

HB 487 - AS INTRODUCED

2017 SESSION

17-0343

03/01

HOUSE BILL            **487**

AN ACT                relative to vehicle equipment waivers for persons with disabilities.

SPONSORS:           Rep. R. Smith, Merr. 3; Sen. French, Dist 7

COMMITTEE:          Transportation

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ANALYSIS

This bill modifies provisions relating to vehicle equipment waivers for persons with disabilities.

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to vehicle equipment waivers for persons with disabilities.

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

1 1 Tinted Glass; Equipment Waiver. Amend RSA 266:58-a, III to read as follows:

2 III. It shall be unlawful to drive on any way any motor vehicle registered in this state  
3 which has after market tinting on the windshield or on the windows to the left and right of the  
4 driver, ***unless the vehicle is registered by a person with a special permit issued under RSA***  
5 ***266:61-a, IX and the windows are tinted in accordance with the permit.*** Where after market  
6 tinting is applied to windows to the rear of the driver, outside rear view mirrors shall be required on  
7 both the left and right side of the vehicle for the use of the driver and a front seat passenger. The  
8 light transmittance of after-market tinted windows where they are allowed shall not be less than 35  
9 percent, except that the light transmittance of aftermarket tinted rear windows of multipurpose  
10 passenger vehicles, as defined in 49 C.F.R. 571.3 and pickup trucks may be such percentage as is  
11 allowed by 49 C.F.R. 571.205 with respect to pre-market tinted rear windows.

12 2 Equipment Waiver for Disabled. Amend RSA 266:61-a, V to read as follows:

13 V. If the waiver is granted, the department shall issue an equipment permit to the  
14 applicant. ~~[Such]~~ ***The permit or a copy of the permit*** shall be kept in the vehicle while the  
15 equipment for which the waiver was sought is being used.

16 3 Equipment Waiver for Disabled. Amend RSA 266:61-a, VII-IX to read as follows:

17 VII. The waiver granted by the commissioner or ~~[his]~~ designee shall be for a period not to  
18 exceed 2 years; except in any case where a licensed physician, ***physician assistant, podiatrist, or***  
19 ***advanced practice registered nurse*** documents a lasting medical necessity, in which case the  
20 waiver shall be for a period not to exceed 4 years. The applicant may reapply for the waiver before  
21 such period expires.

22 VIII. The commissioner shall have the authority to adopt rules pursuant to RSA 541-A  
23 relative to:

- 24 (a) The information to be contained on the application for a waiver;  
25 (b) The information to be contained on the permit; ***and***  
26 (c) The standards used to determine whether or not to grant the waiver~~[-and~~  
27 ~~(d) Restrictions on the use or operation of the motor vehicle and the documentation of~~  
28 ~~such restrictions on the permit].~~

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

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1 Such waiver shall be granted in accordance with this section and shall only authorize the use of  
2 after market tinted windows with a light transmittance of not less than 35 percent. In reviewing  
3 the application for a permit under this paragraph, the commissioner may seek the advice and  
4 recommendation of a medical review board designated by him for such purpose. ***The permit shall***  
5 ***allow the permit holder to operate any motor vehicle with aftermarket tinting that meets***  
6 ***the tinting requirements stated on the permit.***

7 4 Effective Date. This act shall take effect 60 days after its passage.