HB 1237-FN - AS AMENDED BY THE HOUSE

1Feb2024... 0345h

2024 SESSION

24-2189
09/08

HOUSE BILL ***1237-FN***

AN ACT relative to the use of unmarked or stealth police vehicles for traffic enforcement.

SPONSORS: Rep. Phinney, Straf. 9; Rep. Read, Rock. 10; Rep. Wheeler, Hills. 33; Rep. T. Mannion, Hills. 1; Rep. Phillips, Rock. 7

COMMITTEE: Criminal Justice and Public Safety

AMENDED 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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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Four

AN ACT relative to the use of unmarked or stealth police vehicles for traffic enforcement.

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

1 New Chapter; Police Vehicles. Amend RSA by inserting after chapter 105-D the following new chapter:

CHAPTER 105-E

POLICE VEHICLES

105-E:1 Vehicles Used for Traffic Enforcement.

I. Any municipal police vehicle purchased on or after January 1, 2025 shall be clearly marked and labeled identifying it as a police vehicle before it may be used by a police officer performing traffic law enforcement. For purposes of this section, stealth or ghost lettering, wherein the markings are not clearly visible, shall be insufficient to permit the vehicle's usage in traffic law enforcement.

II. Nothing in this section should be construed to prohibit the use of unmarked vehicles or vehicles with stealth or ghost lettering for any purpose other than traffic law enforcement.

III. A law enforcement officer operating an unmarked vehicle or a vehicle with stealth or ghost lettering in compliance with paragraph I may effect a traffic stop of a vehicle if the officer develops reasonable suspicion, based on personal observations, that a driver is committing an offense of reckless driving in violation of RSA 265:79 or driving or operating under the influence of drugs or liquor in violation of RSA 265-A, or in any other case where there is an emergency that the officer reasonably believes to be an immediate threat to public safety.

2 Effective Date. This act shall take effect January 1, 2025.

LBA
24-2189
Amended 2/14/24

HB 1237-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2024-0345h)

AN ACT relative to the use of unmarked or stealth police vehicles for traffic enforcement.

FISCAL IMPACT: [ ] State [ ] County [ ] Local [X] None

METHODOLOGY:

The Office of Legislative Budget Assistant states this bill, as amended by the House, has no fiscal impact on state, county and local expenditures or revenue.

AGENCIES CONTACTED:

None