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CHAPTER 33

HB 1182 - FINAL VERSION

19Feb2020... 0202h

06/16/2020 1488s

2020 SESSION

20-2317

11/05

HOUSE BILL *1182*

AN ACT establishing the commission to study the on road usage of non-traditional motor vehicles, relative to motor vehicles and transportation, relative to roadable aircraft, and making an appropriation to the department of education for the purpose of funding the Hudson CTE center.

SPONSORS: Rep. Packard, Rock. 5; Rep. Walsh, Merr. 24; Rep. McGuire, Merr. 29

COMMITTEE: Transportation

AMENDED ANALYSIS

This bill:

I. Establishes a commission to study the on road usage of non-traditional motor vehicles.

II. Allows an airport to charge a fee to transportation network companies which is not greater than motor carrier or taxicab charges.

III. Authorizes the director of the division of motor vehicles to enter into agreements with foreign jurisdictions related to the waiver of road skill examinations for applicants licensed in such jurisdictions.

IV. Permits the department of transportation to access crash data held by other governmental agencies for the purpose of advancing safety related initiatives.

V. Requires the department of transportation to provide assessing officials, in municipalities where the department leases property to others, with copies of such leases by April, 2021 and annually thereafter.

VI. Clarifies the appeal process for disqualification of commercial motor vehicle driving privileges, expands the circumstances under which a person may be found guilty of aggravated driving while intoxicated, and provides for the immediate disqualification of a commercial motor vehicle driver upon receipt of information such driver refused a blood alcohol concentration test.

VII. Clarifies the penalties imposed for the sale, purchase, and installation of improperly operating airbags.

VIII. Clarifies the prohibition against displaying or permitting to be displayed any revoked or suspended

driver’s license or permit, and authorizes the department of safety to participate in the state to state driver information program and the driver license data verification program.

IX. Clarifies which federal motor carrier safety regulations may be adopted by the commissioner of the department of safety as administrative rules, and repeals the authority of the commissioner to waive the skills test for an applicant for a commercial driver’s license.

X. Prohibits the owner of a vehicle driven in a manner that evades toll collection from obtaining a new plate for the vehicle until the toll is paid.

XI. Adopts the 10-year transportation improvement plan for 2021-2030.

XII. Amends the project named Bedford Mainline Toll Plaza.

XIII. Limits the projects for which the state may issue GARVEE bonds.

XIV. Moves funding for the project named Plymouth from 2027 to 2022, 2024, and 2025.

XV. Moves funding for the project named Bedford-Merrimack from 2022 and 2023 to 2023 and 2024.

XVI. Adds a project in Merrimack to remove exit 11 ramp toll plazas.

XVII. Grants temporary authority to the department of transportation to distribute Block Grant Aid funds at a percentage greater than 12 percent, and to suspend the highway and bridge betterment program and to reduce betterment funded projects in the ten year plan as needed to meet operational needs to offset decreased revenue due to the novel coronavirus disease (Covid-19) pandemic.

XVIII. This bill adds deaf or hard of hearing to the medical conditions that may be indicated on a driver's license or nondriver's identification card.

XIX. Defines and establishes inspection and registration requirements for roadable aircraft.

XX. Makes a bonded, supplemental appropriation to the department of education for the purpose of completing construction of the Hudson CTE center.

XXI. Requires the department of transportation to include in its engineering and design how to mitigate effects on entry, access, or parking for projects exceeding $5,000,000.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty

AN ACT establishing the commission to study the on road usage of non-traditional motor vehicles, relative to motor vehicles and transportation, relative to roadable aircraft, and making an appropriation to the department of education for the purpose of funding the Hudson CTE center.

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

33:1 New Subdivision; Commission to Study the On Road Usage of Non-Traditional Motor Vehicles. Amend RSA 260 by inserting after section 77 the following new subdivision:

Commission to Study the On Road Usage of Non-Traditional Motor Vehicles

260:78 Commission to Study the On Road Usage of Non-Traditional Motor Vehicles.

I. There is established a committee to study the on road usage of non-traditional motor vehicles.

II. The members of the commission shall be as follows:

(a) Five members of the house of representatives, 3 of whom shall serve on the house transportation committee and 2 of whom shall serve on the house resources, recreation, and development committee, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

(c) Two representatives of the department of safety, division of motor vehicles, appointed by the commissioner of the department of safety.

