

Bill as Introduced

HB 461 - AS INTRODUCED

2021 SESSION

21-0674
10/11

HOUSE BILL **461**

AN ACT relative to motorcycle auxiliary lamping, and adding the New Hampshire Motorcyclists' Rights Organization to the traffic safety commission.

SPONSORS: Rep. Packard, Rock. 5

COMMITTEE: Transportation

ANALYSIS

This bill permits motorcycles to have a maximum of 4 auxiliary driving lamps mounted to the front of the motorcycle. This bill also adds a representative of the New Hampshire Motorcyclists' Rights Organization to the traffic safety commission.

.....

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 motorcycle auxiliary lamping, and adding the New Hampshire
Motorcyclists' Rights Organization to the traffic safety commission.

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

1 1 Motor Vehicles; Spot Lamps and Auxiliary Lamps. Amend RSA 266:37, II to read as follows:

2 **II. *Except as provided in paragraph II-a***, any motor vehicle may be equipped with not to
3 exceed 3 auxiliary driving lamps mounted on the front at a height not less than 12 inches nor more
4 than 42 inches above the level surface upon which the vehicle stands, with such measurements to be
5 made from the ground to the center of the lens, except that vehicles while used in the winter
6 maintenance of ways may be driven with auxiliary head lamps higher than 42 inches above the
7 surface upon which the vehicle stands provided such head lamps shall be aimed so that the top of the
8 beam of light produced by these head lamps does not exceed the height of a horizontal line which is
9 42 inches high at a distance of 75 feet ahead of the head lamps of said vehicle.

10 ***II-a. Motorcycles as defined in RSA 259:63 may be equipped with not to exceed 4***
11 ***auxiliary driving lamps mounted on the front of the motorcycle at a height of not more***
12 ***than 42 inches above the level surface upon which the motorcycle stands, with such***
13 ***measurements to be made from the ground to the center of the lens.***

14 3 New Subparagraph; Traffic Safety Commission. Amend RSA 21-P:64, I(a) by inserting after
15 subparagraph (14) the following new subparagraph:

16 (15) One representative of the New Hampshire Motorcyclists' Rights Organization.

17 4 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 73
HB 461 - FINAL VERSION

2021 SESSION

21-0674
10/11

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CHAPTER 73
HB 461 - FINAL VERSION

21-0674
10/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

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

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11 *II-a. Motorcycles as defined in RSA 259:63 may be equipped with not to exceed 4*
12 *auxiliary driving lamps mounted on the front of the motorcycle at a height of not more*
13 *than 42 inches above the level surface upon which the motorcycle stands, with such*
14 *measurements to be made from the ground to the center of the lens.*

15 73:2 New Subparagraph; Traffic Safety Commission. Amend RSA 21-P:64, I(a) by inserting
16 after subparagraph (14) the following new subparagraph:

17 (15) One representative of the New Hampshire Motorcyclists' Rights Organization.

73:3 Effective Date. This act shall take effect 60 days after its passage.

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

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](https://www.zoom.us/j/91892878760)
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 461, relative to motorcycle auxiliary lamping, and adding the New Hampshire Motorcyclists' Rights Organization to the traffic safety commission.

Hearing Date: April 20, 2021

Time Opened: 1:15 p.m.

Time Closed: 1:33 p.m.

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

Members of the Committee Absent : None

Bill Analysis: This bill permits motorcycles to have a maximum of 4 auxiliary driving lamps mounted to the front of the motorcycle. This bill also adds a representative of the New Hampshire Motorcyclists' Rights Organization to the traffic safety commission.

Sponsors:

Rep. Packard

Who supports the bill: Rep. Judy Aron, Sullivan 7; Rep. Jason Osborne, Rockingham 4; Dan Goodman, AAA; Bill Alleman; Dan Bennett, NHADA; Traci Beaurivage, NHMRO.

Who opposes the bill: None

Who is neutral on the bill: None

Summary of Testimony Presented:

Representative Sherman Packard, Rockingham 5

- Rep. Packard said, this bill is a combination of two bills from last year.
 - Part one adds a representative from the motorcycle community onto the traffic safety commission.
 - Part two was requested by motorcycle franchise dealers. Motorcycles can have up to three auxiliary lights. The problem is a lot of motorcycles have main a headlight and two fog lights. On motorcycles with crash bars, owners like to add an extra two lights on the crash bars. Right now, owners can only add one light.

Representative Timothy Horrigan, Strafford 6

- Rep. Horrigan said he does not ride a motorcycle, but he enjoys seeing motorcycles at bike week.

- Rep. Horrigan clarified he is testifying in opposition to this bill even though he voted for this bill in the House.
- Rep. Horrigan said he wants motorcycle helmets to be required and that the relative organization in this bill, the NH Motorcyclists' Rights Organization (NHMRO), opposes helmets.
- Rep. Horrigan said, remove the NHMRO from this bill and replace the member with another motorcyclist from the public.

