

CONSENT CALENDAR

January 18, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Transportation to which was referred HB 1640-FN,

AN ACT relative to the payment of motor vehicle fines.

Having considered the same, report the same with the

following resolution: RESOLVED, that it is

INEXPEDIENT TO LEGISLATE.

Rep. Larry Gagne

FOR THE COMMITTEE

Original: House Clerk

Cc: Committee Bill File

COMMITTEE REPORT

Committee:	Transportation
Bill Number:	HB 1640-FN
Title:	relative to the payment of motor vehicle fines.
Date:	January 18, 2022
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill allows anyone who receives a fine related to their motor vehicle to donate the fine amount to a charitable organization rather than submit it to a state agency. While well intentioned, this bill if passed would decrease state revenues by several million dollars. In addition to the revenue impact, the Department of Safety (DOS) and Judicial Branch stated that they would incur administrative costs to incorporate this bill into their systems. The DOS estimates one-time system programming costs and form reproductions of \$175,000 and the Judicial Branch also expects increased system costs.

Vote 13-0.

Rep. Larry Gagne
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Transportation

HB 1640-FN, relative to the payment of motor vehicle fines. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry Gagne for Transportation. This bill allows anyone who receives a fine related to their motor vehicle to donate the fine amount to a charitable organization rather than submit it to a state agency. While well intentioned, this bill if passed would decrease state revenues by several million dollars. In addition to the revenue impact, the Department of Safety (DOS) and Judicial Branch stated that they would incur administrative costs to incorporate this bill into their systems. The DOS estimates one-time system programming costs and form reproductions of \$175,000 and the Judicial Branch also expects increased system costs. **Vote 13-0.**

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on HB 1640-FN

BILL TITLE: relative to the payment of motor vehicle fines.

DATE: January 18, 2022

LOB ROOM: 203

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Gagne

Seconded by Rep. Hill

Vote: 13-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Karel Crawford, Clerk



2022 SESSION

Transportation

Bill #: 1640-FN Motion: ZTL AM #: _____ Exec Session Date: 1/18/22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Walsh, Thomas C. Chairman	✓		
Gagne, Larry G. Vice Chairman	✓		
Smith, Steven D.			
Crawford, Karel A. Clerk	✓		
Hill, Gregory G.	✓		
Thompson, Dennis J.	✓		
Ankarberg, Aidan	✓		
Gorski, Ted	✓		
O'Hara, Travis J.			
Pitaro, Matthew			
Sykes, George E.	✓		
Cleaver, Skip J.			
Fenton, Donovan W.	✓		
Rombeau, Catherine	✓		
Rich, Cecilia	✓		
Telerski, Laura D.	✓		
Fox, Dru	✓		
Stevens, Deb			
Veilleux, Daniel T.			
TOTAL VOTE:	13	0	

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON

BILL TITLE: HB 1640 relative to the payment of motor vehicle fines

DATE: 1/18/22

LOB ROOM: 201-203

Time Public Hearing Called to Order: 1:01 pm

Time Adjourned: 1:10 pm

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

Bill Sponsors: Rep. Berlanger

TESTIMONY

• Use asterisk if written testimony and/or amendments are submitted.
Rep. Gagne introduced the bill

Marie Mullen DOT opposes the bill, primarily to reduction of highway fund decreasing because of electrical vehicles, this bill hampers the fund

Rep. Gorski: how much revenue use would be lost A. 9.2 million

Mary Ann Dempsey – NH Judicial branch natural, they would loose 1.2 million if this was passed
Rep. Gagne; is that the penalty assessment? A. Part of it

Brittany Shute Department of Safety – oppose the bill, unclear how the charity will be chosen, what is the violation going to be charged under title 21 Q Rep. Telerski are there any additional funds to do this bill, A. 180,000 to implement.

