

HB 439-FN - AS INTRODUCED

2025 SESSION

25-0485

11/09

HOUSE BILL ***439-FN***

AN ACT relative to non-driving related violations and driver's license suspension.

SPONSORS: Rep. Veilleux, Hills. 34; Rep. Scherr, Rock. 26; Rep. Telerski, Hills. 11

COMMITTEE: Transportation

ANALYSIS

This bill eliminates driver's license suspension for reasons unrelated to motor vehicle offenses.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 relative to non-driving related violations and driver's license suspension.

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

1 1 License Suspension; Criteria for Suspension. Amend RSA 263:56-a, I(b) to read as
2 follows:

3 (b) Fails to pay a fine or other penalty imposed in connection with a conviction of any
4 offense ***which constitutes a moving violation under RSA 265:79, RSA 265-A:2, RSA 265-A:3,***
5 ***or RSA 270:29-b, and*** which a court has determined he ***or she*** is able to pay, or issues a bad check
6 in payment of a fine or other penalty; or

7 2 Reinstatement of Suspended License; Criteria. Amend RSA 263:56-a, III(b) to read as follows:

8 (b) ~~[Appearance by such defendant, payment]~~ ***Payment*** of his ***or her*** fine, or compliance
9 with the order of the director, as applicable, or upon demonstration that such defendant is
10 financially unable to pay the fine or to comply with the order. Any court which has ordered a
11 suspension or revocation pursuant to paragraph II shall vacate the order and so notify the director
12 and the affected defendant immediately after such defendant has appeared or paid his fine, as
13 applicable, or has demonstrated that he is financially unable to pay the fine or to comply with the
14 order.

15 3 Judicial Finding of Cause to Suspend License. Amend RSA 263:57, I to read as follows:

16 I. Any justice of a ~~[district or municipal]~~ ***circuit*** court or of the superior court may suspend
17 ~~[any license issued to any person]~~ ***a person's driver's license***, for a period not to exceed 30 days, [
18 ~~after a conviction of an offense under the provisions of this title, after due hearing, for any cause~~
19 ~~which he may deem sufficient.~~] ***when such person has been convicted of an offense under the***
20 ***provisions of this title and license suspension is neither proscribed by RSA 263:56 and RSA***
21 ***263:56-a nor specifically proscribed in any other statutory section, so long as the license***
22 ***holder had reasonable notice of the possibility of license suspension prior to the hearing***
23 ***and an opportunity at the hearing to present evidence to contest such suspension.***

24 4 Repeal. The following are repealed:

25 I. RSA 263:56, I(f), relative to authority to suspend or revoke driver's license.

26 II. RSA 263:56, I(i), relative to authority to suspend or revoke driver's license.

27 III. RSA 263:56-a, I(a), relative to suspension or revocation for default, noncompliance, or
28 nonpayment of fine.

29 IV. RSA 263:56-c, relative to suspension for default in another jurisdiction.

30 5 Effective Date. This act shall take effect January 1, 2026.

**HB 439-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to non-driving related violations and driver's license suspension.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$477,500 Decrease	\$955,000 Decrease	\$955,000 Decrease
<i>Revenue Fund(s)</i>	Highway Fund			
Expenditures*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill, effective January 1, 2026, removes the ability to suspend a driver's license for certain reasons unrelated to motor vehicle offenses. Currently, any failure to appear or pay the court for any charge/conviction, including non-motor vehicle, the court may find the individual in default and a notice of default is sent to the individual from the Division of Motor Vehicles (DMV) advising of the default with a compliance date, or have their registration & licensing privileges suspended. Restoration fees paid to DMV, of which go to the highway fund, are \$100 for license and \$25 for registration. The Department of Safety states that in 2023, 14,163 restoration fees were paid to DMV under RSA 263:56-a totaling \$1,010,250, with \$955,050 relating to non-motor vehicle offenses (approximately 45,000 defaults are received by DMV annually, of which approximately 3,500 are related to the four RSAs referenced in this bill). Therefore, this bill is expected to decrease highway fund revenue by approximately \$955,000 per year (\$477,500 in FY 2026 as this bill is effective January 1, 2026).

AGENCIES CONTACTED:

Department of Safety