(d) One representative of the department of safety, division of state police, appointed by the commissioner of the department of safety.

(e) The commissioner of the department of transportation, or designee.

(f) The executive director of the fish and game commission, or designee.

(g) The attorney general, or designee.

(h) The commissioner of the department of natural and cultural resources, or designee.

(i) A representative of the New Hampshire Automobile Dealers Association, appointed by the association.

(j) A representative of the New Hampshire Off Highway Vehicle Association, appointed by the association.

(k) A representative of the New Hampshire Farm Bureau Federation, appointed by the federation.

(l) A representative of the New Hampshire City and Town Clerks' Association, appointed by the association.

III. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The commission shall study the on road usage of non-traditional motor vehicles, such as all terrain vehicles and golf carts.

V. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Nine members of the commission shall constitute a quorum.

VI. The commission shall submit an interim report of its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2020. The commission shall submit a final report of its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2021.

33:2 Repeal. RSA 260:78, relative to the commission to study the on road usage of non-traditional motor vehicles, is repealed.

33:3 Transportation Network Company; Airport Charges. Amend RSA 376-A:17 to read as follows:

376-A:17 Controlling Authority. Notwithstanding any other provision of law, TNCs and TNC drivers are governed exclusively by this chapter and any rules by the department of safety consistent with this chapter. No municipality or other local entity may impose a tax on, or require a license for, a TNC, a TNC driver, or a vehicle used by a TNC driver where such tax or licenses relates to providing prearranged rides, or subject a TNC to the municipality's or other local entity's rate, entry, operational, or other requirements, except that an airport that is federally obligated may charge a TNC fee, as may be amended from time to time, which is not greater than a fee applied to a taxicab service.

33:4 Drivers' Licenses; Issuance of Licenses; Examination. Amend RSA 263:6 to read as follows:

263:6 Examination.

I. Before a license is granted to any person, the applicant, if not previously licensed to drive a motor vehicle in this state, shall pass such examinations as to the person's qualifications as the director may prescribe. Such examinations may include an examination for visual acuity, knowledge, and road skill as prescribed by the director. All license examinations shall be conducted by department of safety personnel and shall include knowledge questions regarding distracted driving, driving under the influence, and driving during poor weather conditions. No license shall be issued until the director is satisfied that the applicant is a proper person to receive it. No physical defect of an applicant shall prohibit the applicant from receiving a license unless it can be shown by common experience that such defect results in an incapacity to safely drive a motor vehicle, except as provided in RSA 263:13.

II. The director may enter into agreements with foreign jurisdictions related to the waiver of road skill examinations for applicants currently licensed in such foreign jurisdictions. The director may adopt rules pursuant to RSA 541-A to enforce the terms of such agreements.

33:5 New Section; Access to Crash Data. Amend RSA 21-L by inserting after section 12-d the following new section:

21-L:12-e Access to Crash Data. Notwithstanding any provision of law to the contrary, the commissioner of the department of transportation and designated department of transportation safety representatives are authorized to access or be provided with crash data held by the department of safety, local law enforcement, or other government agencies or entities. The purpose of this authorization is to enable the department of transportation and its agents to access information for the sole purpose of timely crash analysis to improve safety and to advance safety related initiatives. For the stated purpose, the department of transportation is authorized to share the redacted data with governmental transportation planning agencies and their contracted agents for transportation planning purposes, provided the information shall not be further disseminated or used for any other purpose. In the event that the department obtains personally identifiable information, the department shall redact such information and not include such information in its analysis nor disclose the personally identifiable information. The department is authorized to publish the following analytical information for public information purposes and to help prioritize transportation projects: the number of accidents, each accident location, type of accident, and severity of impact at each accident location. Any information received under this section by the department of transportation shall not be subject to RSA 91-A.

33:6 Real Estate and Personal Property Tax Exemption. Amend RSA 72:23, I(b)(1)(B) to read as follows:

(B) Annually, on or before April 15, the lessors of all leases and other agreements, the terms of which provide for the use or occupation by others of real or personal property owned by the state or a county, city, town, school district, or village district, including those properties identified under subparagraph (d), shall provide written notice and a copy of the lease or other agreement to the

assessing officials of the municipality in which the property is located. This subparagraph does not apply to the department of transportation.

