

Amendment to HB 1667-FN

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

2
3 AN ACT relative to the suspension of drivers' licenses and creating a committee to study the
4 creation of a restricted driving license for participants in drug court.
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6 Amend the bill by replacing all after section 1 with the following:

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8 2 Suspension or Revocation for Default, Noncompliance, or Nonpayment of Fine. Amend the
9 introductory paragraph of RSA 263:56-a, I and subparagraphs I(a)-(c) to read as follows:

10 I. Whenever any ~~defendant~~ **person**:

11 (a) Defaults on an arraignment or other scheduled court appearance in connection with
12 a ~~charge or conviction of any offense~~ **motor vehicle offense, unless otherwise allowed under**
13 **law**, or

14 (b) Fails to pay a fine or other penalty imposed in connection with a conviction of any
15 **motor vehicle** offense which a court has determined he **or she** is able to pay, or issues a bad check
16 in payment of a fine or other penalty; or

17 (c) Fails to comply with a similar order of the director or a court on any matter within
18 the director's or court's jurisdiction **including orders made pursuant to RSA 161-B:11**, his **or**
19 **her** driver's license or resident or nonresident driving privilege and in any motor vehicle case or
20 related case the resident plates and motor vehicle registration shall be suspended or revoked only
21 upon written consent of the director, effective 30 days after such default or failure, except as
22 provided in subparagraph I(d) of this section.

23 3 License Suspension and Revocation; Suspension or Revocation for Default, Noncompliance, or
24 Nonpayment of Fine. Amend RSA 263:56-a, VI to read as follows:

25 VI. The provisions of this section shall be the primary sanction for defendants who fail to
26 ~~appear, pay a fine, or other penalty or~~ comply with an order of the director or a court, but shall not
27 exclude other provisions of law relative to sanctions for defendants who fail to appear, pay a fine, or
28 other penalty or comply with an order of the director or a court.

29 4 Committee to Study the Creation of a Restricted Driving License for Participants in Drug
30 Court Established.

31 I. There is established a committee to study the creation of a restricted driving license for
32 participants in drug court.

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1 II. The members of the committee shall be as follows:

2 (a) Four members of the house of representatives, appointed by the speaker of the house
3 of representatives, including one member from the criminal justice and public safety committee and
4 one member from the health, human services, and elderly affairs committee.

5 (b) One member of the senate, appointed by the president of the senate.

6 III. Members of the committee shall receive mileage at the legislative rate when attending
7 to the duties of the committee.

8 IV. The committee shall study the possible creation of a restricted driving license privilege
9 for participants in drug court, including:

10 (a) The administration of a possible restricted or provisional driving license for
11 participants in drug court, including administration by the courts and the division of motor vehicles.

12 (b) How the restrictions of such a license would be enforced.

13 (c) The benefits of having such a license for drug court participants, including in
14 accessing treatment and employment.

15 (d) Lessons learned from existing restricted licenses in New Hampshire.

16 (e) Examples of such a restricted license in other states.

17 (f) Any costs associated with establishing such a license, including any cost savings.

18 V. The committee shall solicit information from any individual or entity the committee
19 deems relevant to its study, including but not limited to:

20 (a) The director of the division of motor vehicles.

21 (b) The commissioner of the department of safety.

22 (c) A representative of the superior courts.

23 (d) A representative of the circuit courts.

24 (e) The statewide drug offender program coordinator.

25 (f) Individuals who have participated in drug court.

26 (g) Law enforcement.

27 (h) The New Hampshire County Attorneys Association.

28 (i) New Futures.

29 (j) The American Civil Liberties Union of New Hampshire.

30 (k) The New Hampshire public defender program.

31 VI. The members of the study committee shall elect a chairperson from among the members.
32 The first meeting of the committee shall be called by the first-named house member. The first
33 meeting of the committee shall be held within 45 days of the effective date of this section. Three
34 members of the committee shall constitute a quorum.

35 VII. The committee shall report its findings and any recommendations for proposed
36 legislation to the speaker of the house of representatives, the president of the senate, the house
37 clerk, the senate clerk, the governor, and the state library on or before November 1, 2020.

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1 5 Repeal. RSA 263:56-a, II(d), relative to reporting persons whose driver's licenses and driving
2 privileges are suspended due to nonpayment, is repealed.

3 6 Effective Date.

4 I. Section 4 of this act shall take effect upon its passage.

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

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2020-0334h

AMENDED ANALYSIS

This bill modifies the circumstances under which a driver's license may be suspended or revoked, and establishes a committee to study the creation of a restricted driving license for participants in drug court.