

# Senate Transportation Committee

*Kirsten Koch 271-3266*

**HB 100**, relative to driving to the left of an unbroken painted line.

**Hearing Date:** April 13, 2021

**Time Opened:** 1:05 p.m.

**Time Closed:** 1:13 p.m.

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

**Members of the Committee Absent :** None

**Bill Analysis:** This bill adds an exemption to the prohibition on crossing unbroken painted center lines while driving on any way.

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**Sponsors:**

Rep. Steven Smith

Rep. Walsh

Rep. Packard

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**Who supports the bill:** Bill Lambert, NHDOT; Eric Pauer

**Who opposes the bill:** Elizabeth Sargent, NH Association of Chiefs of Police

**Who is neutral on the bill:** None.

**Summary of Testimony Presented:**

**Representative Steven Smith, Sullivan 11**

- Rep. Smith said, this bill passed in a 19-0 vote in the House committee vote and passed the House on the consent calendar.
- Rep. Smith said, this bill was created go along with the Move Over Law for when motor vehicles must go around stopped maintenance or emergency vehicles on the road. We forgot to update the statute when this was done. So, with the way the law is now, if you go over the center line, you can get a ticket. There are currently two conflicting statutes. This bill will add the exemption to RSA 265(37) motorist duties.
- Rep. Smith said, most police officers have said if they see a driver cross the center line for the purpose of passing a stopped vehicle, they won't write the ticket, but this bill ensures that the ticket will not be written. The only exception being if all four wheels of a vehicle cross over the line for no good reason, or the driver does not reduce their speed, then you will still get a ticket.
- Sen. Watters said, why is it called the Chapman Act?
  - Rep. Smith said he did not know the answer. Rep. Smith said, I refiled the version of the bill that Rep. Flanagan had last time. We didn't get to it last year.

- Sen. Watters said, we generally don't name acts in NH. Looking at the underlying statute, where it lists pedestrians and vehicles you're supposed to pull over for, should we consider adding language for a motorized wheelchair?
  - Rep. Smith said, that seems okay to me. I can't speak for the Chair of (House) Transportation. I can imagine stripping the name out of the bill. I'm not a fan of names in bills. Including wheelchairs seems like a good idea.

### **Bill Lambert, State Traffic Engineer, NHDOT**

- Mr. Lambert testified in support of the bill and said that he was at the hearing to any answer questions.
- Sen. Watters asked, what is the appropriate term of art for including motorized wheelchairs in 265(37)(a)(1)?
  - Mr. Lambert said he did not have an answer at this time. Mr. Lambert said, Nashua is interested in having powered scooters that are not man-powered included in this bill. Maybe a more inclusive term would be better.

### **Representative Tom Walsh, Merrimack 24**

- Rep. Walsh testified in support of this bill.
- Rep. Walsh said he is the Chair of House Transportation Committee.
- Rep. Walsh said he supports the wheelchair amendment and supports an amendment to remove the constituent's name as the act name.

KNK

Date Hearing Report completed: April 14, 2021