be as follows:

7 (a) Three members of the house of representatives, appointed by the speaker of the
8 house of representatives.

9 (b) Two members of the senate, appointed by the president of the senate.

10 (c) The commissioner to the department of transportation, or designee.

11 (d) A representative of the telecommunications industry, appointed by the governor.

12 (e) The commissioner of the department of safety, or designee.

13 III. Legislative members of the commission shall receive mileage at the legislative rate when
14 attending to the duties of the commission.

15 IV. The commission shall study ways to reduce texting while driving.

16 V. The members of the commission shall elect a chairperson from among the members. The
17 first meeting of the commission shall be called by the first-named house member. The first meeting
18 of the commission shall be held within 45 days of the effective date of this section. Five members of
19 the commission shall constitute a quorum.

20 VI. The commission shall report its findings and any recommendations for proposed
21 legislation to the speaker of the house of representatives, the president of the senate, the house
22 clerk, the senate clerk, the governor, and the state library on or before November 1, 2021.

23 2 Repeal. RSA 265:162, relative to the commission to study ways to reduce texting while
24 driving, is repealed.

25 3 Effective Date.

26 I. Section 2 of this act shall take effect November 1, 2021.

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

HB 424 - AS AMENDED BY THE SENATE

04/29/2021 1180s

2021 SESSION

21-0562

11/05

HOUSE BILL **424**

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COMMITTEE: Transportation

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11 (d) The president of the Cellular Telecommunications and Internet Association, or
12 designee.

13 (e) The commissioner of the department of safety, or designee.

14 (f) One member of the public, appointed by the speaker of the house of representatives.

15 III. Legislative members of the commission shall receive mileage at the legislative rate when
16 attending to the duties of the commission.

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CHAPTER 110
HB 424 - FINAL VERSION

04/29/2021 1180s

2021 SESSION

21-0562
11/05

HOUSE BILL **424**

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COMMITTEE: Transportation

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CHAPTER 110
HB 424 - FINAL VERSION

04/29/2021 1180s

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STATE OF NEW HAMPSHIRE

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24 clerk, the senate clerk, the governor, and the state library on or before November 1, 2021.

25 110:2 Repeal. RSA 265:162, relative to the commission to study ways to reduce texting while
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27 110:3 Effective Date.

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

CHAPTER 110
HB 424 - FINAL VERSION

- Page 2 -

Approved: July 09, 2021

Effective Date:

I. Section 2 shall take effect November 1, 2021.

II. Remainder shall take effect July 9, 2021

Amendments

Amendment to HB 424

1 Amend RSA 265:162, II as inserted by section 1 of the bill by replacing it with the following:

2

3 II. The members of the commission shall be as follows:

4 (a) Three members of the house of representatives, appointed by the speaker of the
5 house of representatives.

6 (b) One member of the senate, appointed by the president of the senate.

7 (c) The commissioner to the department of transportation, or designee.

8 (d) The president of the Cellular Telecommunications and Internet Association, or
9 designee.

10 (e) The commissioner of the department of safety, or designee.

11 (f) One member of the public, appointed by the speaker of the house of representatives.

Committee Minutes

SENATE CALENDAR NOTICE
Transportation

Sen Regina Birdsall, 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 424, establishing a commission to study ways to reduce texting while driving.

Hearing Date: April 20, 2021

Time Opened: 1:06 p.m.

Time Closed: 1:14 p.m.

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

Members of the Committee Absent : None

Bill Analysis: This bill establishes a commission to study ways to reduce texting while driving.

Sponsors:

Rep. Torosian

Rep. Janigian

Rep. Gould

Who supports the bill: Rep. Peter Torosian, Rockingham 14; Maura Weston, AT&T; Dan Goodman, AAA Northern New England; Kristie Carrigan.

Who opposes the bill: Rep. Aidan Ankarberg, Strafford 10

Who is neutral on the bill: None.

Summary of Testimony Presented:

Representative Judy Aron, Sullivan 7

- *Note: Rep. Aron introduced the bill in place of the prime sponsor, Rep. Peter Torosian.*
- Rep. Aron said she is on the Transportation Committee in the House.
- Rep. Aron said, this bill was designed to bring parties together to discuss ways to eliminate texting and driving.
- Sen. Sherman asked, could we replace one of the senators with a member of the public? They could be appointed by the Governor.
 - Rep. Aron asked, what is the composition in the bill now?
- Sen. Sherman said, I would not change the number. This change would decrease the number of senators down to one and add a member of the public, which is not included now.
- Sen. Birdsell said, we can ask Chairman Rep. Walsh.

Representative Peter Torosian, Rockingham 14

- *Note: Rep. Torosian was later identified on the Zoom call attendees list under the username of "Beth T."*
- Rep. Torosian said, every single day we experience people texting on the road. We tried fines and so forth and it has not really helped. It has continued to get worse. It seems to be addictive behavior. In my opinion, we should solve this through technology. We could disable the texting feature of a phone while driving. It could be achieved.
- Rep. Torosian said, we need to get parties together from industry and law enforcement. I think we can solve it. It is going to take effort.
- Rep. Torosian said, law enforcement often knows when people are doing texting and driving, but it would be hard to do the stop if people are hiding their phones while texting (e.g., holding the phone down low and out of plain view).
- Rep. Torosian said, I support a member of the public being on the commission.

Representative Tom Walsh, Merrimack 24

- Rep. Walsh said he is the Chair of the House Transportation Committee.
- Rep. Walsh said, it is fair to invite somebody from the public to be on the commission. We anticipated the amendment of down to one senator anyways.

