Bill as Introduced

SB 188-LOCAL – AS INTRODUCED

2003 SESSION

03-1157
09/01

SENATE BILL ***188-LOCAL***

AN ACT establishing a commission to study improving the enforcement of traffic laws in high traffic areas.

SPONSORS: Sen. Martel, Dist 18

COMMITTEE: Transportation

ANALYSIS

This bill establishes a commission to study the current enforcement of traffic laws in high traffic areas and make recommendations for improvements in enforcement of traffic laws by state and local law enforcement agencies.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

03-1157
09/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Three

AN ACT establishing a commission to study improving the enforcement of traffic laws in high traffic areas.

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

1 Commission Established. There is established a commission to study improving the enforcement of traffic laws in high traffic areas.

2 Membership and Compensation.

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

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

(c) Two members of the public, one of whom shall be appointed by the speaker of the house of representatives and one of whom shall be appointed by the president of the senate.

(d) The administrative judge of the district courts, or designee.

(e) The director of state police, or designee.

(f) One police chief of a city, appointed by the New Hampshire Association of Chiefs of Police.

(g) One police chief of a town, appointed by the New Hampshire Association of Chiefs of Police.

(h) The state coordinator of highway safety.

(i) One town selectman, appointed by the governor.

(j) One city alderman, appointed by the governor.

(k) The director of the police standards and training council, or designee.

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

3 Duties. The commission shall study:

I. The impact of traffic law violations on public health and safety, on the quality of life of New Hampshire citizenry, and on the public protection of children.

II. The reasons for the current inadequate enforcement of traffic laws by state and local law enforcement agencies, including lack of manpower and insufficient traffic surveillance equipment.

III. Possible sources of funding to provide for more law enforcement officer positions and sufficient traffic surveillance equipment, such as federal grants, private donations, and increasing the portion of fines retained by municipalities for violations of state laws and local ordinances.

IV. How best to enhance driver awareness of and compliance with speeding and reckless driving laws.

V. Any other matters related to improving the enforcement of traffic laws in high traffic areas.

4 Chairperson; Quorum. The members of the commission shall elect a chairperson from among the members. The first-appointed senate member shall call the first meeting of the commission. The first meeting of the commission shall be held within 30 days of the effective date of this section. Eight members of the commission shall constitute a quorum.

5 Report. The commission shall report its findings and recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2003.

6 Effective Date. This act shall take effect upon its passage.

Committee Minutes

Transportation Committee

Hearing Report

To:	Members of the Senate
From:	Liz Ignacio *Legislative Aide*
Re:	**SB 188-LOCAL** – *AN ACT establishing a commission to study improving the enforcement of traffic laws in high traffic areas.*
Hearing date:	February 19, 2003
Members present:	Sen. Kenney, Sen. Morse, Sen. Martel, Sen. Flanders
Members absent:	Sen. Below

Sponsor(s): Sen. Martel, Dist 18

What the bill does: This bill establishes a commission to study the current enforcement of traffic laws in high traffic areas and make recommendations for improvements in enforcement of traffic laws by state and local law enforcement agencies.

Who supports the bill: Sen. Martel, John Stephen: Assistant Commissioner Department of Safety, Russell McCleary

Who opposes the bill: No one spoke in opposition.

Summary of testimony received:

Senator Martel sponsored SB 188 in response to hundreds of comments and complaints that he's received over the years from constituents and law enforcement officials regarding traffic control problems. He feels that this study committee will begin the process of taking back control of our neighborhoods, city streets, and sidewalks. Law-abiding citizens should not be threatened or intimidated by disrespectful drivers.

SB 188 will create a 15 member commission to study:

- The impact of traffic law violations on public health, safety, and quality of life
- Reasons for current inadequate enforcement of traffic laws by state and local law enforcement agencies
- Possible sources of funding to provide additional law enforcement positions and traffic surveillance equipment
- How to enhance driver awareness and compliance to state laws
- Matters related to improving the enforcement of traffic laws in high traffic areas

Funding: No fiscal impact.

Action: Committee exec'd on the bill: OTP 4-0. Sen. Martel will take the bill to the floor.

ei

Date: February 19, 2003
Time: 3:20 p.m.
Room: 104 LOB

The Senate Committee on Transportation held a hearing on the following:

SB 188-L establishing a commission to study improving the enforcement of traffic laws in high traffic areas.