Dan Bennett, NH Auto Dealers Association (NHADA)

- Mr. Bennet testified in support in of this bill.
- Mr. Bennett said, the two issues in this bill are important.
- Mr. Bennett said, motorcycle lamping is done in pairs and motorcycles with better lighting are more easily seen by other drivers on the road. This addresses a two-fold visibility issue.
- Mr. Bennett said, the department of safety, the traffic safety commission, and NHMRO worked with the NH Auto Dealer Association on the language in this bill.
- Mr. Bennet said he disagrees with Rep. Horrigan about the commission. They are data driven, look at roadway safety and have productive discussions with varied interest groups.
- Mr. Bennett said, both bills passed last year.
- Mr. Bennett referred the committee members to pictures of lighting on motorcycles in his written testimony.
- Sen. Sherman asked, does this bill only impact the front of motorcycle? Would this restrict any lamps on the back? Would there be a need to change that as well?
 - Mr. Bennett said, this bill only affects the forward-facing lights. The only restrictions for the back bike are that flashing or blinking lights are not allowed on the back.
- Sen. Sherman asked, are there no additional issues on the rear of the motorcycles that the industry would like addressed on this bill?
 - Mr. Bennett said, we heard of none and know of none.
- Sen. Birdsell, why do we limit the number of lights on a motorcycle anyway?
 - Mr. Bennett said, there is a concept of excessive lamping where it could be blinding or distracting. On an annual inspection they do a headlight aim to check if lights are aiming too high or are too bright. We have to have some restrictions and controls.

Traci Beurivage, NH Motorcycle Rights Organization (NHRMO)

- Ms. Beurivage said, we are not an organization that runs around saying we don't want to wear helmets. I think that perception of us started in the 1960s when talks about not wearing helmets started.
- Ms. Beurivage said, we got the office of highway safety involved, the rider's safety program, AAA, iHeartMedia, and the liquor commission. We now have a ride smart

program statewide. We have statewide PSAs coming out. We are promoting riding safely. We believe in rider's choice, but we are always talking about doing the right things for the community.

- Ms. Beaurivage said, I respectfully request that you allow us to be on this commission and I support the auxiliary lighting as well.
- Sen. Watters said, I appreciate what you say, and I want you to know that the attitudes expressed earlier are not shared by the Senate Transportation Committee.
- Sen. Birdsell said, I second that.

KNK

Date Hearing Report completed: April 22, 2021

Speakers

Senate Remote Testify

Transportation Committee Testify List for Bill HB461 on 2021-04-20

Support: 4 Oppose: 0 Neutral: 0 Total to Testify: 2

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>S</u>
Bennett, Dan	dbennett@nhada.com	603.545.4535	A Lobbyist	Myself	Support	Yes	4
Beaurivage, Traci	nhmropresident@gmail.com	603.714.4242	A Member of the Public	New Hampshire Motorcyclists' Rights Organization	Support	Yes	4
Osborne, Rep. Jason	Not Given	Not Given	An Elected Official	Myself	Support	No	4
Aron, Judy	judy.aron@leg.state.nh.us	603-843-5908	An Elected Official	Myself	Support	No	4

Testimony

HB 461 NHADA Supports

Relative to motorcycle auxiliary lamping, and adding the New Hampshire Motorcyclists' Rights Organization to the traffic safety commission



NEW HAMPSHIRE
AUTOMOBILE DEALERS
ASSOCIATION

The New Hampshire Auto Dealers Association is a statewide trade association, representing the interests of the motor vehicle industry.

NHADA consists of: all of the new-car and new-truck dealers in the state, along with motorcycle, snowmobile, on and of-road recreational vehicle, farm equipment, used-car, power equipment, and construction equipment dealers, as well as independent motor vehicle service, auto body repair, and motor vehicle parts sales facilities.



NHADA Supports HB 461

Synopsis: HB 461 allows motorcycle riders to be seen & be safe. HB 461 adds a critical road users voice, the NH Motorcyclists Rights Organization (NHMRO) to the Traffic Safety Commission.

Analysis: NHADA supports HB 461 for the following reasons:

- HB 461 will allow for greater rider visibility through additional auxiliary lamping
- Current state law prohibits motor vehicles, motorcycles included, from having greater than 3 auxiliary lamps.
- Adding auxiliary lamps on a motorcycle is a common practice by motorcyclists and usually done in even numbered pairs.
- Additional lamping allows for:
 - Rides to be better seen by other motorists
 - Allowing riders to better see the road
- The NH Motorcyclists Rights Organization represents a critical sector of road users, motorcycle riders, that are concerned with maintaining safe roads.
- As a current member of the Traffic Safety Commission (TSC) NHADA has been involved in many meetings and the topic of motorcycle safety as well as accidents and death are a topic of review. How to decrease those numbers is an important area of focus and we believe that NHMRO's voice is a critical one.
- Both of these bills passed the House Transportation easily last session.