(C) On or before April 15, 2021, the department of transportation shall provide to the assessing officials of the municipality in which leased property is located a copy of any lease in effect as of January 1, 2021. Thereafter on an annual basis, on or before April 15, the department of transportation shall provide to the assessing officials of the municipality in which leased property is located a copy of any new or renewed lease in effect. Such lease filing with municipal assessing officials shall not include permits, licenses, or non-lease agreements.

33:7 Drivers' Licenses; Commercial Licensing; Violations; Penalties; Serious Violations. Amend RSA 263:94, VII to read as follows:

VII. ~~Prior to disqualifying a driver under this section, the commissioner shall provide the driver with notice and an opportunity for a hearing.~~ If the director disqualifies a person pursuant to this section, the department shall grant a hearing to the person, upon written application to the department, within 15 days after the filing of such application.

33:8 Driving or Operating Under the Influence of Drugs or Liquor. Amend RSA 265-A:3, I(c)-(d) to read as follows:

(c) Attempts to elude pursuit by a law enforcement officer by increasing speed, extinguishing headlamps or, in the case of a boat, navigational lamps while still in motion, or abandoning a vehicle, boat, or OHRV while being pursued; ~~or~~

(d) Carries as a passenger a person under the age of 16; or

(e) Drives a vehicle with a gross combination weight rating of 10,001 pounds or more;

33:9 Driving or Operating Under the Influence of Drugs or Liquor. Amend RSA 265-A:3, II(c)-(d) to read as follows:

(c) Attempts to elude pursuit by a law enforcement officer by increasing speed, extinguishing headlamps or, in the case of a boat, navigational lights while still in motion, or abandoning a vehicle, boat, or OHRV while being pursued; ~~or~~

(d) Carries as a passenger a person under the age of 16; or

(e) Drives a vehicle with a gross combination weight rating of 10,001 pounds or more; or

33:10 Driving or Operating Under the Influence of Drugs or Liquor; Implied Consent Requirements for Commercial Motor Vehicle Drivers. Amend RSA 265-A:25, V to read as follows:

V. Upon receipt of the sworn report of a law enforcement officer submitted under paragraph IV, the department shall immediately disqualify the driver from driving a commercial motor vehicle under RSA 265-A:23.

33:11 Regulation of Motor Vehicle Repair Facilities; Definitions RSA 358-D:1 is repealed and reenacted to read as follows:

358-D:1 Definitions. As used in this chapter:

I. "Airbag" means a motor vehicle inflatable occupant restraint system device that is part of a supplemental restraint system.

II. "Counterfeit supplemental restraint system" means a supplemental restraint system component that displays a mark identical or substantially similar to the genuine mark of a motor vehicle manufacturer or a supplier of parts to the manufacturer of a motor vehicle without authorization from such manufacturer or supplier, including, but not limited to, an airbag cover, an inflator, cushion material, sensors, a control unit, and seat belt tensors.

III. "Customer" means any person, or representative thereof, who is seeking to have performed, is having performed, or has had performed, any service or repair work on a motor vehicle.

IV. "Motor vehicle" means any vehicle defined by RSA 259:60, I except "motor trucks," "motorcycles" and "motor-driven cycles" as defined by RSA 259.

V. "Motor vehicle repair facility" means any person who performs services or repair work on any motor vehicle.

VI. "Nonfunctional airbag" means an airbag that meets any of the following criteria:

(a) The airbag was previously deployed or damaged.

(b) The airbag has an electric fault that is detected by the motor vehicle's diagnostic system when the installation procedure is completed and:

(1) The motor vehicle is returned to the customer who requested the work be performed; or

(2) Ownership of the vehicle is intended to be transferred.

(c) The airbag includes a part or object installed in a motor vehicle to mislead the owner or operator of the motor vehicle into believing that a functional airbag has been installed.

(d) The airbag is subject to the prohibitions of 49 U.S.C. section 30120(j).

VII. "Person" means any person defined by RSA 358-A:1, I.

VIII. "Supplemental restraint system" means a passive inflatable motor vehicle occupant crash protection system designed for use in conjunction with a seat belt assembly as defined in 49 C.F.R. section 571.209, and which includes one or more airbags and all components required to ensure that an airbag works as designed by the vehicle manufacturer, including both of the following:

(a) The airbag operates as designed in the event of a collision.

(b) The airbag is designed in accordance with federal motor vehicle safety standards for the specific make, model, and year of the motor vehicle in which it is or will be installed.

