

Amendment to HB 1271

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT making certain length and width exemptions concerning commercial vehicles
4 and relative to registration of semi-trailers.
5

6 Amend the bill by replacing all after section 2 with the following:

7
8 3 New Paragraph; Expiration of Registration. Amend RSA 261:62 by inserting after paragraph
9 III the following new paragraph:

10 IV. Multiyear registrations may be issued for semi-trailers in accordance with RSA 261:74-
11 u. Multiyear registrations shall expire in the anniversary month otherwise applicable under this
12 section in the final year of the registration.

13 4 New Subdivision; Registrations by Nongovernmental Registering Trailer Agents. Amend
14 RSA 261 by inserting after section 74-s the following new subdivision:

15 Registrations by Nongovernmental Registering Trailer Agents
16 261:74-t Registrations by Nongovernmental Registering Trailer Agents.

17 I. Semi-trailer registrations by nonresidents may be issued, renewed, or transferred
18 through nongovernmental registering trailer agents appointed in accordance with this subdivision.
19 Trailer agents shall be residents of and have a verified business address in this state. The director
20 is authorized to limit the number of nongovernmental registering trailer agents appointed under
21 this subdivision based on resource limitations, provided that at least 3 trailer agents are appointed
22 and provided that any limitation established shall not be the basis for revoking any appointment
23 previously made.

24 II.(a) Each applicant for appointment as a trailer agent shall furnish the following to the
25 department:

- 26 (1) Whether the application is an original, renewal, or change of location;
27 (2) Corporate or business name;
28 (3) Trade name, if applicable;
29 (4) Legal address;
30 (5) Mailing address;
31 (6) Telephone number;
32 (7) Business hours;
33 (8) Name, address, and date of birth of at least one owner, partner, or officer, and

Amendment to HB 1271
- Page 2 -

1 title, if applicable;

2 (9) Name of the person who will be responsible for filing monthly reports;

3 (10) An agreement to notify the department of any change of ownership, address, or
4 corporate or trade name; and

5 (11) Signature and title of the person identified in subparagraph (8) and date
6 signed.

7 (b)(1) Upon submission of an application that is incomplete or might indicate lack of
8 fitness or qualification for appointment as a trailer agent, the director or his or her designee shall
9 require an applicant to appear for an interview.

10 (2) The director or his or her designee shall inform the applicant in writing of the
11 interview. The written notice shall include the date, time, and location of the interview.

12 (3) At the interview, the director or his or her designee shall:

13 (A) Explain any discrepancy or concerns to the applicant.

14 (B) Answer any questions that the applicant may have about the process.

15 (C) Allow the applicant to make corrections to the application or address any
16 concerns expressed.

17 (4) If an applicant refuses or neglects to appear for a scheduled interview, the
18 director shall deny his or her application.

19 (5) If an applicant fails to explain any discrepancy or concerns at the interview, the
20 director shall deny his or her application.

21 (c) In order to be appointed as a trailer agent by the director, each applicant shall:

22 (1) Complete the application.

23 (2) Complete the training requirements.

24 (3) Complete an interview if applicable.

25 (4) Obtain a surety bond.

26 (5) Agree to allow the director or his or her designee to enter the agent's premises
27 during business hours for the purposes of auditing or verifying compliance with the terms and
28 conditions of this section.

29 (6) Agree to keep current with forms and software as determined by the
30 department.

31 (d) Trailer agents:

32 (1) Shall furnish registration information concerning vehicle information as the
33 director may require.

34 (2) Collect fees.

35 (3) Issue registrations.

36 (4) Submit monthly reports to the department by the manner and in the form as the
37 director may prescribe.

Amendment to HB 1271
- Page 3 -

1 (e)(1) Each trailer agent shall maintain a record of all trailer registration certificates
2 issued by him or her, including:

- 3 (A) Date of registration.
- 4 (B) Full name of the registrant.
- 5 (C) Identifying number.
- 6 (D) Address and phone number of record.

7 (2) The trailer agent shall maintain all records for a period of 15 years.

8 (f)(1) Prior to being appointed as a trailer agent, each applicant shall complete a
9 training program conducted at the division of motor vehicles, or such other location as the
10 department shall determine.

11 (2) The training program shall include the following instruction:

12 (A) Completing a trailer registration using either online equipment furnished by
13 the department or offline equipment including forms and tables furnished by the department.

- 14 (B) Filing monthly reports.
- 15 (C) Collecting trailer registration and municipal permit fees.
- 16 (D) Maintaining records.
- 17 (E) Retaining the agent fee.
- 18 (F) Posting office hours.

19 (g)(1) If a trailer agent is deficient in any area, the department shall request the trailer
20 agent to undergo retraining.

21 (2) Depending upon the areas of deficiency, retraining shall consist of one or more of
22 the following:

- 23 (A) Repeat the training program.
- 24 (B) Repeat any portion of the training program.
- 25 (C) Undergo further training, the substance of which shall be determined by the

26 department.

27 (h) Before any appointment shall become effective, each trailer agent shall file a surety
28 bond with the department, pursuant to RSA 41:6.

29 (i)(1) Each trailer agent shall mail a monthly report of nonresident registrations to the
30 department containing:

- 31 (A) The physical address and telephone number where the trailer agent is
32 located;
- 33 (B) Period the report begins and ends;
- 34 (C) Number of trailers registered; and
- 35 (D) Amount of registration fee collected.

36 (2) The monthly reports shall be submitted along with all fees due to the
37 department in the form of a check or money order.

Amendment to HB 1271

- Page 4 -

1 (j) Whenever a trailer agent's office is closed or unattended, all decals, stamps, and
2 other registration materials shall be placed in a locked file cabinet or other secure container.