This bill is supported by NHADA, New Hampshire Motorcyclists Rights Organization (NHMRO), & the Department of Safety (DOS)

Comments: Please support HB 461! Keep NH Roads and citizens safe.

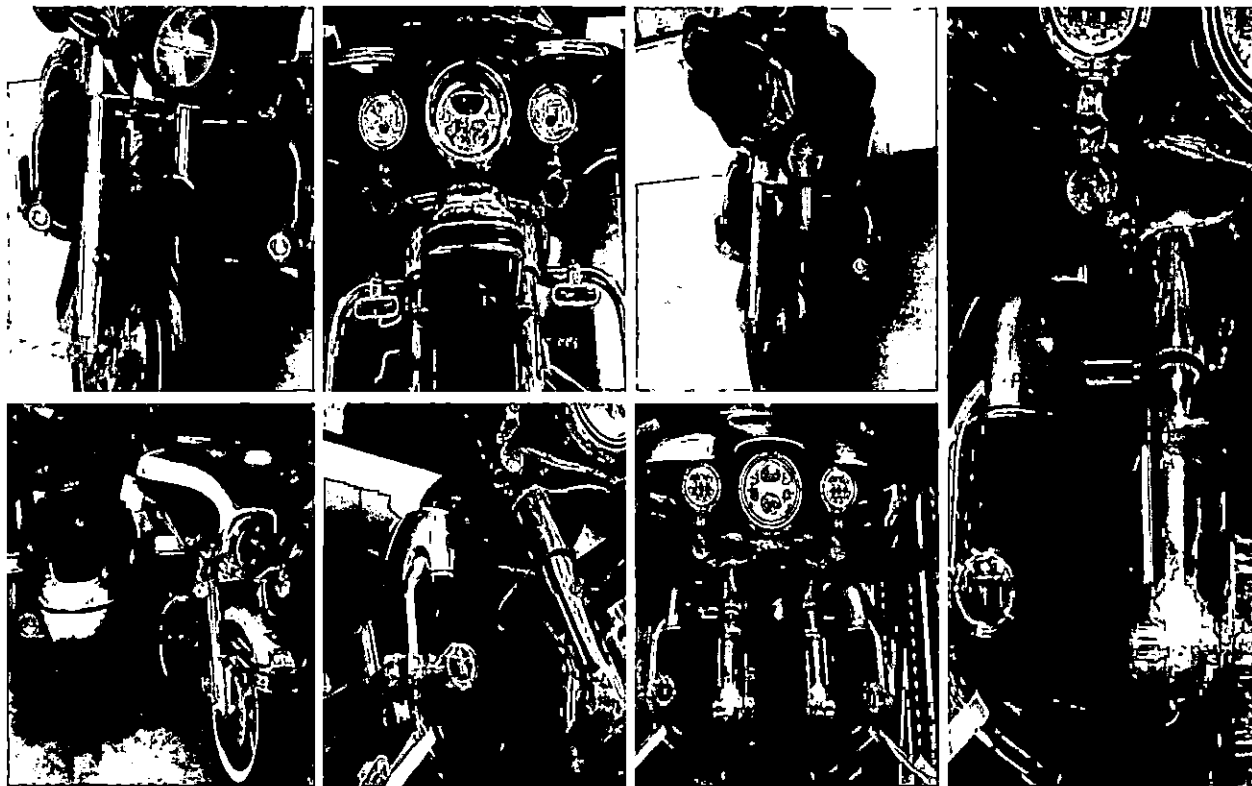
The NH Automobile Dealers Association represents over 500 members and 14,000 employees involved in motor vehicle businesses in NH and strongly support HB 461. For further information please contact Dan Bennett, or Pete McNamara at 1-800-852-3372.

HB 461 NHADA Supports

Relative to motorcycle auxiliary lighting, and adding the New Hampshire Motorcyclists' Rights Organization to the traffic safety commission



NEW HAMPSHIRE
AUTOMOBILE DEALERS
ASSOCIATION



Dan Bennett, REM,IOM,CAE

V.P. Government Relations, Environmental Affairs Specialist

dbennett@nhada.com

800-852-3372 | 603-545-4535 (cell)



April 20, 2021

Senate Transportation Committee

Good afternoon Madam Chair and members of the committee,

My name is Traci Beaurivage and I am the President of New Hampshire Motorcyclists' Rights Organization also known as NHMRO. I am here to respectfully request your support of HB 461.

Motorcyclists have never been represented on the NH Traffic Safety Commission and with over seventy thousand registered motorcycles in the state, we believe that we are a big part of the roadways and should be part of the commission.