33:12 Regulation of Motor Vehicle Repair Facilities; Sale, Purchase, and Installation of Airbags; Criminal Penalty Established. Amend RSA 358-D:11-a to read as follows:

358-D:11-a Sale, Purchase, and Installation of Airbags; Criminal Penalty Established.

I. Any person who knowingly manufactures, imports, sells, offers for sale, purchases, installs, or reinstalls any object ~~which is~~ intended to replace a supplemental restraint system component as part of a vehicle inflatable restraint system, and said object is not a properly operating airbag that was designed in accordance with federal safety regulations for the make, model, and year of the vehicle, ~~as part of a vehicle inflatable restraint system,~~ including a counterfeit supplemental restraint system component or a nonfunctional airbag, shall be guilty of a class A misdemeanor.

II. Any person who knowingly and intentionally sells, installs, or reinstalls a device that causes a motor vehicle's diagnostic system to fail to warn when the motor vehicle is equipped with a counterfeit supplemental restraint system component or a nonfunctional airbag or when no airbag is installed shall be guilty of a class A misdemeanor.

33:13 Regulation of Motor Vehicle Repair Facilities; Installation of Recycled Airbag. Amend RSA 358-D:11-b to read as follows:

358-D:11-b Installation of Recycled Airbag; Disposal of Counterfeit Supplemental Restraint System Components or Nonfunctional Airbags.

I. Nothing in RSA 358-D:11-a shall prohibit the installation or reinstallation of a recycled airbag that was designed in accordance with federal safety regulations for the make, model, and year of the vehicle, as part of a vehicle inflatable restraint system.

II. Nothing in RSA 358-D:11-a shall prohibit automotive dealers, repair professionals, recyclers, original equipment manufacturers, or contractors from disposing of counterfeit supplemental restraint system components or nonfunctional airbags in accordance with federal or state law.

33:14 Drivers' Licenses; Prohibitions. Amend RSA 263:12, I to read as follows:

I. Display or cause or permit to be displayed any ~~revoked, suspended,~~ fictitious, or fraudulently altered driver's license or permit.

I-a. Display or cause or permit to be displayed any revoked or suspended driver's license or permit while operating a motor vehicle.

33:15 Administration of Motor Vehicle Laws; Provision for Federal Identification Database Prohibited. Amend RSA 260:14-a, VI to read as follows:

VI. Notwithstanding any law to the contrary, the department is authorized to participate in ~~a pointer based state-to-state driver verification system with information from applicants for drivers' licenses and identification cards pursuant to RSA 263:14-b, RSA 263:14-c, RSA 260:21-a, and RSA 260:21-b~~ the state to state (S2S) driver information program.

VII. Notwithstanding any law to the contrary, the department is authorized to participate in the driver license data verification (DLDV) program.

33:16 Equipment of Vehicles; Motor Carriers; Equipment; Roadside Inspections. Amend RSA 266:72-a, I to read as follows:

I. The commissioner may adopt as rules, under RSA 541-A, the current version of the federal motor carrier safety regulations promulgated by the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration and Federal Motor Carrier Safety Administration, contained in 49 C.F.R. parts 107, 380, and 382~~, and 385~~ -397. Notwithstanding the provisions of RSA 541-A, any amendments or additions by the respective federal agencies or their successor agencies shall also amend or supplement the rules adopted by the commissioner of safety without further action on the part of the commissioner. The commissioner shall be authorized to exempt vehicles and drivers operating exclusively in intrastate commerce from such rules which the commissioner determines impose an unnecessary regulatory burden without providing a corresponding safety benefit.

33:17 Drivers' Licenses; Commercial Driver License Qualification Standards. Amend RSA 263:87 to read as follows:

263:87 Commercial Driver License Qualification Standards.

~~I.~~ No person shall be issued a commercial driver license unless that person is a resident of the state of New Hampshire and has passed a knowledge and skills test for driving a commercial motor vehicle. The knowledge and skills test shall comply with minimum federal standards established by federal regulation, as enumerated in 49 C.F.R. part 383, sub-parts G and A, in addition to other requirements imposed by state law or federal regulation. The tests shall be prescribed and conducted by the department. The department may authorize a person, including an agency of this or another state, an employer, a private driver training facility, or other private institution, or a department, agency, or instrumentality of local government, to administer the skills test in accordance with 49 C.F.R. part 383.

