

HB 649-FN - AS AMENDED BY THE SENATE

01/07/2026 0039s
02/05/2026 0345s

2025 SESSION

25-0198
11/08

HOUSE BILL **649-FN**

AN ACT relative to the maintenance obligations of motor vehicle operators.

SPONSORS: Rep. Granger, Straf. 2; Rep. Osborne, Rock. 2; Rep. Harvey-Bolia, Belk. 3; Rep. Sirois, Hills. 32; Rep. Sellers, Graf. 18; Rep. Sabourin, Rock. 30

COMMITTEE: Transportation

AMENDED ANALYSIS

This bill:

- I. Establishes a duty for motorists to maintain vehicles.
- II. Defines specific mechanical and structural defects that render a vehicle unsafe.
- III. Empowers law enforcement to conduct limited safety inspections.
- IV. Restricts the sale and registration of vehicles that fail to meet safety standards.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to the maintenance obligations of motor vehicle operators.

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

1 1 New Section; Operation of Unsafe Motor Vehicle. Amend RSA 266 by inserting after section
2 RSA 266:8-a the following new section:

3 266:8-b Operator Vehicle Maintenance.

4 I. No person shall drive, or permit to be driven upon any way a motor vehicle, trailer, or
5 semitrailer:

6 (a) Which is in such unsafe condition as to endanger the driver, occupants, or any other
7 person or property; or

8 (b) Any motor vehicle which is not equipped with lamps, brakes, steering, tires, exterior
9 panels, glass, or other equipment as required by law.

10 II. The operation of a motor vehicle in violation of any condition, defect, or requirement set
11 forth in this section shall constitute prima facie evidence that the vehicle is unsafe for operation
12 upon a public way:

13 (a) Any defect that permits exhaust gases to enter the passenger or cargo compartment.

14 (b) Any exterior panel, including doors, hood, fenders, trunk, or bumpers, that are
15 missing; provided, however, that doors may be missing if originally and expressly designed by the
16 manufacturer to be removable.

17 (c) A frame or unibody that is cracked, broken, or rusted to the extent that structural
18 integrity is compromised.

19 (d) A windshield containing intersecting cracks or 3 or more star breaks or bullseyes
20 larger than 3 inches within the critical viewing area of the driver on the front windshield.

21 (1) For purposes of this subparagraph, "critical viewing area" means the portion of
22 the windshield extending 3 inches inward from the left windshield post; 3 inches down from the top
23 edge; 3 inches up from the bottom edge; and, 3 inches to the right of the vertical centerline.

24 (e) Tires, excluding spare tires.

25 (f) A fuel system showing evidence of large, obvious leakage.

26 III. Law enforcement may issue a defective equipment tag for a vehicle it has judged unsafe
27 or not equipped as required under this section. Such tag shall provide a minimum period of 7
28 calendar days in which the owner of such vehicle is required to repair the defect specified in such
29 tag.

1 IV. The driver or owner who operates, or permits the operation of, a motor vehicle in
2 violation of this section shall be guilty of a violation. The fine for a violation of this section shall be
3 \$60.

4 V. Notwithstanding paragraph IV, the director may immediately suspend the registration
5 and plates of a motor vehicle if there is evidence from law enforcement that the vehicle is an
6 immediate hazard to public safety.

7 2 Sale of Used Motor Vehicles; Examination. Amend RSA 358-F:2 to read as follows:

8 358-F:2 Inspection. Before selling to any customer any used motor vehicle which is believed by
9 the customer to be unsafe for operation upon the highways pursuant to RSA 266, the dealer shall,
10 upon the request of the customer, conduct or have conducted a safety inspection of such vehicle. If
11 the vehicle is found to be unsafe for operation, the dealer may sell the vehicle to the customer
12 without correcting the defects, but only if the dealer presents to the customer at the time of sale a
13 notice which states: This motor vehicle is unsafe for operation upon the highways pursuant to RSA
14 266. The following defects must be corrected. The dealer shall list all defects under this statement
15 and specify the date on which the inspection was conducted and the person who performed the
16 inspection. The dealer may make a reasonable charge for conducting the inspection. ***The dealer***
17 ***shall provide the customer with one of the following written statements at the time of sale:***

18 ***I. If the dealer has conducted, or had conducted, an examination of the vehicle for***
19 ***compliance with the equipment requirements of RSA 266 and the vehicle is found to be in***
20 ***compliance, the dealer shall present to the customer at the time of sale a notice which***
21 ***states: This motor vehicle has been determined to be in compliance with the equipment***
22 ***requirements pursuant to RSA 266.***

23 ***II. If the dealer has conducted, or had conducted, an examination of the vehicle for***
24 ***compliance with the equipment requirements of RSA 266 and the vehicle is found not to be***
25 ***in compliance, the dealer shall provide a statement which reads: This motor vehicle has***
26 ***been examined and determined not to be in compliance with the equipment requirements***
27 ***pursuant to RSA 266. The following defects are identified.***

28 ***III. If the dealer has not conducted an examination of the vehicle for compliance***
29 ***with the equipment requirements of RSA 266, the dealer shall provide a statement which***
30 ***reads: No examination has been conducted to determine whether this motor vehicle is in***
31 ***compliance with the equipment requirements pursuant to RSA 266.*** The dealer may make a
32 reasonable charge for conducting an inspection ***examination under paragraphs I or II. Each***
33 ***notice or statement provided under this section shall specify the date on which the***
34 ***examination was conducted, if any, and the name of the person who performed it.***

35 3 Sale of Unsafe Used Motor Vehicles; Remedy. Amend RSA 358-F:4 to read as follows:

36 358-F:4 Remedy. A failure of any dealer to comply with the provisions of this section, or a
37 concealment by any dealer of any defect which was discovered, or should have been discovered,

1 during the inspection *examination conducted* requested under RSA 358-F:2 is an unfair or
2 deceptive act or practice within the meaning of RSA 358-A:2. Any right or remedy set forth in RSA
3 358-A may be used to enforce the provisions of this chapter.