Last session I spoke before the House Transportation Committee and they voted unanimously to add us to the commission. It also came out of the House floor the same. Unfortunately the pandemic hit and the bill got up in the chaos before the Senate could hear the bill. So the bill was presented again this year.

For those of you who are not familiar with NHMRO, I just want to share with you what we are working on that ties in with this. NHMRO started the RideSMART program and in 2019 NHMRO along with the NH Office of Highway Safety, The State Police, The Riders Education Program, NH Automobile Dealers Association, AAA of New England and I Heart Media, we started a motorcycle safety task force. Our #livefreeRideSMART program is State wide and we are running PSA's with our message during riding season. I have included the flyer that is being used along with our messaging in dealers and other state agencies.

We feel that NHMRO would be a great asset to the Traffic Safety Commission and ask that you support HB 461.

Thank you for your time,

Respectfully,

Traci Beaurivage

WWW.NHMRO.ORG

New Hampshire Motorcyclists' Rights Organization
PO Box 16398 • Hooksett, New Hampshire • 03106

#LiveFreeRideSMART

New Hampshire
Motorcyclists' Rights
Organization
Dedicated to
Freedom of Choice
www.nhmro.org



Safely

**SOBER & UNIMPAIRED;
CHECK YOUR TIRES, BRAKES, AND LIGHTS**

Maturely

**RIDE WITHIN YOUR SKILL LIMITS
& THE LIMITS OF YOUR MOTORCYCLE**

Aware

**PAY ATTENTION TO YOUR SURROUNDINGS
& THE ROAD CONDITIONS; BE AWARE OF YOUR PASSENGER**

Respectfully

**BE RESPECTFUL OF YOURSELF,
YOUR PASSENGER & OTHER ROAD USERS**

Trained

**RIDERS WITH TRAINING ARE MORE SKILLFUL; CONSIDER
ALL FORMS OF TRAINING TO IMPROVE YOUR SKILLS**

**A KNOWLEDGEABLE RIDER IS A SMART RIDER!
GET INSPIRED TO BE A BETTER RIDER!**



Voting Sheets

Senate Transportation Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # HB 461 FN

Hearing Date: 4/20/21

Executive Session Date: 4/27/21

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 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 checked="" type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" 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. Sherman

Notes: _____

Committee Report

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

Wednesday, April 28, 2021

THE COMMITTEE ON Transportation

to which was referred **HB 461**

AN ACT

relative to motorcycle auxiliary lamping, and
adding the New Hampshire Motorcyclists' Rights
Organization to the traffic safety commission.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Tom Sherman
For the Committee

This bill permits a maximum of 4 auxiliary driving lamps mounted on the front of the motorcycle, allowing motorcyclists to apply additional lighting in pairs across the front of their motorcycles. This additional lighting on motorcycles increases their safety and visibility to other drivers on the road. This bill also adds a representative of the New Hampshire Motorcyclists' Rights Organization to the traffic safety commission, providing a voice for motorcyclists on the commission.

Kirsten Koch 271-3266

FOR THE CONSENT CALENDAR

TRANSPORTATION

HB 461, relative to motorcycle auxiliary lamping, and adding the New Hampshire Motorcyclists' Rights Organization to the traffic safety commission.

Ought to Pass, Vote 5-0.

Senator Tom Sherman for the committee.

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Docket of hb461		
01/10/2021	H	Introduced (in recess of) 01/06/2021 and referred to Transportation HJ 2 P. 49
02/19/2021	H	Public Hearing: 02/19/2021 10:30 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/98257633759 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
03/25/2021	H	Committee Report: Ought to Pass (Vote 19-0; CC) HC 18 P. 25
04/07/2021	H	Ought to Pass: MA VV 04/07/2021 HJ 5 P. 49
04/07/2021	H	Reconsider (Rep. Osborne): MF VV 04/07/2021 HJ 5 P. 50
04/07/2021	S	Introduced 04/01/2021 and Referred to Transportation; SJ 11
04/15/2021	S	Remote Hearing: 04/20/2021, 01:15 pm; Links to join the hearing can be found in the Senate Calendar; SC 20
04/28/2021	S	Committee Report: Ought to Pass, 05/06/2021; Vote 5-0; CC; SC 22
05/06/2021	S	Ought to Pass: RC 23Y-0N, MA; OT3rdg; 05/06/2021; SJ 14
06/02/2021	S	Enrolled Adopted, VV, (In recess 05/27/2021); SJ 18
06/03/2021	H	Enrolled (in recess of) 06/03/2021
06/14/2021	H	Signed by Governor Sununu 06/10/2021; Chapter 73; Eff: 08/09/2021

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 4601-FN

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): 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 # ___ ___ - 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]