

HB 1308-FN - AS INTRODUCED

2026 SESSION

26-2882

06/09

HOUSE BILL ***1308-FN***

AN ACT relative to increasing the penalty for passing a stopped school bus.

SPONSORS: Rep. Giasson, Hills. 29; Rep. Layon, Rock. 13; Rep. Litchfield, Rock. 32; Rep. Markell, Rock. 18; Rep. Mazur, Hills. 44; Rep. Miller, Straf. 21; Rep. Reinfurt, Hills. 29; Rep. Sabourin dit Choiniere, Rock. 30

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

Increases penalties for unlawfully passing a stopped school bus, authorizes use of sworn testimony and bus camera footage as evidence, and mandates license suspension for first and repeat offenses.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to increasing the penalty for passing a stopped school bus.

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

1 1 Overtaking and Passing School Bus. Amend RSA 265:54, I-a and I-b to read as follows:

2 I-a. Testimony under oath from the school bus driver or other witness that a vehicle failed to
3 stop and remain stopped as required by paragraph I shall be sufficient evidence to prove that the
4 owner of the vehicle was driving and has violated the provisions of paragraph I, unless such evidence
5 is rebutted or contradicted. ***The camera footage from the bus may be used as evidence as
6 proof against the vehicle owner or operator and shall be made available by subpoena to the
7 county attorney. Camera footage may be used for no other purpose, unless otherwise
8 permitted by law.***

9 I-b. Except as provided in paragraph IV, a person who violates the provisions of paragraph I
10 shall be guilty of a [~~violation~~] ***class B misdemeanor*** and shall be fined [~~[\$150]~~] ***\$300*** plus penalty
11 assessment for a first offense[~~, and shall be fined not less than \$250 nor more than \$1,000 for a
12 subsequent offense. In addition, the director may suspend the person's license to drive or
13 nonresident driving privilege for a period of 30 days for a second or subsequent offense.] ***In
14 addition, the director shall suspend the person's license to drive or nonresident driving
15 privilege for a period of 7 days for the first offense.***~~

16 I-c. ***Except as provided in paragraph IV, a person who violates the provisions of
17 paragraph I, a second or subsequent time shall be guilty of a class A misdemeanor, and
18 shall be fined not less than \$750. Unless the court determines that exceptional
19 circumstances exist, the person's driver's license or privilege to drive shall be revoked for a
20 period of not less than 30 days.***

21 I-d. ***Except as provided in paragraph IV, a person who violates the provisions of
22 paragraph I, a third or subsequent time shall be guilty of a class A misdemeanor, and shall
23 be fined not less than \$750. The person shall be sentenced to a mandatory sentence of not
24 less than 15 consecutive days in the county correctional facility. The person's driver's
25 license or privilege to drive shall be revoked indefinitely and shall not be restored for at
26 least one year. At the end of the minimum revocation period the person may petition the
27 court for eligibility to reapply for a driver's license only after completing a driver safety
28 course.***

29 2 Effective Date. This act shall take effect January 1, 2027.

**HB 1308-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to increasing the penalty for passing a stopped school bus.

FISCAL IMPACT:

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association