CHAPTER 33
HB 1627 - FINAL VERSION

2024 SESSION

24-3137
10/08

HOUSE BILL ***1627***

AN ACT relative to recodifying certain laws concerning railroads, transportation, and telecommunications.

SPONSORS: Rep. Vose, Rock. 5

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill transfers the statutory authority for 11 RSA chapters from the public utilities title to the appropriate departments.

This bill is a request of the committee established in 2023, 30:4.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 33
HB 1627 - FINAL VERSION

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to recodifying certain laws concerning railroads, transportation, and telecommunications.

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

33:1 Chapter Transferred; Transportation. RSA 367, on the formation and union of railroad corporations; leases and extensions, is hereby transferred to Title XX and shall be renumbered as RSA 243, consisting of RSA 243:1 through RSA 243:57.

33:2 Chapter Transferred; Transportation. RSA 368, relative to railroad trustees and holding companies, is hereby transferred to Title XX and shall be renumbered as RSA 244, consisting of RSA 244:1 through RSA 244:10.

33:3 Chapter Transferred; Transportation. RSA 372, relative to laying out railroads, is hereby transferred to Title XX and shall be renumbered as RSA 245, consisting of RSA 245:1 through RSA 245:24.

33:4 Chapter Transferred; Transportation. RSA 373, relative to crossings, stations, fences, cattle guards, bridges, and bridge guards, is hereby transferred to Title XX and shall be renumbered as RSA 246, consisting of RSA 246:1 through RSA 246:42.

33:5 Reference Corrected; Rulemaking; Transportation. Amend RSA 21-L:12-a, VII to read as follows:

VII. The maximum occupancy time of a grade crossing, as authorized by RSA [~~373:16~~] ***246:16***.

33:6 Chapter Transferred; Transportation. RSA 377, relative to railroad transportation of passengers, baggage, and freight, is hereby transferred to Title XX and shall be renumbered as RSA 247, consisting of RSA 247:1 through RSA 247:21.

33:7 Chapter Transferred; Transportation. RSA 379, relative to joint, connecting, and terminal service, is hereby transferred to Title XX and shall be renumbered as RSA 248, consisting of RSA 248:1 through RSA 248:16.

33:8 References Corrected; Rulemaking; Transportation. Amend RSA 21-L:12-a, X and XI to read as follows:

X. Establishing rates, fares, charges and classifications of joint service, as authorized by RSA [~~379:1, II~~] ***248:1, II***.

XI. Terms and conditions of joint use by railroads as authorized by RSA [~~379:13~~] ***248:13***.

33:9 Chapter Transferred; Transportation. RSA 380, relative to railroads; fire damage and prevention, is hereby transferred to Title XX and shall be renumbered as RSA 249, consisting of RSA 249:1 through RSA 249:18.

33:10 Chapter Transferred; Safety. RSA 381, relative to railroad police, is hereby transferred to Title VII and shall be renumbered as RSA 106-N, consisting of RSA 106-N:1 through RSA 106-N:16.

33:11 Reference Corrected; Department of Safety; Rulemaking. Amend RSA 21-P:14, II(p) to read as follows:

(p) Railroad police, as authorized by RSA [~~381:11~~] *106-N:11*.

33:12 References Amended; Appointment. Amend RSA 228:62-a to read as follows:

228:62-a Railroad Police. The *transportation* commissioner may recommend one or more of the employees of the division to the commissioner of safety for appointment as railroad police officers pursuant to RSA [~~381:2~~] *106-N:2*. All employees recommended for appointment shall meet the qualifications for commission set forth in RSA [~~381:4~~] *106-N:4*.

33:13 Chapter Transferred; Transportation. RSA 382, relative to maintenance of parks by railroads and bus lines, is hereby transferred to Title XX and shall be renumbered as RSA 250, consisting of RSA 250:1 through RSA 250:4.

33:14 Chapter Transferred; Department of Safety. RSA 376, relative to motor carriers of passengers, is hereby transferred to Title XXI and shall be renumbered as RSA 266-A, consisting of RSA 266-A:1 through RSA 266-A:30.

33:15 New Subdivision; Governor's Commission on Disability; Telecommunications Equipment Assistance Program Moved. Amend RSA 275-C by inserting after section 18 the following new subdivision:

Telecommunications Equipment Assistance Program

275-C:19 Definitions. In this chapter:

I. "Telecommunications equipment assistance" means a teletypewriter or other telecommunications equipment used by a qualified person to conduct telephone communications.

II. "Telecommunications relay service" means a service transmitting messages and information between a person using standard telephone equipment for spoken communications and a qualified person using telecommunications equipment assistance.

III. "Qualified person" means a person who is unable to reasonably use standard telephone equipment due to a disability, such as being deaf, hard of hearing, speech impaired, paraplegic, or unable to use his or her arms.

275-C:20 Administration. The commission shall administer the telecommunications equipment assistance program and shall implement the program by contract with one or more entities.

275-C:21 Duties. The commission shall:

I. Establish:

(a) A program that will enable qualified persons in New Hampshire to access telephone service through the use of telecommunications equipment assistance.

(b) Eligibility criteria, which shall include ability to pay. The telecommunications equipment assistance program shall pay the full costs for persons whose income levels do not exceed 200 percent of the federal poverty level guidelines published in the Federal Register, exclusive of disability-related expenses.

(c) Guidelines for verifying the applicant's impairment and eligibility.

(d) Limits on equipment availability.

II. Contract services for:

(a) Distributing equipment.

(b) Teaching applicants how to use or access any adaptive equipment.

(c) Evaluating the needs of an applicant in the applicant's customary environment.

(d) Providing assistance to applicants with selection, design, fit, application, and other issues related to the use of assistive devices.

III. Consult with the New Hampshire Telecommunications Relay Services Advisory Board on methods to enhance the current telecommunications relay service and increase accessibility.

IV. Perform any other functions necessary to implement the provisions of this subdivision.

275-C:22 Cooperation. The commission may cooperate with any local, state, or federal agency or any private organization necessary to implement the provisions of this subdivision.

275-C:23 Rulemaking. The commission shall adopt rules, pursuant to RSA 541-A, relative to:

I. Eligibility criteria.

II. Procedures for the verification of an applicant's impairment and eligibility.

III. Limits on equipment availability.

IV. The proper administration of this subdivision.

275-C:24 Funding. The telecommunications equipment assistance program shall be funded in an amount not to exceed $96,000 annually from the telecommunications relay service trust fund established by the public utilities commission.

275-C:25 Annual Report. The governor's commission on disability shall file a report which shall include the number of persons assisted, all sources of funding, and the total amount disbursed under this subdivision. Such report shall be submitted annually to the governor and council, the senate president, the speaker of the house and the public utilities commission, on or before October 1.

33:16 Repeal. RSA 362-E, relative to the telecommunications assistance program, is repealed.

33:17 Effective Date. This act shall take effect July 1, 2024.

Approved: May 31, 2024
Effective Date: July 01, 2024