KNK

Date Hearing Report completed: April 22, 2021

Speakers

Senate Remote Testify

Transportation Committee Testify List for Bill HB424 on 2021-04-20

Support: 2 Oppose: 1 Neutral: 0 Total to Testify: 1

Name	Email Address	Phone	Title	Representing	Position	Testifying	\$
Torosian, Peter	FlyBirdAir@aol.com	603-340-6261	An Elected Official	Rockingham County # 14	Support	Yes	4
Weston, Maura	mauraweston@comcast.net	16034912853	A Lobbyist	AT&T	Support	No	4
Ankarberg, Aidan	Aidan.Ankarberg@leg.state.nh.us	603.770.1795	An Elected Official	Myself	Oppose	No	4

Testimony

04/20/2021

Senate Transportation Committee
SH Room 103
107 North Main Street
Concord, NH 03301

Dear Members of the Senate Transportation Committee,

More than a decade ago, as part of our ongoing commitment to driver safety, AT&T launched, *It Can Wait*, a public awareness campaign dedicated to raising the awareness of all drivers, especially teens, about the risks of texting while driving. Our message was simple: *When it comes to texting and driving, no text is worth a life, It Can Wait.*

As smartphone driving distractions have grown beyond texting to social media, internet surfing, selfies, and video chatting, our Campaign has also evolved. Now, *It Can Wait* works to reduce distracted driving by educating all drivers about the dangers of smartphone use behind the wheel. The campaign is part of AT&T's commitment to digital safety – and one way we are working to help our customers make safe and positive connections on every screen.

As part of this work, AT&T supports HB 424, “establishing a commission to study ways to reduce texting while driving,” and hopes the Senate passes this legislation.

In addition to the ongoing *It Can Wait* campaign; AT&T is part of New Hampshire's Distracted Driving Taskforce; we have hosted numerous Virtual Reality Goggle presentations about safe driving; and worked with the Children's Hospital at Dartmouth-Hitchcock and its Injury Prevention Center. Our efforts are aimed at ending distracted driving and educating the public on the dangers of using cellphones while operating a motor vehicle.

We know that distracted driving is a critical public safety issue. AT&T research shows that nearly 9-in-10 people admit to using their smartphone while driving. These distractions have grown beyond texting to social media, web surfing, snapping photos, and video chatting. Nearly 64% of drivers take or view photos, 60% email, and 47% surf the net while driving.

If the Senate does pass the legislation and establishes the commission to study a way to reduce texting and driving, AT&T would be honored to bring our years of experience spreading our *It Can Wait* message to the commission as a member.

If you have any questions, please feel free to contact me via email at Ryan.Clark@att.com or 603-417-8803. We look forward to supporting your efforts to save lives and reduce texting while driving.

Sincerely,

Ryan Clark
Regional Director—NH
External Affairs
AT&T Services Inc.

Voting Sheets

Senate Transportation Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # HB 424

Hearing Date: 4/20/21

Executive Session Date: 4/20/21

Motion of: Committee Amendment - OTP Vote: 5-0

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

Motion of: OTPA Vote: 5-0

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

Motion of: Consent calendar Vote: 5-0

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

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. Sherman

Notes: _____

Committee Report

FOR THE CONSENT CALENDAR

TRANSPORTATION

HB 424, establishing a commission to study ways to reduce texting while driving.

Ought to Pass with Amendment, Vote 5-0.

Senator Tom Sherman for the committee.

This bill establishes a commission to study ways to reduce texting while driving. The commission includes members from the NH House of Representatives, the NH Senate, the telecommunications industry, the Department of Safety and the Department of Transportation. This bill, as amended, requires only one senator to be on the commission and simplifies the appointment process by specifically adding a member of the telecommunications association, or designee, to be appointed to the commission. The commission shall report its findings and recommendations by November 1, 2021.

General Court of New Hampshire - Bill Status System

Docket of HB424

Docket Abbreviations

Bill Title: establishing a commission to study ways to reduce texting while driving.*Official Docket of HB424.:*

Date	Body	Description
1/10/2021	H	Introduced (in recess of) 01/06/2021 and referred to Transportation HJ 2 P. 47.
1/21/2021	H	Public Hearing: 01/29/2021 02:30 pm Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/99305477189 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
1/27/2021	H	Executive Session: 02/05/2021 02:15 pm Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/92807074926
2/19/2021	H	Committee Report: Ought to Pass (Vote 19-0; CC) HC 18 P. 24
4/7/2021	H	Ought to Pass: MA VV 04/07/2021 HJ 5 P. 48
4/7/2021	H	Reconsider (Rep. Osborne): MF VV 04/07/2021 HJ 5 P. 50
4/7/2021	S	Introduced 04/01/2021 and Referred to Transportation; SJ 11
4/15/2021	S	Remote Hearing: 04/20/2021, 01:00 pm; Links to join the hearing can be found in the Senate Calendar; SC 20
4/22/2021	S	Committee Report: Ought to Pass with Amendment #2021-1180s , 04/29/2021; Vote 5-0; CC; SC 21
4/29/2021	S	Committee Amendment #2021-1180s , RC 24Y-0N, AA; 04/29/2021; SJ 13
4/29/2021	S	Ought to Pass with Amendment 2021-1180s, RC 24Y-0N, MA; OT3rdg; 04/29/2021; SJ 13
6/10/2021	H	House Concurs with Senate Amendment 2021-1180s (Rep. Walsh): MA VV 06/10/2021 HJ 10 P. 20
7/1/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); SJ 20
7/1/2021	H	Enrolled (in recess of) 06/24/2021
7/13/2021	H	Signed by Governor Sununu 07/09/2021; Chapter 110; I. Sec. 2 Eff: 11/01/2021 II. Rem. Eff: 07/09/2021

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 424

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)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report
- 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):

- amendment # _____ - amendment # 2021-1180s
- 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 # _____ - 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]