

Senate Transportation Committee

Vivian Hall 271-3091

SB 649-FN, increasing fines for using a hand-held mobile electronic device while driving a motor vehicle.

Hearing Date: January 13, 2026

Time Opened: 2:02 p.m.

Time Closed: 2:14 p.m.

Members of the Committee Present: Senators Ricciardi, McConkey, Prentiss and Fenton

Members of the Committee Absent : Senator Ward

Bill Analysis: This bill increases fines and adds license suspension for repeat offenses involving the use of a hand-held mobile electronic device while driving, with enhanced penalties when the violation contributes to a crash.

Sponsors:

Sen. Fenton

Sen. McConkey

Sen. Gannon

Sen. Prentiss

Sen. Birdsell

Sen. Ricciardi

Rep. Roy

Rep. Gorski

Rep. N. Murphy

Rep. Crawford

Who supports the bill: 16 individuals signed in support of SB 649-FN. Contact vivian.hall@gc.nh.gov for further details.

Who opposes the bill: Julie Smith

Who is neutral on the bill: None

Summary of testimony presented in support:

Senator Fenton, Senate District 10

- Almost every day there is a car crash in New Hampshire due to distracted driving.
- There were 127 fatal crashes in 2023, representing a 42% increase over the past decade, with an estimated 5–10 of those linked to distracted driving.
- SB 649 will increase penalties for distracted driving, particularly for repeat offenders, to strengthen public safety on the roadways.
- First responders have expressed that current penalties are not enough to change the behaviors of drivers.

Bob Sculley, President and CEO of New Hampshire Motor Transport Association

- Mr. Sculley represents a truck owner and operator trade association. In the trucking industry, penalties for distracted driving are severe, resulting in a safer roadway.
- Truck drivers see car drivers on their phones often and know first-hand the dangers they create.
- Collisions between passenger vehicles and trucks often result in more severe outcomes for car drivers; stricter distracted driving penalties can enhance safety for all road users.

Dan Goodman, Manager of Public Affairs and Traffic Safety, AAA

- Distracted driving is one of the most prevalent and preventable safety issues on the road.
- Despite widespread awareness of the dangers of distracted driving, people still do it.
- Reducing distracted driving will require strong laws, consistent enforcement, and sustained public education.
- In AAA studies, drivers have self-reported that strong penalties will get them to change their behavior.
- **Senator Prentiss** confirmed a statistic shared by Mr. Goodman that nine people die every day in the United States due to distracted driving.
- **Senator Ricciardi** remarked that it helps for drivers to put their phones on “do not disturb” mode while driving.

Traci Beaurivage, President, New Hampshire Motorcycle Association

- Without severe penalties, people will continue to engage in distracted driving.
- Motorcyclists are particularly vulnerable to distracted drivers because they are more difficult to see.
- Ms. Beaurivage is in favor of more severe penalties than those contained in this bill, as she does not believe it will do enough to change driver behavior.

Lieutenant Christopher Storm, State Police Liaison, New Hampshire Department of Safety

- The Department of Safety is always in favor of any legislation that will reduce distracted driving.
- **Senator Fenton** asked if Lieutenant Storm thought the penalties should be higher than those contained in the bill.

- **Lieutenant Storm** responded that anything the legislature can do would be helpful.
- **Senator Ricciardi** noted that state troopers have reported drivers often deny phone use during traffic stops, and officers lack the authority to search a driver's phone to verify the violation without a warrant.
- **Lieutenant Storm** responded that this is a difficult situation because officers don't have a search warrant for the driver's phone. Lt. Storm hopes the increased fines will prevent drivers from using their phones in the first place.

V.H

Date Hearing Report completed: January 17, 2026