HB 1658-FN - AS INTRODUCED

2018 SESSION

18-2675
03/10

HOUSE BILL ***1658-FN***

AN ACT relative to notice of driver's license suspension or revocation.

SPONSORS: Rep. Hynes, Hills. 21; Rep. Josephson, Graf. 11; Rep. Baldasaro, Rock. 5; Rep. Zaricki, Hills. 6

COMMITTEE: Transportation

ANALYSIS

This bill requires that notice of a driver's license suspension or revocation be given in hand or by certified mail.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to notice of driver's license suspension or revocation.

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

1 New Section; License Suspension and Revocation; Notice. Amend RSA 263 by inserting after section 56-g the following new section:

263:56-h Notice of Revocation or Suspension. Whenever the director revokes or suspends a person's driver's license, the director shall cause notice of the revocation or suspension to be delivered in hand by a law enforcement officer or delivered by certified mail to the person's last known address.

2 Driving After Revocation or Suspension; Notice. Amend RSA 263:64, II to read as follows:

II. A person who drives a motor vehicle in this state while such person's license or driving privilege is suspended or revoked shall be guilty of violating this section regardless of whether such person has a license on the effective date of such suspension or revocation. Evidence that ***the person signed the certified mail receipt for*** the notice of suspension or revocation [~~was sent to the person's last known address as shown on the records of the division~~] shall be prima facie evidence that the person was notified of the suspension or revocation.

3 Effective Date. This act shall take effect 60 days after its passage.

LBAO
18-2675
10/31/17

HB 1658-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to notice of driver's license suspension or revocation.

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

	Estimated Increase / (Decrease)			
STATE:	**FY 2019**	**FY 2020**	**FY 2021**	**FY 2022**
Appropriation	$0	$0	$0	$0
Revenue	$0	$0	$0	$0
Expenditures	$428,080	$428,680	$432,980	$439,480
Funding Source:	[ ] General [ ] Education [ ] Highway [X] Other - Restricted - Cost of Collections*			

*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 requires the notice of a driver's license suspension or revocation be given in hand or by certified mail. To meet this requirement, it is assumed the Division of Motor Vehicles (DMV) to send all notices through certified mail. Currently, DMV, through first class mail ($0.49/letter), sends an average of 4,250 suspension notices per month, or 51,000 per year. Since certified mail ($6.77/letter, or $6.28/letter more than first class mail) requires manual preparation of every letter, as well as a maintained log to accompany letters to the post office for mailing, it is expected the Department of Safety would need two dedicated full-time counter clerk positions in DMV and one part-time mail clerk in its warehouse under this bill. Estimated increased personnel and postage costs are as follows:

	FY 2019	**FY 2020**	**FY 2021**	**FY 2022**
Certified Mail Cost (51,000 X $6.28)	$320,280	$320,280	$320,280	$320,280
DMV Counter Clerks (2) (Full-Time Labor Grade 5)	$96,000	$96,000	$100,000	$106,000
Warehouse Mail Clerk (Part-Time)	$11,800	$12,400	$12,700	$13,200
TOTAL	**$428,080**	**$428,680**	**$432,980**	**$439,480**

AGENCIES CONTACTED:

Department of Safety