4 4 Temporary Permit and Plates Pending Registration. New Paragraphs; Temporary Permit and
5 Plates Pending Registration. Amend RSA 261:56 by inserting after paragraph II the following new
6 paragraphs:

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

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

12 5 Twenty-Day Registration. Amend RSA 261:57, I to read as follows:

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

32 6 Off Highway Recreational Vehicles And Trails; Rental Fleet Passenger Vehicle Registration
33 Program. RSA 261:40-b is repealed and reenacted to read as follows:

34 261:40-b Rental Fleet Passenger Vehicle Registration Program.

35 I. The division of motor vehicles shall establish a rental fleet registration program, whereby
36 a qualified registrant, according to paragraph II, may register 50 or more in-service rental passenger
37 vehicles as a fleet, elect a common annual expiration date for all vehicles in the fleet, receive

1 registration stickers for each vehicle in the fleet that shall be valid for 2 years, and pay registration
2 fees for each fleet vehicle based on the common 2-year expiration date and according to rates and
3 costs established in existing law. In addition to the registration fees, the registrant shall pay all
4 registration permit fees and municipal fees for each registration year.

5 II. The rental fleet registration program shall be solely for the registration of a fleet of 50 or
6 more in-service rental passenger vehicles. A rental car company intending to register such a fleet
7 shall submit a current New Hampshire certificate of good standing issued by the secretary of state's
8 office to the division of motor vehicles and receive the division's approval to enroll in the program.
9 Once enrolled in the program, a registrant shall submit a current certificate of good standing at the
10 time of payment of registration fees and costs. Additionally, the division may require a company
11 enrolled in the program to produce a current certificate of good standing at any time during the 2-
12 year period of registration. If a rental car company is not in good standing with the secretary of
13 state or fails to meet other enrollment criteria set by the division of motor vehicles, including
14 maintaining an in-service fleet of 50 or more vehicles, the division shall terminate the registrant's
15 fleet registration and revert any existing registration credentials to those of a non-fleet vehicle.

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

19 IV. Any vehicle added to the fleet after the initial fleet registration shall receive a
20 registration sticker identical to those of the registered fleet and the registrant shall be required to
21 pay a prorated amount of registration fees and costs for the remainder of the year until the common
22 2-year expiration date. A registrant may transfer the registration of a permanently retired fleet
23 vehicle to a new in-service fleet vehicle for any remainder period of registration.

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

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

29 7 Effective Date. This act shall take effect upon its passage.

**HB 649-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2026-0345s)**

AN ACT relative to the maintenance obligations of motor vehicle operators.

FISCAL IMPACT:

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Division of Motor Vehicles System Change Cost - \$45K in FY 2027 Criminal Justice Impact - Indeterminable			
<i>Funding Source</i>	General Fund, Restricted - Highway Fund Cost of Collections - Per the state constitution, costs associated with the collection/administration of highway fund revenue by the Department of Safety is deducted prior to funds being credited as unrestricted highway fund revenue			
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 establishes a rental fleet passenger vehicle registration program administered by the Department of Safety, Division of Motor Vehicles (DMV), allowing qualified rental car companies with fleets of 50 or more in-service passenger vehicles to register vehicles as a fleet, elect a common two-year registration expiration date, and receive two-year registration stickers. Registration fees for fleet vehicles will be assessed in accordance with existing statutory rates and prorated as applicable. Additionally, the bill prohibits motor vehicle dealers from issuing temporary plates or temporary registrations for vehicles that do not meet the requirements set forth in RSA 266, and clarifies that applicants for 20-day registrations must certify the vehicle is safe for operation pursuant to RSA 266, rather than certifying compliance with all inspection

requirements (the existing fee structure and issuance limits for 20-day registrations is maintained).

The Department assumes the implementation of the rental fleet passenger vehicle registration program and the associated rulemaking can be absorbed within existing DMV staffing and resources. Also, the Department states this bill is not expected to change overall registration fee revenue, as fees will continue to be collected in accordance with existing law, nor is it expected to result in a fiscal impact to state or municipal revenue or expenditures. Administrative changes related to temporary plates, temporary registrations, and 20-day registrations are assumed to clarify existing practice and do not result in additional costs.

The Department states DMV will be required to update the Motor Vehicle Application Processing (MAAP) system to accommodate the rental fleet passenger vehicle registration program, including but not limited to:

- Creation of a rental fleet designation;
- Ability to assign a common two-year expiration date across multiple vehicles;
- Proration of registration fees to the common expiration date; and
- Validation of fleet eligibility and enrollment status

The necessary changes would involve system programming, testing, and deployment, with estimated costs of approximately \$45,000 based on current vendor rates and established development timelines. In addition, municipalities that utilize third-party registration software certified to interface with MAAP will require corresponding software updates to ensure compatibility with the new rental fleet registration structure, expiration logic, and eligibility validation requirements. Third-party software vendors are required to certify their products with the DMV prior to deployment. Based on historical certification efforts, it is assumed that each vendor will incur costs associated with software development, testing, and DMV certification. These costs are borne by the vendors and municipalities and are not paid directly by the State.

The Department assumes this bill will have no impact on total registration revenue collected.

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