~~II. The department may waive the skills test for a commercial driver license applicant who meets the following requirements:~~

~~(a) The applicant has a minimum of 2 years of recent experience driving a vehicle that is representative of the group of vehicles for which he wishes to obtain a commercial driver license;~~

~~(b) The applicant's employer has provided certification to the division of motor vehicles that indicates that the applicant has the experience as required in subparagraph (a);~~

~~(c) The applicant holds a commercial light, commercial heavy or tractor-trailer or commercial driver license at the time he applies for the commercial driver license, and is regularly employed as a commercial motor vehicle driver; and~~

~~(d) The applicant has a driving record that is free of license suspensions, revocations, or cancellations, and free of disqualifying offenses, for a 2-year period immediately prior to applying for a commercial driver license.~~

33:18 Suspension for Evasion of Electronic Toll Collection System. Amend RSA 263:56-f, I to read as follows:

I. Upon receiving a report from the commissioner of the department of transportation or designee, or another state having a reciprocal toll collection enforcement agreement, that the owner of a vehicle, as defined in RSA 236:31, has violated the terms of RSA 236:31, or a reciprocal toll collection enforcement agreement in accordance with RSA 237:16-c, the director shall notify the owner in writing by first class mail that the owner's motor vehicle registration renewal privileges for the vehicle driven in violation of RSA 236:31 may be suspended on the date which is 30 days from the date of notification unless the toll and any administrative fees assessed by the department of transportation are paid. Furthermore, the registered owner of the vehicle driven in violation of RSA 236:31 is prohibited from transferring a plate to said vehicle or obtaining a new plate for said vehicle until such tolls and fees are paid. The director shall also notify the owner that he or she may request an administrative hearing before the suspension takes effect. The hearing shall be limited in scope and shall not constitute an appeal of the fees or fines related to the unpaid tolls, which can only be determined by the department of transportation. A request for a hearing shall be in writing. A request for a hearing received by the division more than 30 days from the date the notice is issued shall be denied as untimely.

33:19 Evasion of Tolls and Charges. Amend RSA 236:31, IV(c) to read as follows:

(c) A procedure for processing all other violations of this section, which shall require the department, or its designee, to send by regular mail, or other agreed upon method, an advisory and payment request to the owner of the vehicle, within ~~30~~ 60 days of the date of the violation. The advisory and payment request shall notify the owner of the date, time, and location of the alleged violation, give the owner the opportunity to resolve the alleged violation by payment of the toll or charge due and a reasonable administrative fee, and advise the owner that failure to pay the required toll or charge and administrative fee ~~within 60 days of the date of the violation~~ shall cause the department to file a report with the department of safety, division of motor vehicles, seeking an order of suspension pursuant to RSA 263:56-f.

33:20 New Subparagraph; Evasion of Tolls and Charges. Amend RSA 236:31, VI by inserting after subparagraph (b) the following new subparagraph:

(c) The department may use an agent or third party contractor, including but not limited to collection agencies, to pursue and collect tolls and fees from users of the turnpike system whose vehicles are registered outside the United States.

33:21 State 10-Year Transportation Improvement Plan. The legislature hereby adopts the plan known as the “Ten Year Transportation Improvement Plan 2021-2030 Submitted by the Governor to the Legislature Pursuant to RSA 228:99 and RSA 240 of the Laws of New Hampshire” and encourages expeditious implementation of the projects shown therein. This plan required the legislature to grant the authority to borrow up to $44,000,000 to advance projects associated with the State Aid Bridge Program. This authority is not granted as such project schedules should be adjusted to align with the August 12, 2019 version of the ten year plan presented during the public hearing phase of the ten year plan process.

33:22 Bedford. The project named Bedford-Merrimack, project number 16100, shall be modified to convert the mainline toll plaza in Bedford to all electronic tolling.

