HB 1640-FN - AS INTRODUCED

2022 SESSION

22-2281
12/10

HOUSE BILL ***1640-FN***

AN ACT relative to the payment of motor vehicle fines.

SPONSORS: Rep. Belanger, Rock. 9

COMMITTEE: Transportation

ANALYSIS

This bill allows anyone who receives a fine related to their motor vehicle to donate the fine amount to a charitable organization rather than submit payment to a state agency.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the payment of motor vehicle fines.

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

1 New Subdivision; Payment of Motor Vehicle Fines. Amend RSA 260 by inserting after section 78 the following new subdivision:

Payment of Motor Vehicle Fines

260:79 Donation In Lieu of Payment. Notwithstanding any provision of this title, or any other law to the contrary, an owner of a vehicle required to pay a fine related to their motor vehicle may donate the fine amount to a charitable organization who qualifies under section 501(c)(3) of the Internal Revenue Code. The vehicle owner shall submit a receipt of the donation to the department of motor vehicles in the form determined by the department. Any fine donated to a qualifying organization pursuant to this section shall serve as satisfaction of the penalty.

2 New Paragraph; Waiver in Lieu of Court Appearance; Default; Donations. Amend RSA 262:44 by inserting after paragraph VIII the following new paragraph:

IX. A defendant may pay the full amount of any fine pursuant to RSA 260:79.

3 New Paragraph; Pleas by Mail; Donations. Amend RSA 502-A:19-b by inserting after paragraph VI the following new paragraph:

VII. A defendant may pay the full amount of any fine pursuant to RSA 260:79.

4 Effective Date. This act shall take effect January 1, 2023.

LBA
22-2281
12/20/21

HB 1640-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to the payment of motor vehicle fines.

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

	Estimated Increase / (Decrease)			
STATE:	**FY 2022**	**FY 2023**	**FY 2024**	**FY 2025**
Appropriation	$0	$0	$0	$0
Revenue	$0	(Decrease Up To $4.6 Million)	(Decrease Up To $9.2 Million)	(Decrease Up To $9.2 Million)
Expenditures	$0	In Excess of $180,000	$0	$0
Funding Source:	[X] General [ ] Education [X] Highway [X] Other - Cost of Collections*, Victims' Assistance Fund, and Judicial Branch IT Fund			

*Pursuant to Part II, article 6-a of the New Hampshire constitution, any costs associated with the collection and administration of Highway Funds by the Department of Safety shall be deducted by the Department before such funds are credited to the Highway Fund as unrestricted revenue.

METHODOLOGY:

This bill allows for an individual who is fined relative to their motor vehicle to remit the fine amount to a charitable organization, rather than to the state. Motor vehicle fine revenue is collected by both the Department of Safety and Judicial Branch. Based on recent collections, annual collections of motor vehicle fine revenue, including penalty assessment, which is assumed to be included in this bill, are approximately $9.2 million ($8 million collected by the Department of Safety and $1.2 million collected by the Judicial Branch. While it cannot be predicted how many individuals will choose to donate to a charitable organization, the expectation is it would be a high proportion. Therefore, between all funds of which would be affected, highway fund from the fine portion, and general fund, victims' assistance fund, and Judicial Branch information technology fund, this bill would decrease state revenue up to $4.6 in FY 2023 and $9.2 million in FY 2024 and each year thereafter.

In addition to the revenue impact, the Department of Safety and Judicial Branch state they would incur administrative costs to incorporate this bill into their respective systems. The Department of Safety estimates one-time system programming costs and form reproductions of $175,000 and the Judicial Branch expects system costs more than $5,000. As this bill is effective January 1, 2023, it is assumed these costs would be incurred in FY 2023.

AGENCIES CONTACTED:

Department of Safety and Judicial Branch