3 II. A nonresident may register a semi-trailer in this state through a nongovernmental
4 registering trailer agent, even if the trailer is not garaged exclusively in this state in accordance
5 with RSA 261:46. Registrations of nonresidents for semi-trailers that are not garaged exclusively in
6 this state shall bear the address of the owner's residence and the address of the nongovernmental
7 registering trailer agent.

8 261:74-u Fees; Multiyear Registrations.

9 I. A nongovernmental registering trailer agent may collect and retain a fee for each
10 registration processed as compensation for processing the registration.

11 II. The nongovernmental registering trailer agent shall collect and remit to the department
12 the registration fee established in RSA 261:141, III(j) or the multiyear fee established in paragraph

13 III. Semi-trailers owned by nonresidents of New Hampshire registered under this subdivision shall
14 not require a municipal permit for registration and shall not be subject to any municipal fees.

15 III.(a) Nonresidents may register semi-trailers through a trailer agent using either an 8-
16 year, a 12-year, a 20-year or a 25-year registration program. All registrations shall incur a one-
17 time, initial plate fee of \$4 per plate. Fees for the first 3 years of a registration may not be
18 refunded. Fees for the fourth and subsequent years may be refunded prior to the start of the
19 registration year provided that the registration plate and certificate are returned to the
20 department.

21 (b) Persons applying for a minimum of 1,000 semi-trailer registrations in a registration
22 year may apply for number plates which may be issued for periods of 8, 12, or 20 years. The fee for
23 each registration is \$11 per year. The director shall establish a procedure to bill each registrant
24 using 20-year semi-trailer registrations once annually, except the initial billing at the time of
25 purchase for a 20-year registration shall be for a minimum of a 3-year period. Fees for the first 3
26 years are nonrefundable. If any registrant fails to remit the payment in a timely manner, the
27 director shall suspend all registrations issued to that registrant.

28 (c) A person registering 30,000 or more semi-trailers may be issued 25-year
29 registrations. The fee for each registration is \$75. The fee is nonrefundable. The registrant may
30 transfer an unexpired registration to a semi-trailer not previously registered to the registrant in
31 this state. The transfer fee is \$20.

32 261:74-v Revocation of Agency Status.

33 I. If the director determines that a trailer agent has not continued to fulfill the
34 requirements of RSA 261:74-t or has violated any of the rules adopted pursuant to RSA 261:74-w,
35 the director shall commence the procedure established in paragraph II.

36 II. Any trailer agent whose appointment is sought to be revoked shall be afforded the
37 opportunity of a hearing before the director or designee prior to such revocation. Following the

Amendment to HB 1271
- Page 5 -

1 hearing, the director may revoke the appointment as a trailer agent upon satisfactory evidence that
2 the provisions of this subdivision have been violated and that the revocation is in the best interest of
3 the state. A written statement outlining the evidence and violations shall accompany the
4 revocation.

5 III. Upon the revocation of such agency, the person shall surrender to the department or its
6 authorized agent all materials issued by the state under the provisions of this subdivision and all
7 records pertaining to all matters authorized by this subdivision.

8 IV. Whenever an authorized auditor of the department, with the approval of the
9 commissioner, determines that the public interest requires immediate action, the director may issue
10 a temporary order suspending the authority of a nongovernmental registering trailer agent to issue,
11 renew, or transfer registrations, pending a hearing.

12 261:74-w Rulemaking. The director shall adopt rules pursuant to RSA 541-A relative to
13 application forms for appointment as a nongovernmental registering trailer agent.

14 5 Inspection of Trailers; Exemptions. Amend RSA 266:1-b, II to read as follows:

15 II. The director may authorize properly qualified dealers holding utility dealer registrations
16 to inspect trailers of more than 10,000 pounds gross vehicle weight, to determine whether they are
17 fit to be driven, and to issue inspection stickers, under rules adopted for this purpose pursuant to
18 RSA 541-A. This ~~[section]~~ **paragraph** shall not apply to full trailers as defined in RSA 259:37-a or
19 semi-trailers as defined in RSA 259:98, and shall not prohibit other official inspection stations from
20 inspecting trailers.

21 ***III. A semi-trailer displaying a valid certificate of inspection from another state or***
22 ***a federally approved commercial vehicle inspection program is exempt from the***
23 ***requirements of RSA 266:1 until the normal expiration of its certificate of inspection.***

24 6 Surety Bonds. Amend the introductory paragraph of RSA 41:6, I to read as follows:

25 I. Town treasurers, trustees as provided in RSA 31:22 and ~~[23]~~ ***RSA 31:23***, trustees as
26 provided in RSA 53-B:8-a, I, library trustees including alternate library trustees, if any, town
27 clerks, tax collectors and their deputies, agents authorized to collect the boat fee,
28 ***nongovernmental registering trailer agents appointed under RSA 261:74-t***, and persons
29 delegated treasury functions under RSA 41:29, VI shall be bonded by position under a blanket bond
30 from a surety company authorized to do business in this state. The bond shall indemnify against
31 losses through:

32 7 Effective Date.

33 I. Sections 3-6 of this act shall take effect July 1, 2016.

34 II. The remainder of this act shall take effect 60 days after its passage.

2016-1783s

AMENDED ANALYSIS

This bill:

- I. Establishes additional length and width exemptions for commercial motor vehicles.
- II. Allows registrations through nongovernmental agents by nonresidents for semi-trailers not garaged exclusively in this state.
- III. Authorizes multiyear registrations through those agents.
- IV. Provides discounts on fees for multiyear registrations.