

Floor Amendment to HB 649-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to motor vehicle registration and registration fees pertaining to the rental
4 fleet passenger vehicle registration program and motor vehicle inspections.

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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Off Highway Recreational Vehicles And Trails; Rental Fleet Passenger Vehicle Registration
9 Program. RSA 261:40-b is repealed and reenacted to read as follows:

10 261:40-b Rental Fleet Passenger Vehicle Registration Program.

11 I. The division of motor vehicles shall establish a rental fleet registration program, whereby
12 a qualified registrant, according to paragraph II, may register 50 or more in-service rental passenger
13 vehicles as a fleet, elect a common annual expiration date for all vehicles in the fleet, receive
14 registration stickers for each vehicle in the fleet that shall be valid for 2 years, and pay registration
15 fees for each fleet vehicle based on the common 2-year expiration date and according to rates and
16 costs established in existing law.

17 II. The rental fleet registration program shall be solely for the registration of a fleet of 50 or
18 more in-service rental passenger vehicles. A rental car company intending to register such a fleet
19 shall submit a current New Hampshire certificate of good standing issued by the secretary of state's
20 office to the division of motor vehicles and receive the division's approval to enroll in the program.
21 Once enrolled in the program, a registrant shall submit a current certificate of good standing at the
22 time of payment of registration fees and costs. Additionally, the division may require a company
23 enrolled in the program to produce a current certificate of good standing at any time during the 2-
24 year period of registration. If a rental car company is not in good standing with the secretary of
25 state or fails to meet other enrollment criteria set by the division of motor vehicles, including
26 maintaining an in-service fleet of 50 or more vehicles, the division shall terminate the registrant's
27 fleet registration and revert any existing registration credentials to those of a non-fleet vehicle.

28 III. Upon initial registration of a fleet, and at least 60 days prior to the common 2-year
29 expiration date for the fleet, the registrant shall provide an itemized account of all motor vehicles in
30 the fleet in the manner required by the division.

31 IV. Any vehicle added to the fleet after the initial fleet registration shall receive a
32 registration sticker identical to those of the registered fleet and the registrant shall be required to

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1 pay a prorated amount of registration fees and costs for the remainder of the year until the common
2 2-year expiration date. A registrant may transfer the registration of a permanently retired fleet
3 vehicle to a new in-service fleet vehicle for any remainder period of registration.

4 V. The director of the division of motor vehicles shall adopt rules pursuant to RSA 541-A
5 regarding enrollment and cancellation of enrollment.

6 VI. No later than 60 days after the effective date of this paragraph, the commissioner of the
7 department of safety shall make rules under RSA 541-A relative to the establishment and
8 administration of the rental fleet passenger vehicle program established in RSA 261:40-b.

9 2 New Paragraphs; Certificates of Title and Registration of Vehicles; Temporary Permit and
10 Plates Pending Registration. Amend RSA 261:56 by inserting after paragraph II the following new
11 paragraphs:

12 III. Notwithstanding paragraphs I and II, no dealer shall issue a temporary plate or
13 temporary registration certificate to any motor vehicle that fails to meet the requirements set forth
14 in RSA 266.

15 IV. The director shall adopt rules, pursuant to RSA 541-A, relative to the requirements
16 dealers must follow prior to issuing a temporary plate or temporary registration under this section.

17 3 Certificates of Title and Registration of Vehicles; Twenty-Day Registrations. Amend RSA
18 261:57, I to read as follows:

19 I. Any resident of this state who intends to purchase a vehicle in another state or from
20 another person or who is unable to register a vehicle because of limited hours of operation of the
21 town clerk in the town where the person resides may apply to the division or its substation or
22 authorized agent nearest his or her residence for a registration to drive said vehicle on the ways of
23 the state in an unregistered condition. Said resident shall appear in person at the division or
24 substation to obtain such registration and shall sign under penalty of perjury a statement that the
25 vehicle [~~meets all New Hampshire inspection requirements,~~] **is safe for operation upon the**
26 **highways pursuant to RSA 266** and, in the case of a person seeking an extension of his or her
27 registration, that he or she was unable to register the vehicle because of the limited hours of the
28 town clerk, before said registration may be issued. Said registration shall be valid for 20 days from
29 the time it is issued. Application blanks and permits in the form prescribed by the director shall be
30 designed, printed, and supplied to the substations by the division. The fee for the issuance of a
31 registration shall be \$20. It shall be unlawful for any person to drive a vehicle on the ways of the
32 state under a registration issued pursuant to this section unless said person has in his or her
33 possession a valid bill of sale for the vehicle he or she is driving, or in the case of a person whose
34 registration is extended, a copy of the form indicating he or she was unable to register because of the
35 limited hours of the town clerk. No person shall make application for a 20-day registration on the
36 same vehicle more than once within a 12-month period. Only 3 20-day registrations shall be issued
37 on the same vehicle within a 12-month period.