33:23 Garvee Bonds; Issuance of Revenue Bonds. Amend RSA 228-A:2 to read as follows:

228-A:2 Issuance of Revenue Bonds. The state may issue bonds under this chapter to be known as "federal highway grant anticipation bonds." The bonds may be issued from time to time for the purpose of financing project costs related to the widening of Interstate 93 from Manchester to the Massachusetts border~~, the replacement of the Sarah Mildred Long Bridge in Portsmouth, New Hampshire,~~ and any other federally aided highway project hereafter authorized by the general court to be financed under this chapter. Bonds issued hereunder shall be special obligations of the state and the principal of, premium, if any, and interest on all bonds shall be payable solely from the particular funds provided therefor under this chapter. The issuing of bonds shall be contingent upon the availability of sufficient anticipated federal aid over the term of the bonds. The bonds shall be issued by the treasurer in such amounts as the fiscal committee of the general court and the governor and council shall determine, and shall not exceed $490,000,000. Debt service for federal highway grant anticipation bonds (GARVEE bonds) for the projects shall be paid from a portion of future federal funds. Bonds of each issue shall be dated, shall bear interest at such rate or rates, including rates variable from time to time as determined by such index, banker's loan rate, or other method as may be determined by the treasurer, and shall mature at such time or times as may be determined by the treasurer, except that no bond shall mature more than 15 years from the date of its issue. Bonds may be made redeemable before maturity either at the option of the state or at the option of the holder, or on the occurrence of specified events, at such price or prices and under such terms and conditions as may be fixed by the treasurer prior to the issue of bonds. The treasurer shall determine the form and details of bonds. Subject to RSA 93-A, the bonds shall be signed by the treasurer and countersigned by the governor. The bonds may be sold in such manner, either at public or private sale, for such price, including above or below par value, at such rate or rates of interest, or at such discount in lieu of interest, as the treasurer may determine. ~~The state may further issue~~

~~GARVEE bonds for the purpose of financing the project costs related to the replacement and/or rehabilitation of 2 Connecticut River bridges, located in Lebanon, New Hampshire and Hinsdale, New Hampshire, pursuant to the issuance process in this section.~~

33:24 Plymouth. Funding for preliminary engineering, right of way and construction for the project named Plymouth, project number 41583, shall be moved from 2027 to 2022, 2024 and 2025 respectively.

33:25 Bedford-Merrimack. Funding for construction for the project named Bedford-Merrimack, project number 16100, shall be moved from 2022 and 2023 to 2023 and 2024.

33:26 Merrimack; Removal of Ramp Toll Plazas. The following shall be added to the 10-year transportation improvement plan 2021-2030: Removal of the exit 11 ramp toll plazas in 2021 with funding for construction totaling $600,000.

33:27 New Paragraph; Turnpike System; Authority Granted. Amend RSA 237:2 by inserting after paragraph X the following new paragraph:

XI. Remove the exit 11 ramp toll plazas in the town of Merrimack.

33:28 Turnpike System; Funds Provided. Amend RSA 237:7(h) to read as follows:

(h) Improvements to central New Hampshire turnpike. RSA 237:2, IV(h), VII, VII(b), VII(c), IX, XI. ~~$891,000,000~~ $954,000,000

33:29 Department of Transportation; Betterment Program and Block Grant Aid; Temporary Authority. Due to unprecedented circumstances resulting in significant declines in highway revenues and uncertain federal financial assistance, and notwithstanding provisions to the contrary, the legislature hereby authorizes the department of transportation to take the following actions as necessary and subject to the approval of the fiscal committee and the governor and council:

I. In the event the department receives significant additional federal funds as part of novel coronavirus disease (Covid-19) relief, and with the intent to distribute an amount up to the fiscal year 2021 budgeted amount, the department is authorized, with approval of the joint legislative fiscal committee and governor and council, to deviate from the provisions of RSA 235:23 concerning the distribution of the block grant aid, and may distribute the funds at a percentage greater than 12 percent.

II. Excluding funds deposited in the highway and bridge betterment account in accordance with RSA 260:32-b, IV(c), in the event that federal relief is not forthcoming, to offset decreased highway fund revenue due to the novel coronavirus disease (Covid-19) pandemic, the department is authorized, with approval of the joint legislative fiscal committee and governor and council, to temporarily suspend the highway and bridge betterment program provisions established in RSA 235:23-a through the end of the fiscal year ending June 30, 2021, to meet departmental operational needs as budgeted and amended by the joint legislative fiscal committee and to further reduce the betterment funded projects in the ten year plan in proportion to available projected revenue.

III. In the event that federal relief is received after such suspensions and transfers are made, the department is authorized, with approval of the joint legislative fiscal committee and governor and council, to restore betterment funded projects to the extent possible.