Members of Committee present: Senator Kenney
Senator Martel
Senator Below
Senator Flanders
Senator Morse

The Chair, Senator Joseph D. Kenney, opened the hearing.

Senator Joseph D. Kenney, D. 3: We'll open the hearing on SB 188 and welcome the sponsor fellow Committee member, Senator Martel.

Senator Andre' Martel, D. 18: Thank you Mr. Chairman and members of my Transportation Committee. For the record, I'm Senator Andre' Martel representing my constituency in Manchester – Wards 5, 6, 7, 8, 9 plus the town of Litchfield. I gave you each a copy of my testimony O.K. so it's in front of you. It is my privilege to represent and present SB 188 which is an act to establish a commission to study improving the enforcement of traffic laws in small, quiet neighborhoods and in high traffic areas.

Over the last 4+ years, I received, to be conservative, 2 to 300 phone calls from direct and indirect constituents throughout the state. One common subject of inquiry is, "Help us get traffic control in our neighborhoods and main streets which have become small versions of the Daytona speedway". Everyone in this room has seen or has been victimized by certain drivers who, over and over again, refuse to abide by traffic laws, simply because they don't want to. In fact, some of these drivers – both male and female it seems – for the most part are under the age of 25 and feel they have the right to speed through stop signs, even if they are at dangerous intersections. They fly

through traffic lights and even play chicken with traffic coming towards them. Some of them even play chicken with pedestrians in cross walks, yet pull out of their driveway to retrieve their mail in front of their homes they consider safe for their families.

I believe this bill begins the process of taking back our neighborhoods, city streets and sidewalks, and to no longer allow disrespectful drivers to rule and intimidate law-abiding citizens whose taxes help cover the cost of protecting them from these people. Lawbreakers probably won't kill themselves but could end someone else's life – maybe injuring a child and possibly your child or one of your grandchildren. Do we need to wait until this happens before we improve our traffic control?

I, being the son of a Manchester police officer with the rank of Captain, really truly understand the constraints placed upon our police officers in today's society. Traffic problems are not our only concerns; we also see an ever-increasing number of drug arrests, robberies, rapes, murders and many other prolific crimes against society. This is not the only other side of the coin but we also now have societal changes affecting family life in every way.

I, with many of my constituents, believe now is the time to end these trends, knowing that it will not be easy to resolve. But we must make a stand and this bill is that vehicle. I thank you and I'm ready to answer any and all questions that you may have.

I just want to add that the representative from the Dept. of Safety, Deputy Commissioner Stephen just asked me to tell you that he signed up in support of this bill. He was not able to stay and testify and he signed up on the sheet saying that. If you have any questions I'm willing to answer them.

Please see Senator Martel's testimony attached hereto and referred to as Attachment 1.

Senator Joseph D. Kenney, D. 3: Any questions of the Committee? Senator is there an impotus (sic) behind this legislation? Obviously, from the obvious reasons you presented but is the Dept. of Safety or any other agencies that currently represent this legislation?

Senator Andre Martel, D. 18: Mostly from the constituency even though I've talked to many police officers out in the field. There seems to be...these are all good men and women. I've learned to respect them over the years. When you come from a policeman's family you understand how police think and work sometimes. They seem to believe that sometimes detective work is more privileged than doing traffic control. I think that is mainly the basic understanding that the people have you know with what is going on traffic control as it is today. It's a mix of both (audio).

Senator Joseph D. Kenney, D. 3: If there's no other questions, I'll go ahead and close the hearing unless anyone else would like to speak on this bill. If not? Yes sir. We do have one more speaker

Russell MacClery: I would like to speak on this bill for myself. My name is Russell MacClery. I am the only charter member on the NH Traffic Safety Commission. I was appointed to it many years ago by then Governor John King when we initially started that whole Commission. I served for several years on the National Committee on Uniform Traffic Laws and Ordinances so I've always had an interest in the problem of moving traffic. I think we need to get more serious about it as the Chairman of the bill just said. The speed, as I've heard Commissioner Flynn say many times, the reason for the high accident rate that we are encounting is speed, tailgating and passing lanes without giving an indication of which lane you are going into.

I live in Chichester and come in here about every day and I never exceed 55 mph and they certainly drive right by me, I know, anywhere from 55 to 60 and up to 70 mph on 393. That seems to be true pretty much all over the state. I go quite often over to Wilton, Rte 101 and there was a bill in here already that got disposed of to make a study of what can be done to cut down accident rates between Bedford to Peterborough.