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1 4 New Paragraph; Certificates of Title and Registration of Vehicles; Fees to be Collected.
2 Amend RSA 261:141 by inserting after paragraph VI the following new paragraph:

3 VI-a. If a vehicle is to be registered in accordance with RSA 261:40-b, the following shall
4 apply:

5 (a) If an original registration, the month in which the anniversary of the owner's birth
6 occurs will be one of the next 2 or 3 months, the fee shall be increased by 1/24 for each whole month
7 or part thereof remaining until the end of the month in which such anniversary will occur.

8 (b) If a vehicle has been previously registered pursuant to RSA 261:40-b, said vehicle
9 registration shall not be renewed for less than a 24 month fee, provided that the renewal registration
10 is effected within 24 months of the expiration of the registrant's last valid registration. If a vehicle
11 has been previously registered, and the owner of said vehicle fails to renew the vehicle registration
12 in the month said renewal was legally required to be made when said renewal is obtained within 24
13 months of the last valid registration, the 24 months renewal fees charged hereunder shall be
14 computed at the applicable mill rate which applied in the month when the vehicle should have been
15 legally registered. If the registration is renewed beyond the 24 months immediately succeeding the
16 last valid registration, the 24 months fee charged shall be computed at the mill rate applicable on
17 the date when any successive registration period would have begun, and the minimum fee in such
18 cases shall be for 24 months, except in those cases where the registrant can demonstrate to the
19 satisfaction of the director that the vehicle has not been operated since the expiration of the last
20 valid registration, in which case the registrant may register at the applicable mill rate on the date of
21 the registration.

22 5 New Paragraph; Certificates of Title and Registration of Vehicles; Fees for Registration
23 Permits. Amend RSA 261:153 by inserting after paragraph III the following new paragraph:

24 III-a. If a vehicle is to be registered in accordance with RSA 261:40-b, the following shall
25 apply:

26 (a) If the month in which the anniversary of the owner's birth occurs will be one of the
27 next 2 or 3 months, the permit fee shall be increased by 1/24 for each whole month or part thereof
28 remaining until the end of the month in which such anniversary will occur and the owner shall not
29 be required to obtain a permit for the next registration period.

30 (b) In all other cases for vehicles specified in RSA 261:40-b, the permit fee shall be
31 determined by multiplying 1/24 of the permit fee for the vehicle times the total number of whole
32 months and any part of a month remaining until the end of the month in which the anniversary of
33 the owner's birth occurs, and the owner shall be required to obtain a permit for the next registration
34 period.

35 6 Trade and Commerce; Sale of Unsafe Used Motor Vehicles; Inspections RSA 358-F:2 is
36 repealed and reenacted to read as follows:

37 358-F:2 Inspection.

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1 I. Before selling to any customer any used motor vehicle, the dealer shall provide the
2 customer with one of the following written statements at the time of sale:

3 (a) If the dealer has conducted, or had conducted, an examination of the vehicle for
4 compliance with the equipment requirements of RSA 266, and the vehicle is found to be in
5 compliance, the dealer shall present to the customer at the time of sale a notice which states: "This
6 motor vehicle has been determined to be in compliance with the equipment requirements pursuant
7 to RSA 266."

8 (b) If the dealer has conducted, or had conducted, an examination of the vehicle for
9 compliance with the equipment requirements of RSA 266 and the vehicle is found not to be in
10 compliance, the dealer shall provide a statement which reads: "This motor vehicle has been
11 examined and determined not to be in compliance with the equipment requirements pursuant to
12 RSA 266. The following defects are identified."

13 (c) If the dealer has not conducted an examination of the vehicle for compliance with the
14 equipment requirements of RSA 266, the dealer shall provide a statement which reads: "No
15 examination has been conducted to determine whether this motor vehicle is in compliance with the
16 equipment requirements pursuant to RSA 266."

17 II. Each notice or statement provided under this section shall specify the date on which the
18 examination was conducted, if any, and the name of the person who performed it.

19 7 Trade and Commerce; Sale of Unsafe Used Motor Vehicles; Inspection; Remedy. Amend RSA
20 358-F:4 to read as follows:

21 358-F:4 Remedy. A failure of any dealer to comply with the provisions of this section, or a
22 concealment by any dealer of any defect which was discovered, or should have been discovered,
23 during the [~~inspection requested~~] **examination conducted** under RSA 358-F:2 is an unfair or
24 deceptive act or practice within the meaning of RSA 358-A:2. Any right or remedy set forth in RSA
25 358-A may be used to enforce the provisions of this chapter.

26 8 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill makes various changes to how vehicles are registered in accordance with the rental fleet passenger vehicle registration program and requires motor vehicle dealers to provide a customer with a written statement concerning the vehicle's compliance with RSA 266 at the time of a sale.