33:30 Drivers' Licenses; Form of License; Medically Recognized Disorder Indication. Amend RSA 263:41-b, III to read as follows:

III. For the purpose of this section, ~~autism spectrum disorder (ASD) or its abbreviation is~~ the following medically recognized disorders, or their abbreviations, are authorized to be printed on the driver's license or nondriver's picture identification card~~.~~ :

(a) Autism spectrum disorder (ASD).

(b) Deaf or hard of hearing.

33:31 New Section; Motor Vehicles; Definitions; Roadable Aircraft. Amend RSA 259 by inserting after section 91 the following new section:

259:91-a Roadable Aircraft. "Roadable aircraft" shall mean any aircraft capable of taking off and landing from a suitable airfield which is also designed to be driven on public roadways as a conveyance.

33:32 New Subparagraph; Certificates of Title; Exempted Vehicles. Amend RSA 261:3, I by inserting after subparagraph (k) the following new subparagraph:

(l) A roadable aircraft as defined in RSA 259:91-a.

33:33 New Section; Motor Vehicles; Registration; Roadable Aircraft. Amend RSA 261 by inserting after section 41-b the following new section:

261:41-c Roadable Aircraft; Registration.

I. Upon receipt of an application for registration of a roadable aircraft and payment of applicable state and municipal registration permit fees, the department shall issue a certificate of registration to the owner of such aircraft, provided that the application is accompanied by the following:

(a) Proof of valid and unexpired aircraft registration issued by the New Hampshire department of transportation.

(b) A copy of an annual aircraft inspection completed within the 12 calendar months immediately preceding the date of application.

II. For purposes of this section, roadable aircraft shall be identified by the registration number assigned to such aircraft by the New Hampshire department of transportation.

III. The expiration date of a certificate issued pursuant to this section shall match the expiration of the aircraft registration issued by the New Hampshire department of transportation.

IV. The fees for registration of roadable aircraft shall be comprised of the fee prescribed by RSA 261:141, III(g), payable to the department, plus a municipal registration permit fee of $2,000, payable to the city or town in which the owner of such roadable aircraft resides.

33:34 New Section; Certificates of Title and Registration of Vehicles; Number Plates; Roadable Aircraft. Amend RSA 261 by inserting after section 89-d the following new section:

261:89-e Identification of Roadable Aircraft. Roadable aircraft as defined in RSA 259:91-a shall be identified using the federally issued tail number and shall not be required to display an additional license plate or decal.

33:35 Motor Vehicle Inspections; Roadable Aircraft. Amend RSA 266:1, I-II to read as follows:

I. The director may require the inspection of any vehicle, except an OHRV, snowmobile, moped, roadable aircraft, or any other vehicle exempted under this chapter, to determine whether it is fit to be driven. Such inspection shall be made at such times and in such manner as the director may specify, subject to the requirements set forth in this section.

II. Any vehicle registered under this title, except an OHRV, snowmobile, moped, roadable aircraft, or other exempt vehicle, shall be inspected once a year, during the month in which the birth date of the owner is observed, if the owner is a natural person. An inspection sticker shall be valid for the same duration as the vehicle's registration, which shall not exceed 16 months. If the month in which the anniversary of the owner's birth occurs will be one of the next 4 months, an inspection sticker may be issued, with an expiration date of the birth month in the following year, of the first person named on the title application. Nothing in this paragraph shall require any person who has registered and had inspected a vehicle with temporary plates to have the vehicle reinspected upon receipt of permanent motor vehicle plates. An inspection sticker shall not expire when a vehicle is transferred to a licensed dealer.

33:36 Motor Vehicle Inspections; Roadable Aircraft. Amend RSA 266:1, IV to read as follows:

IV. Notwithstanding paragraphs II and III, newly registered vehicles, other than vehicles transferred to a licensed dealer, OHRVs, snowmobiles, ~~and~~ mopeds, roadable aircraft, and vehicles, other than vehicles transferred to a licensed dealer, OHRVs, snowmobiles, ~~and~~ mopeds, and roadable aircraft, the ownership of which has been transferred, shall be inspected not later than 10 days after the registration or transfer of ownership of said vehicle. However, if a new vehicle is purchased at retail from a licensed dealer, as defined in RSA 259:18, the vehicle shall be inspected not later than 20 days after the date of transfer. A used vehicle for which a dealer has issued a 20-day plate pursuant to RSA 261:109 shall be inspected by the dealer or an authorized inspection station on behalf of the dealer at the time of the attachment of the plate unless a valid inspection sticker issued by the dealer is in place, in which case the vehicle shall be inspected within 20 days or before the sticker expires, whichever occurs first. All other expired motor vehicle inspections shall be subject to the 10-day grace period in RSA 266:5.