I can understand why in the stretch that parallels Milford, I stopped one night to get a bottle of juice, orange juice and I was talking with an officer there and I said how's the enforcement program going along? He said I just stopped somebody going 100 mph on that bypass there. I just think that an organization like this which you suggested would help put some focus on the problem that exists and what we can do to correct it. I'm also Chairman of the Traffic Safety Committee of the NH Traffic Safety Commission where we

keep all the records on these people and we have some Federal funds for that. So that's it!

Senator Joseph D. Kenney, D. 3: Well, thank you for your testimony and your service and experience. If no one else would like to speak, I'll go ahead and close the hearing on this bill.

Hearing closed at 3:30 p.m.

Attachment 1

Respectfully submitted:

Gloria Lamoureux

Gloria Lamoureux
Committee/Senate Secretary
03/03/03

Attachment 1

Mr. Chairman and members of the Senate Transportation committee: For the record, I am Senator André Martel representing my constituency in Manchester wards 5, 6, 7, 8, and 9, plus the town of Litchfield.

It is my privilege to present SB188, which is an act to establish a commission to study improving the enforcement of traffic laws in small, quiet neighborhoods and in high traffic areas.

Over the last four plus years, I've received—to be conservative—two to three hundred phone calls from direct and indirect constituents throughout the state. One common subject of inquiry is, "Help us get traffic control in our neighborhoods and main streets which have become small versions of the Daytona speedway."

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I, with many of my constituents, believe now is the time to end these trends, knowing that it will not be easy to resolve. But we must make a stand and this bill is that vehicle. I thank you and I'm ready to answer any and all questions you may have.

Speakers

SENATE TRANSPORTATION COMMITTEE

Date 2/19/03 Time 3:20 p.m. Public Hearing on **Bill SB 188-L** establishing a commission to study improving the enforcement of traffic laws in high traffic areas.

Please check box(es) that apply.

SPEAKING	FAVOR	OPPOSED	NAME (Please print)	REPRESENTING
☒	☒	☐	Sen ANDRÉ A. MARTEL	CONSTITUENTS
☐	☒	☐	John Stephen	SAFETY
☐	☒	☐	Russell Dumaresq	
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Voting Sheets

Senate Transportaion Committee

EXECUTIVE SESSION

Bill SB188-L

Hearing date: 2/19/03 **Room:** LOB 104

Motion of: OTP

Made by Senator:			***Seconded by Senator:***	
	Kenney	☐	*Kenney*	
	Morse	☐	Morse	☐
	Below	☐	Below	☐
	Flanders	☑	Flanders	☐
	Martel	☐	Martel	☑

Committee Member 5-0	***Present***	***Vote***	***Reported out by***
Senator Kenney, Chairman	☑		Flanders
Senator Morse, Vice Chair	☑		
Senator Below	☑		
Senator Flanders	☑		
Senator Martel	☑		

***Amendments:**

NOTES:

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date:

THE COMMITTEE ON Transportation

to which was referred Senate Bill 188-L

AN ACT establishing a commission to study improving the enforcement of traffic laws in high traffic areas.

VOTE: 5-0

Having considered the same, report the same without amendment and recommend that the bill: **OUGHT TO PASS.**

Senator Joseph D. Kenney
For the Committee

SB188 Docket

Next|Prev|Results List|Main|Bill Status

Bill Title: establishing a commission to study improving the enforcement of traffic laws in high traffic areas.

Date	Body	Description
1/30/2003	**S**	Introduced and Ref. to Transportation; SJ 3, Pg.40
2/7/2003	**S**	Hearing; February 19, 2003, Room 104, LOB, 3:20 p.m.; SC9
2/28/2003	**S**	Committee Report; Ought to Pass [03/06/03]; SC12
3/6/2003	**S**	Ought to Pass, MA, VV; OT3rdg; SJ 7, Pg.72
3/6/2003	**S**	Passed by 3rd Reading Resolution; SJ 7, Pg.73-74
3/13/2003	**H**	Introduced and ref to Transportation; HJ24, p629
3/19/2003	**H**	Hearing Apr 1 11:30 RM203,LOB
5/15/2003	**H**	Maj Report ITL for May 29 (Vote 14-0;CC)
5/29/2003	**H**	ITL Report Adopted; HJ 45, p1458

Next|Prev|Results List|Main|Bill Status

Docket Abbreviations