CONSENT CALENDAR

February 21, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Transportation to which was referred HB 356-FN,

AN ACT relative to the application of motor vehicle laws to bicycles. Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Karel Crawford

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Transportation**
Bill Number:	**HB 356-FN**
Title:	**relative to the application of motor vehicle laws to bicycles.**
Date:	**February 21, 2023**
Consent Calendar:	**CONSENT**
Recommendation:	**INEXPEDIENT TO LEGISLATE**

STATEMENT OF INTENT

The sponsor requested that the committee find this bill inexpedient to legislate.

Vote 20-0.

Rep. Karel Crawford
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Transportation

HB 356-FN, relative to the application of motor vehicle laws to bicycles. **INEXPEDIENT TO LEGISLATE.**

Rep. Karel Crawford for Transportation. The sponsor requested that the committee find this bill inexpedient to legislate. **Vote 20-0.**

Original: House Clerk
Cc: Committee Bill File

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on HB 356-FN

BILL TITLE: relative to the application of motor vehicle laws to bicycles.

DATE: February 21, 2023

LOB ROOM: 203

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Crawford Seconded by Rep. St. Clair Vote: 19-1

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Karel Crawford, Clerk

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on Bill # __HB 356-FN_____

BILL TITLE: ... relative to the application of motor vehicle laws to bicycles

DATE: 2/21/23

LOB ROOM: 201-203

MOTION: (Please check one box)

☐ OTP ☒ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____

☐ Interim Study (2nd year) *(if offered)*

Moved by Rep. Crawford Seconded by Rep. St. Clair Vote: 19-1

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____

☐ Interim Study (2nd year) *(if offered)*

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____

☐ Interim Study (2nd year) *(if offered)*

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____

☐ Interim Study (2nd year) *(if offered)*

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: ✓ **YES** ____ **NO**

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion_____

Respectfully submitted: Karel Crawford

Rep. Karel Crawford, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/6/2023 12:39:16 PM
Roll Call Committee Registers Report

2023 SESSION

Transportation

Bill #: ~~HB 3~~ 356-FN Motion: ITL AM #: _____ Exec Session Date: _____

Members	YEAS	Nays	NV
~~Walsh, Thomas~~ C. Chairman Moffett	✓		
Gorski, Ted Vice Chairman	✓		
Smith, Steven D.	✓		
Crawford, Karel A. Clerk	✓		
Hill, Gregory G.	✓		
Dumais, Russell	✓		
~~O'Hara, Travis J.~~ Rep Boyd	✓		
~~Foote, Charles H~~ Rep. Wallace	✓		
See, Alvin B	✓		
Sellers, John	~~✓~~	✓	
Sykes, George E.	✓		
Rich, Cecilia	✓		
St. Clair, Charlie G.	✓		
Fox, Dru	✓		
Rombeau, Catherine	✓		
Veilleux, Daniel T.	✓		
Coker, Matthew	✓		
~~Jones, Philip~~ M Horrigan	✓		
Rich, Jeffrey	✓		
Staub, Kathy	✓		
TOTAL VOTE:	19	1	

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON

BILL TITLE: HB – 356 – FN relative to the application of motor vehicle laws to bicycles

DATE: 2/7/23

LOB ROOM: 201-203 **Time Public Hearing Called to Order: 10:30 am**

Time Adjourned: 10:36 am

Committee Members: Rep. Walsh, Gorski, Crawford, Smith, Hill, Dumais, O'Hara, Foote, See, Sellers, Sykes, C.Rich, St.Clair, Fox, Rombeau, Veilleux, Coker, Jones, J.Rich, Staub

Bill Sponsors: Rep. Avellani

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Avellani – introducing the bill –
This bill would require bicycles to have 4" diameter mirrors on each side of the handlebars while operating on public ways with other motor vehicles. Brought about this bill from constituents but not present so I would recommend ITL this bill.

***Bill Lambert – DOT – no position**

Q: Rep. St. Clair – any possible legislation for electric bill?
A: Did not consider for this bill. I would have concern about electric bikes.

Respectfully submitted,

Rep. Karel Crawford, Clerk

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill #: HB356 Date: 2/7/23

Committee: Transportation

**** Please Print All Information ****

Name	Address	Phone	Representing	Pro	Con

House Remote Testify

Transportation Committee Testify List for Bill HB356 on 2023-02-07

Support: 0 Oppose: 13 Neutral: 0 Total to Testify: 0

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Smith, Jennifer	Pembroke, NH jaycmd7699@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2023 1:41 PM
Anastasia, Patricia	Londonderry, NH patti.anastasia@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/5/2023 8:13 PM
Watkins, Dan	Derry, NH dan.j.watkins@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/6/2023 7:05 AM
Holstein, Susanne	Bedford, NH srholstein@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/6/2023 10:06 AM
Topham, David	Salem, NH dstopham@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/6/2023 10:19 AM
Howland, Curtis	Manchester, NH howland@priss.com	A Member of the Public	Myself	Oppose	No	No	2/6/2023 10:53 AM
Richardson, Daniel	Nashua, NH daniel6_22@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/6/2023 11:08 AM
Gould, REp. Linda	Bedford, NH lgouldr@myfairpoint.net	An Elected Official	Myself	Oppose	No	No	2/6/2023 12:20 PM
Smith, Julie	Nashua, NH cantdog@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/6/2023 2:28 PM
Owens, Kimberly	Nashua, NH tiptoeskst@protonmail.com	A Member of the Public	Myself	Oppose	No	No	2/6/2023 8:38 PM
Medeiros, Jesse	Plainfield, NH bgtrck458@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/7/2023 8:13 AM
Alleman, Bill	Weare, NH gencourt@allemanse.com	A Member of the Public	Myself	Oppose	No	No	2/7/2023 10:31 AM
Wikstrom, Kathleen	Exeter, NH kjwikstrom@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/7/2023 11:56 AM

Jennifer Smith

The requirements in this bill are unjustified. I have had a mirror on my left handlebar of my bicycle for decades. Since I am not surrounded by the instructions to seeing behind that a person in a vehicle has that make multiple mirrors advisable. Furthermore, my mirror is smaller than 4" in diameter but gives me excellent rear visibility. I also know some who find it better to have a small mirror mounted on their helmet which also gives a large field of view to the rear because it is so close to the eyes of the person on the bicycle. There are many more important things to legislate regarding safety for bicyclists. Please ITL this I'll considered bill.