33:37 Motor Vehicle Inspections; Roadable Aircraft. Amend RSA 266:1, X to read as follows:

X. The director may authorize properly qualified persons to inspect any motor vehicle, except an OHRV, snowmobile, moped, roadable aircraft, or any other vehicle exempted under this chapter, which has been involved in a fatal accident or an accident involving serious bodily injury as defined in RSA 625:11, VI, to determine whether the vehicle was in compliance with state inspection requirements.

33:38 New Paragraph; Aeronautics; Definitions; Roadable Aircraft. Amend RSA 422:3 by inserting after paragraph XXIV the following new paragraph:

XXIV-a. "Roadable aircraft" means any aircraft capable of taking off and landing from a suitable airfield which is also designed to be driven on public roadways as a conveyance.

33:39 New Section; Aeronautics; Prohibitions and Penalties; Roadable Aircraft in Operation on Public Roadways. Amend RSA 422 by inserting after section 27 the following new section:

422:27-a Roadable Aircraft in Operation on Public Roadways.

I. All roadable aircraft shall be considered motor vehicles while in operation on the roadways of the state and shall comply with the provisions of RSA 265.

II. The operation of roadable aircraft shall be subject to restrictions placed upon the use of public roadways by rules adopted by the department of safety.

III. All roadable aircraft shall be required to take off and land from a suitable airstrip and shall be prohibited from taking off and landing from any public roadway, unless under conditions of an emergency.

33:40 Department of Education; Hudson CTE Center; Supplemental Appropriation.

I. The sum of $2,550,000 for the biennium ending June 30, 2021, is hereby appropriated to the department of education for the purpose of completing the construction and renovation of the Wilbur H. Palmer Career and Technical Education Center located at the Alvirne High School in Hudson, New Hampshire. The appropriation shall be part of, and not in addition to, the $17,000,000 appropriated

to the department for renovation of the center in 2019, 146:18, I. The appropriation made in this section shall not lapse until June 30, 2023 and shall be in lieu of the anticipated appropriation for the biennium ending June 30, 2023 in 2019, 146:18, II, B.

II. To provide funds for the appropriation made in paragraph I, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $2,550,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state.

III. All contracts and projects and plans and specifications therefor for the projects authorized in this section shall be awarded in accordance with the provisions of RSA 21-I.

33:41 Appropriation Lapses. To offset $1,018,000 of sums appropriated in section 40 of this act, the sum of $865,000 from the unencumbered balance of the appropriation made to the department of administrative services in 2015, 220:1, II, D, 1, extended by 2017, 228:22, 26 and extended by 2019, 146:20, 36 for Merrimack county superior court - new courthouse, $99,186 from the unencumbered balance of the appropriation made to the department of administrative services in 2017, 228:1, II, D, 1, extended by 2019, 146:20, 25 for convert AOC building to probate court and the sum of $53,814 from the unencumbered balances of the appropriation made to the department of administrative services in 2017, 228:1, II, B, 8, extended by 2019, 146:20, 20 for state library parapet and ceiling repair shall lapse on June 30, 2020.

33:42 New Section; Department of Transportation; Business Impacts. Amend RSA 228 by inserting after section 31-b the following new section:

228:31-c Business Impacts; Department of Transportation. For projects exceeding $5,000,000, the department of transportation shall include in its engineering and design how to mitigate effects on entry, access, or parking.

33:43 Effective Date.

I. Section 2 of this act shall take effect November 1, 2021.

II. Sections 6-13 of this act shall take effect January 1, 2021.

III. Section 3, 4, 18-20, and 30-39 of this act shall take effect 60 days after its passage.

IV. Section 42 of this act shall take effect July 1, 2020.

V. The remainder of this act shall take effect upon its passage.

Approved: July 24, 2020

Effective Date:

I. Section 2 shall take effect November 1, 2021.

II. Sections 6-13 shall take effect January 1, 2021.

III. Sections 3,4, 18-20 and 30-39 shall take effect September 22, 2020.

IV. Section 42 shall take effect July 1, 2020.

V. Remainder shall take effect July 24, 2020.

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