

Senate Judiciary Committee

Pete Mulvey 271-4063

SB 41-FN, changing the reckless driving minimum penalties.

Hearing Date: January 14, 2025

Time Opened: 1:00 p.m.

Time Closed: 1:13 p.m.

Members of the Committee Present: Senators Gannon, Abbas, Altschiller and Reardon

Members of the Committee Absent : Senator Carson

Bill 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.

Sponsors:

Sen. Birdsell

Sen. Gannon

Rep. Roy

Who supports the bill: Capt. Matthew Amatucci, and Elizabeth Sargent.

Who opposes the bill: Amanda Vachon, Allison Pinski, Isadora Rodriguez-Legendre, and Daniel Richardson.

Who is neutral on the bill: N/A.

Summary of testimony presented:

Senator Regina Birdsell

Senate District 19

- SB 41-FN is a request of the New Hampshire Department of Safety.
 - Increasing highway fatalities and speeding occurrences were identified as the impetus for SB 41-FN.
- SB-41 FN prescribes additional penalties for operators caught at speeds exceeding 100mph.
- Senator Birdsell shared that recently some individuals had been caught driving at 177 mph.

- A driver guilty of a violation shall be fined not less than \$750 and subject to a penalty assessment upon the first offense. A subsequent offense will be instigate a fine not less than \$1000 in addition to a penalty assessment.
 - License revocation will last 90 days upon the first offense and up to a year for a subsequent offense.

Captain Matthew Amatucci

New Hampshire State Police

- Captain Amatucci shared that 221 individuals were charged with reckless driving in 2022.
 - The figure grew an additional 39% in 2023, and a further 36% in 2024.
- The State Police Special Enforcement Unit (*aviation patrol*) has data suggesting a dramatic increase of violators traveling in excess of 100 mph.
- There were over 5000 motor vehicle stops in New Hampshire in 2015, 23 of which were instances of travel exceeding 100 mph. More recently, there were 119 motor vehicle stops at such speeds.
- Captain Amatucci suggested that increased minimum penalties would act as a deterrent.
- Senator Gannon asked why the standard for reckless driving is 100 mph and not 95 mph.
 - Captain Amatucci said the figure was congruent with the current standard. SB 41-FN altered the penalties as opposed to the standard for determination.
 - Captain Amatucci added that there had been a dramatic increase of lower speed violations as well.
- Senator Altschiller asked if SB 41-FN would be implemented as a deterrent policy or an attempt to cease reckless driving altogether.
 - Captain Amatucci clarified that SB 41-FN is intended to deter offenders.
- Senator Reardon asked Captain Amatucci how to best spread awareness for the policy and deter offenders, taking into account ‘word-of-mouth’ dispersement following initial enforcement.
 - Captain Amatucci was certain there would be public messaging. 99% of the public were safe and the policy would be targeted and communicated specifically for the dangerous 1% traveling over 100 mph.
- Senator Reardon asked if Captain Amatucci had any idea whether there were any patterns with in versus out of state drivers.
 - Captain Amatucci was unsure.
- Senator Abbas asked Captain Amatucci if he received training in accident reconstruction.
 - Captain Amatucci indicated that he had not received such training.

PM
Date Hearing Report completed: January 22, 2025