

Senate Judiciary Committee

Jennifer Horgan 271-7875

HB 334, relative to prohibitions on carrying a loaded firearm on an OHRV or snowmobile.

Hearing Date: May 10, 2021

Time Opened: 4:09 p.m.

Time Closed: 4:22 p.m.

Members of the Committee Present: Senators Carson, Gannon, French, Whitley and Kahn

Members of the Committee Absent : None

Bill Analysis: This bill creates an exception to the prohibition on carrying a loaded firearm on an OHRV or snowmobile for any person carrying a pistol or revolver who is not prohibited from possessing a firearm by a New Hampshire statute.

Sponsors:

Rep. Burt
Rep. Silber
Rep. Kofalt
Sen. Giuda

Rep. Nunez
Rep. Rhodes
Rep. Roy

Rep. Kelsey
Rep. Gorski
Sen. Daniels

Who supports the bill: 39 people signed up in support of the bill. Full sign in sheet available upon request.

Who opposes the bill: 174 people signed up in opposition to the bill. Full sign in sheets available upon request.

Summary of testimony presented in support:

Representative Silber

- This is a housekeeping bill.
- OHRVs and snowmobiles were inadvertently not included when constitutional carry was passed in 2017.
- This bill extends constitutional carry to off-road vehicles and snowmobiles.
- If a person is entitled to carry a firearm under constitutional carry that person can do so while riding on a OHRV or snowmobile under this bill.
- Senator Gannon asked if the reason OHRVs and snowmobiles were omitted was because people were worried about accidental discharges when the vehicle flipped over.

- Modern firearms have a variety of safety features, to the point that the likelihood of an accidental discharge from a rollover is nil.
- Senator French asked if this is only for pistols and revolvers, not long guns.
 - Correct
- Senator Gannon asked why long guns are not included.
 - Thinks long guns are already permitted to be carried on these vehicles.
- This passed on a bipartisan vote of 223-145 in the House.

Lauren LePage (NRA) (provided written testimony)

- An individual should not be deprived of the right to self defense simply because they decide to recreate on an ATV or a snowmobile.

Alan Rice (Gun Owners of America) (provided written testimony)

- Currently an adult can carry a handgun on a snowmobile or an ATV if they obtain a pistol or revolver license.
- This bill eliminates the requirement for a license and would treat a snowmobile or an ATV like a private automobile or boat.
- Senator Kahn asked why this is limited to pistols and revolvers.
 - Because the constitutional carry law is limited to pistols and revolvers.

Raymond Boulanger

- Some farmers carry firearms while on quads on their own land, but if they venture off that could be a problem.
- A person can have a rifle on an OHRV or snowmobile if it is not loaded, so that Fish and Game can see who is hunting illegally or not.

Honorable Daniel Itse (NH Firearms Coalition)

- Supports the bill.

Summary of testimony presented in opposition:

Zandra Rice Hawkins (Gunsense NH)

- There is a risk of accidental discharge as the result of an accident, bump, or spill.
- There have been a lot of improvements to safety mechanisms, but they are not foolproof.
- In the past couple years well known gun manufacturers, like Sig Sauer, have had to offer fixed parts for firearms that would go off when dropped.
- This bill does not specify the year after which the firearm would be permitted to be carried on an OHRV or snowmobile.
- Does not see a need to have a loaded firearm on an OHRV or snowmobile.