

1 Committee of Conference Report on HB 224, relative to tinted windows on motor vehicles.

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3 Recommendation:

4 That the House recede from its position of nonconcurrency with the Senate amendment, and
5 concur with the Senate amendment, and

6 That the Senate and House adopt the following new amendment to the bill as amended by the
7 Senate, and pass the bill as so amended:

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9 Amend the bill by replacing all after section 3 with the following:

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11 4 Liability for Obstruction or Injury to Highway; Civil Liability. Amend RSA 236:39 to read as
12 follows:

13 236:39 Civil Liability.

14 **I.** If any person, without authority, shall place any obstruction in a highway, or cause any
15 defect, insufficiency, or want of repair of a highway which renders it unsuitable for public travel, he
16 or she shall be liable to the state for all damages to the highway, including **full and current**
17 replacement costs of protective barriers, **and any structure or device that is part of the**
18 **highway or turnpike system**, when maintained by the state, or to the municipality for all damages
19 to a highway, including **full and current** replacement costs of protective barriers **and any**
20 **structure or device that is part of the highway**, when maintained by the municipality, and for
21 all damages and costs which the state or municipality shall be compelled to pay to any person
22 injured by such obstruction, defect, insufficiency, or want of repair as established through an
23 appropriate contribution claim or under the rules of joint and several liability.

24 **II. "Full and current replacement cost" as used in this section means actual or**
25 **reasonable estimates of labor, including contracted labor, material, equipment, and**
26 **overhead. Such costs shall not be reduced for depreciation.**

27 **III. This section applies to all pending claims, including but not limited to claims**
28 **incurred before or after the effective date of this section, and future causes of action for**
29 **liability and damages under this section.**

30 5 Effective Date. This act shall take effect 60 days after its passage.

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The signatures below attest to the authenticity of this Report on HB 224, relative to tinted windows on motor vehicles.

Conferees on the Part of the Senate

Conferees on the Part of the House

Sen. Birdsell, Dist. 19

Rep. Walsh, Merr. 24

Sen. Ricciardi, Dist. 9

Rep. Gagne, Hills. 13

Sen. Watters, Dist. 4

Rep. Hill, Merr. 3

Rep. Pickering, Hills. 3

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AMENDED ANALYSIS

This bill allows for after market tinting of side windows and clarifies civil liability applicable to obstruction or injury to highways.