

HB 100-FN - AS INTRODUCED

2025 SESSION

25-0038

06/11

HOUSE BILL ***100-FN***

AN ACT prohibiting the use of state funds for new passenger rail projects.

SPONSORS: Rep. Ankarberg, Straf. 7; Rep. Layon, Rock. 13; Rep. Edwards, Rock. 31; Rep. Berry, Hills. 44

COMMITTEE: Public Works and Highways

ANALYSIS

This bill prohibits the department of transportation from utilizing state funds for the planning, construction, operation, or management of new passenger rail projects.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT prohibiting the use of state funds for new passenger rail projects.

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

1 1 Department of Transportation; General Functions; Prohibition on Commuter Rail Projects.

2 Amend RSA 21-L:2, II(a) to read as follows:

3 (a) Planning, developing, and maintaining a state transportation network which will
4 provide for safe and convenient movement of people and goods throughout the state by means of a
5 system of highways, railroads, air service, mass transit, and other practicable modes of
6 transportation, in order to support state growth and economic development and promote the general
7 welfare of the citizens of the state; ***provided, however, that no state funds shall be***
8 ***appropriated or expended for the planning, construction, operation, or management of***
9 ***passenger rail projects, including the project named Nashua-Manchester-Concord, project***
10 ***number 40818, in the 2019-2028 Ten Year Transportation Improvement Plan.***

11 2 Use of Toll Credits. Amend RSA 228:12-a to read as follows:

12 228:12-a Use of Toll Credits. The department may use toll credits as a match for federal
13 highway funds solely for the funding of highway and road projects, projects concerning the travel of
14 motor vehicles on such highways and roads~~[-and the completion of the project development phase of~~
15 ~~the project named Nashua-Manchester-Concord, project number 40818, in the 2019-2028 Ten Year~~
16 ~~Transportation Improvement Plan]~~. Any other use of toll credits shall require approval of the joint
17 legislative capital budget overview committee, established in RSA 17-J:1, prior to moving the project
18 forward for approval in the state 10-year transportation improvement program.

19 3 Notification. Upon passage of this act, the house clerk shall notify the Secretary of the United
20 States Department of Transportation and the United States Office of Management and Budget of the
21 change in the law.

22 4 Effective Date. This act shall take effect upon its passage.

**HB 100-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT prohibiting the use of state funds for new passenger rail projects.

FISCAL IMPACT:

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	Indeterminable			
County Expenditures	Indeterminable			
Local Revenue	Indeterminable			
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill prohibits the Department of Transportation from utilizing state funds for the planning, construction, operation, or management of new passenger rail projects. The Department states this could impact existing and future passenger rail projects, which could include Amtrak services, passenger tourist excursion rail services, and the Mt. Washington Railway (Cog), shifting financial burdens to non-State entities for planning, construction, operation, and management of passenger rail projects. The Department states it is likely that the absence of state match would jeopardize or preclude necessary safety and modernization improvements to the state rail network. The fiscal impact to county and local governments is indeterminable as this bill could shift costs for planning, construction, operation, and management of any passenger rail projects from the state to other political subdivisions. Traditionally, the federal government will pay up to 50% of the costs to construct passenger rail projects with state, municipal, local, and/or private entities paying for the other 50%. The Department states if it is prohibited from using state funds to help cover the matching share, and if moving forward with a specific passenger rail projects is necessary, local governments and/or private entities would need to contribute any non-federal share for these project components.

AGENCIES CONTACTED:

Department of Transportation