Patricia Anastasia

David Topham

Dual 4-inch mirrors make no sense. Cyclists have many options to know when cars approach from the rear including wide-optic mirrors that can be mounted on helmets, glasses, handlebar, or front fork -- even rear-facing radar. Dual 4-inch mirrors would be a safety hazard for the normal operation, parking, and storage of a bike. An immediate ITL vote is requested. NOTE: The Exec Session on this bill for Feb 7 has been cancelled. Was the bill already withdrawn by the sole sponsor? (The same sponsor who last year wanted all bicyclists to ride INTO the flow of traffic contrary to the law in every state.)

Daniel Richardson

While bills intent is good, its requirement for specifically a 4-inch mirror is overboard and unnecessarily requires expenditure and mounting for preexisting and legacy bicycles, rendering prior equipment insufficient.

New Hampshire DOT
Department of Transportation

William Cass, P.E.
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

David Rodrigue, P.E.
Assistant Commissioner
Andre Briere
Deputy Commissioner

February 7, 2023

The Honorable Thomas Walsh, Chair
House Transportation Committee
Legislative Office Building Room 203
107 North Main Street
Concord, NH 03301

Re: HB 356 relative to the application of motor vehicle laws to bicycles

Dear Rep. Walsh:

The Department of Transportation wishes to provide the following testimony regarding the subject bill.

The Department of Transportation was not asked to provide a fiscal note for this bill. We note that the fiscal note attached to the bill, prepared by the Judicial Branch, indicates that expenditures are "indeterminable" for FY 2024, FY 2025, and FY 2026 but that the fiscal note considered only the fiscal impact related to prosecuting violation/misdemeanor level offenses. There was no consideration of expenditures relative to informing road users, specifically bicyclists, of this new requirement. Typically, such notification of rules of the road involves some measure of signing. The cost for such signing, if required, is also indeterminable.

The proposed bill would be unique to New Hampshire and not consistent with the rules of the road in other states. The hundreds of bicyclists that travel to and vacation in New Hampshire would not be aware of the law. One only need spend a few minutes on I-93 on Friday afternoons and Saturday mornings from Spring through Fall to know that New Hampshire attracts thousands of out-of-state bicyclists every year.

While the bill provides an exception for bicycle paths or trails, it is not uncommon for bicyclists to utilize public roads to access such resources.

Lastly, the required 4" diameter mirror is very specific (it does not indicate "minimum") and excludes many of the bicycle rear view mirrors commonly available through retail outlets.

I thank the committee for the opportunity to submit this testimony with respect to HB 356 and would be happy to answer any questions.

Sincerely,

William R. Lambert, P.E.
Traffic Engineer/Administrator

Cc: Kathleen Mulcahey-Hampson
Gerard Bedard, NHDOT Active Transportation Engineer

HB 356-FN - AS INTRODUCED

2023 SESSION

23-0249
02/10

HOUSE BILL ***356-FN***

AN ACT relative to the application of motor vehicle laws to bicycles.

SPONSORS: Rep. Avellani, Carr. 4

COMMITTEE: Transportation

ANALYSIS

This bill would require bicycles to have 4" diameter mirrors on each side of the handlebars while operating on public ways with other motor vehicles.

- -

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.

HB 356-FN - AS INTRODUCED

23-0249
02/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the application of motor vehicle laws to bicycles.

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

1 Application of Motor Vehicle Laws to Bicycles. Amend RSA 265:143, I to read as follows:

I. Every person propelling a vehicle by human power***,*** [~~or~~] riding a bicycle***, or riding an electric bicycle*** shall have all of the rights and be subject to all of the duties applicable to the driver of any other vehicle under the rules of the road, except as provided in paragraph II and as to special regulations in this subdivision and except as to those provisions which by their nature can have no application. ***This includes the use of a 4" diameter mirror on each handle bar of any bicycle or electric bicycle operating on public ways with other motor vehicles. This does not apply to bicycle paths or trails where any other type of motor vehicle is prohibited. Bicycles or electric bicycles ridden on marked bicycle lanes along public ways shall not be exempt from this requirement.***

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

LBA
23-0249
12/28/22

HB 356-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to the application of motor vehicle laws to bicycles.

FISCAL IMPACT: [X] State [ ] County [ ] Local [ ] None

	Estimated Increase / (Decrease)			
STATE:	**FY 2023**	**FY 2024**	**FY 2025**	**FY 2026**
Appropriation	$0	$0	$0	$0
Revenue	$0	$0	$0	$0
Expenditures	$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	[X] General	[ ] Education	[ ] Highway	[ ] Other

METHODOLOGY:

This bill establishes a violation level offense relative certain required equipment on bicycles and electric bicycles operating on public ways. There is no method to determine how many charges, if any, would be brought as a result of this bill to determine the fiscal impact on expenditures. The Judicial Branch has indicated the potential cost per case for violation/misdemeanor level offenses would be $122 in FY 2024 (not including appeals).

It is assumed any fiscal impact incurred would not be until FY 2024

AGENCIES CONTACTED:

Judicial Branch