

SB 41-FN - AS INTRODUCED

2025 SESSION

25-0936

11/09

SENATE BILL ***41-FN***

AN ACT changing the reckless driving minimum penalties.

SPONSORS: Sen. Birdsell, Dist 19; Sen. Gannon, Dist 23; Rep. Roy, Rock. 31

COMMITTEE: Judiciary

ANALYSIS

This bill enhances the penalties for driving a vehicle in excess of 100 miles per hour.

This bill is at the request of the department of safety.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 changing the reckless driving minimum penalties.

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

1 1 Serious Traffic Offenses; Reckless Driving. Amend RSA 265:79 to read as follows:

2 265:79 Reckless Driving; Minimum Penalty.

3 **I.** Whoever upon any way drives a vehicle recklessly, or causes a vehicle to be driven
4 recklessly, as defined in RSA 626:2, II(c), or so that the lives or safety of the public shall be
5 endangered, or upon a bet, wager, or race, or who drives a vehicle for the purpose of making a record,
6 ~~[or who drives a vehicle at a speed of 100 miles per hour or greater,]~~ and thereby violates any of the
7 provisions of this title or any rules adopted by the director, shall be, notwithstanding the provisions
8 of title LXII, guilty of a violation and fined not less than \$500 plus penalty assessment for the first
9 offense and \$750 plus penalty assessment for the ~~[second]~~ **subsequent** offense nor more than \$1,000
10 plus penalty assessment and his or her license or operating privilege shall be revoked for a period of
11 60 days for the first offense and from 60 days to one year for the ~~[second]~~ **subsequent** offense.

12 **II.** *Whoever upon any way drives a vehicle at a speed of 100 miles per hour or*
13 *greater and thereby violates any of the provisions of this title or any rules adopted by the*
14 *director, shall be, notwithstanding the provisions of title LXII, guilty of a violation and*
15 *fined not less than \$750 plus penalty assessment for the first offense and \$1000 plus penalty*
16 *assessment for the subsequent offense and his or her license or operating privilege shall be*
17 *revoked for a period of 90 days for the first offense and from 90 days to one year for the*
18 *subsequent offense.*

19 2 Effective Date. This act shall take effect January 1, 2026.

**SB 41-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT changing the reckless driving minimum penalties.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	Indeterminable			
<i>Revenue Fund</i>	Highway Fund, Penalty Assessment (General Fund, Victims' Assistance Fund, and Judicial Branch Information Technology Fund)			
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 2025	FY 2026	FY 2027	FY 2028
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