

# Senate Judiciary Committee

*Matthew Schelzi 271-3266*

**HB 1237-FN**, relative to the use of unmarked or stealth police vehicles for traffic enforcement.

**Hearing Date:** March 26, 2024

**Time Opened:** 2:23 p.m.

**Time Closed:** 2:36 p.m.

**Members of the Committee Present:** Senators Carson, Gannon, Abbas, Whitley and Chandley

**Members of the Committee Absent:** None

**Bill Analysis:** This bill establishes a requirement that any police vehicle purchased after January 1, 2025 must be clearly marked and labeled as a police vehicle in order for it to be used in traffic law enforcement, subject to certain exceptions.

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**Sponsors:**

Rep. Phinney

Rep. Read

Rep. Wheeler

Rep. T. Mannion

Rep. Phillips

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**Who supports the bill:** Julie Smith, Janet Lucas, Curtis Howland, Daniel Richardson, Eric Pauer, and Bill Alleman.

**Who opposes the bill:** Chris Moore, Sheriff Bill Wright (Belknap County Sheriff's Office), Tad Dionne, Domenic Richardi, Michael Caron, Dennis Mannion, Frederick Douglas, Sheriff Charles Massahos, Major Chris Bashaw (Rockingham County Sheriff's Office) Gary Duquette, Paul Dean, Jeff Stiegler (Grafton County Law Enforcement), Peter Marr, Gary Fisher, Charles Reynolds, Jon Stone, David Goldstein, and Stephen Monier.

**Who is neutral on the bill:** None.

**Summary of testimony presented:**

**Representative Bob Lynn** introduced the bill on behalf of Representative Phinney.

**Hon. Betty Gay** said the Chief of Police in Salem expressed his displeasure at this bill. She said if people are going to break the law, they should not be allowed another way to hide.

**Chief Allen Aldenberg**, President of Chiefs of Police, opposed to HB 1237-FN. Banning these vehicles would undermine law enforcement efforts to ensure public safety on our roads. He said stealth police vehicles serve as a vital tool to deterring reckless driving behavior and enforcing traffic laws effectively. By blending seamlessly into traffic, these vehicles enable law enforcement officers to observe and apprehend offenders without being detected, thereby promoting compliance with traffic regulations, and reducing accidents. Prohibiting the use of stealth police vehicles would severely hamper law enforcement agencies' ability to address speeding, distracted driving, and other hazardous behaviors that endangers the roadways. He noted New Hampshire law enforcement is very transparent as they have internal reviews, citizen complaint processes, judicial scrutiny as well as the use of body worn cameras. He said people impersonating law enforcement is not a major concern he sees or hears about in this state. He questioned why this bill only applied to municipalities and not state law enforcement agencies. He said the county sheriffs are opposed to this legislation as well.

**Senator Carson** said she has never seen an unmarked police vehicle in Londonderry.

**Chief Aldenberg** said the vast majority of his fleet have municipal plates, and they are all equipped with lights and sirens.

**Brandon Davie**, Captain in New Hampshire State Police Operations Bureau, said statutorily reckless driving is codified as those driving over 100mph as they are subjecting themselves to high risk of death or injury. He said this legislation is a solution in search of a problem. He said the number of police impersonators in this state are very small and are usually caught very quickly. He said body cameras and in vehicle cameras are ubiquitous in New Hampshire. He said it is not wise to use exceptions to make rules.

**Senator Abbas** asked if there are any situations where law enforcement agencies are using ghost lettering on vehicles for traffic stops.

**Captain Davie** said unmarked vehicles are generally used by administrators and detectives, whose primary roles are not patrol, but sometimes they do need to engage when necessary.