Respectfully submitted,

Rep. Karel Crawford, Clerk

House Remote Testify

Transportation Committee Testify List for Bill HB1640 on 2022-01-18

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

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>Signed Up</u>
Kudlik, Cindy	Grafton, NH CindyKudlik@protonmail.com	An Elected Official	Myself	Oppose	No	No	1/16/2022 9:57 AM
Heck, Katherine	Concord, NH kheck@nhmunicipal.org	A Lobbyist	New Hampshire Municipal Association	Oppose	No	No	1/18/2022 12:19 PM

HB 1640-FN - AS INTRODUCED

2022 SESSION

22-2281

12/10

HOUSE BILL ***1640-FN***

AN ACT relative to the payment of motor vehicle fines.

SPONSORS: Rep. Belanger, Rock. 9

COMMITTEE: Transportation

ANALYSIS

This bill allows anyone who receives a fine related to their motor vehicle to donate the fine amount to a charitable organization rather than submit payment to a state agency.

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 Two

AN ACT relative to the payment of motor vehicle fines.

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

1 1 New Subdivision; Payment of Motor Vehicle Fines. Amend RSA 260 by inserting after section
2 78 the following new subdivision:

3 Payment of Motor Vehicle Fines

4 260:79 Donation In Lieu of Payment. Notwithstanding any provision of this title, or any other
5 law to the contrary, an owner of a vehicle required to pay a fine related to their motor vehicle may
6 donate the fine amount to a charitable organization who qualifies under section 501(c)(3) of the
7 Internal Revenue Code. The vehicle owner shall submit a receipt of the donation to the department
8 of motor vehicles in the form determined by the department. Any fine donated to a qualifying
9 organization pursuant to this section shall serve as satisfaction of the penalty.

10 2 New Paragraph; Waiver in Lieu of Court Appearance; Default; Donations. Amend RSA 262:44
11 by inserting after paragraph VIII the following new paragraph:

12 IX. A defendant may pay the full amount of any fine pursuant to RSA 260:79.

13 3 New Paragraph; Pleas by Mail; Donations. Amend RSA 502-A:19-b by inserting after
14 paragraph VI the following new paragraph:

15 VII. A defendant may pay the full amount of any fine pursuant to RSA 260:79.

16 4 Effective Date. This act shall take effect January 1, 2023.

**HB 1640-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to the payment of motor vehicle fines.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	(Decrease Up To \$4.6 Million)	(Decrease Up To \$9.2 Million)	(Decrease Up To \$9.2 Million)
Expenditures	\$0	In Excess of \$180,000	\$0	\$0
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input checked="" type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Cost of Collections*, Victims' Assistance Fund, and Judicial Branch IT Fund			

*Pursuant to Part II, article 6-a of the New Hampshire constitution, any costs associated with the collection and administration of Highway Funds by the Department of Safety shall be deducted by the Department before such funds are credited to the Highway Fund as unrestricted revenue.

METHODOLOGY:

This bill allows for an individual who is fined relative to their motor vehicle to remit the fine amount to a charitable organization, rather than to the state. Motor vehicle fine revenue is collected by both the Department of Safety and Judicial Branch. Based on recent collections, annual collections of motor vehicle fine revenue, including penalty assessment, which is assumed to be included in this bill, are approximately \$9.2 million (\$8 million collected by the Department of Safety and \$1.2 million collected by the Judicial Branch. While it cannot be predicted how many individuals will choose to donate to a charitable organization, the expectation is it would be a high proportion. Therefore, between all funds of which would be affected, highway fund from the fine portion, and general fund, victims' assistance fund, and Judicial Branch information technology fund, this bill would decrease state revenue up to \$4.6 in FY 2023 and \$9.2 million in FY 2024 and each year thereafter.

In addition to the revenue impact, the Department of Safety and Judicial Branch state they would incur administrative costs to incorporate this bill into their respective systems. The Department of Safety estimates one-time system programming costs and form reproductions of \$175,000 and the Judicial Branch expects system costs more than \$5,000. As this bill is effective January 1, 2023, it is assumed these costs would be incurred in FY 2023.

AGENCIES CONTACTED:

Department of Safety and Judicial Branch