CHAPTER 135
HB 1457-FN - FINAL VERSION

2024 SESSION

24-2485
11/08

HOUSE BILL ***1457-FN***

AN ACT establishing penalties for driving over covered wooden bridges in vehicles that exceed posted limits and for vehicular damage to covered wooden bridges.

SPONSORS: Rep. Drye, Sull. 7; Rep. Palmer, Sull. 2; Rep. Cormen, Graf. 15; Rep. Tierney, Coos 1; Rep. A. Davis, Coos 2; Rep. Faulkner, Ches. 10; Rep. Carey, Merr. 1; Sen. Innis, Dist 7; Sen. Prentiss, Dist 5

COMMITTEE: Transportation

ANALYSIS

This bill establishes penalties for vehicular damage to covered wooden bridges and driving over covered bridges in vehicles that exceed posted limits.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT establishing penalties for driving over covered wooden bridges in vehicles that exceed posted limits and for vehicular damage to covered wooden bridges.

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

135:1 New Section; Vehicular Damage to Covered Wooden Bridges. Amend RSA 234 by inserting after section 234:39 the following new section:

234:39-a Damage to Covered Wooden Bridges.

I. An operator of any motor vehicle, as defined in RSA 259:60, that exceeds any weight, height, or other dimensional limit posted for a wooden covered bridge, who damages any part of said wooden covered bridge within the state as a result of such operation shall be guilty of a violation and fined $1000 for a first violation. If the offense substantially impedes the flow of traffic, the fine shall be up to $2,000.

II. An operator of a motor vehicle, as defined in RSA 259:60, that exceeds any weight, height, or other dimensional limit posted for a wooden covered bridge shall be guilty of a violation and fined $500 for a first violation if no damage occurs to the bridge. If the offense substantially impedes the flow of traffic, the fine shall be up to $2,000.

III. For the purposes of this section, "any part" means anything attached to a wooden covered bridge, including, but not limited to, roofs, portals, siding, bracings, railings, and signs. Towing a trailer or other vehicle shall be deemed a violation of "other dimensional limit" where a bridge is posted with a sign stating "nothing in tow" or has posted a similar restriction.

IV. All fines under this section shall inure to the municipality or other agency that is responsible for the bridge.

V. In addition to any fine levied under this section, the owner of any vehicle that causes damage to a wooden covered bridge shall be responsible for the full cost of repairs to the bridge, which cost shall be assessed by the community or other agency responsible for the bridge as soon as practicable. If the full cost of repairs is not paid within 30 days after submission of a demand for payment by the municipality or other agency responsible for the bridge, the registered owner of the vehicle, whether a natural person or other entity, shall be assessed a civil penalty in the amount of the cost of repairs plus $100. In the event of damage by a rental vehicle, the renter shall be responsible for any civil penalty.

135:2 Covered Wooden Bridges; Penalty for Damage. Amend RSA 234:41 to read as follows:

234:41 Penalty. Any person who operates or attempts to operate any vehicle on such bridge when the weight of the load, inclusive of the vehicle exceeds such posted load limit, without such permit, or who operates or attempts to operate any vehicle on such bridge in violation of such conditions and regulations, shall be fined not more than $100***, except in the case of a covered wooden bridge, where the fine and civil penalty shall be determined under RSA 234:39-a.***

135:3 Penalty for Exceeding Permitted Size. Amend RSA 266:16 to read as follows:

266:16 Penalty for Exceeding Permitted Size. [~~Any~~] ***Notwithstanding RSA 234:39-a, any*** person who shall drive or cause to be driven on the ways of this state a vehicle whose height, length or width is in excess of that herein prescribed shall be guilty of a violation and notwithstanding the provisions of RSA 625:9, V, shall be fined not more than $100 for a first offense nor more than $250 for a subsequent offense within a calendar year.

135:4 Penalty for Overload; Bridges. Amend RSA 266:25, IV-V to read as follows:

IV. [~~Any~~] ***Notwithstanding RSA 234:39-a, any*** person who shall drive or cause to be driven on a bridge of this state a vehicle whose weight is in excess of the posted or annually published caution crossing limit for that particular bridge shall be fined $200 plus penalty assessment.

V. [~~Any~~] ***Notwithstanding RSA 234:39-a, any*** person who shall drive or cause to be driven on a bridge of this state a vehicle whose weight exceeds the limit of an excluded bridge (or bridge posted for no trucks) may be fined $400 plus penalty assessment.

135:5 Effective Date. This act shall take effect January 1, 2025.

Approved: July 03, 2024
Effective Date: January 01, 2025