

Floor Amendment to HB 1622-FN-LOCAL

1 Amend the bill by replacing all after the enacting clause with the following:

2
3 1 Motor Vehicles; Original and Youth Operators' Licenses. Amend RSA 263:14, IV to read as
4 follows:

5 IV. A driver who is under 18 years of age shall not be subject to license suspension for a first
6 violation of RSA 265:107-a, [~~I-a~~] *I*.

7 2 Rules of the Road; Passenger Restraints Required. RSA 265:107-a is repealed and reenacted
8 to read as follows:

9 265:107-a Passenger Restraints Required.

10 I. Any person operating a motor vehicle on a public way, and any passenger therein, shall
11 wear a properly fastened safety belt that meets all applicable federal standards unless exempted in
12 this section.

13 II. No person shall drive any motor vehicle on any way while carrying as a passenger a
14 person less than 8 years of age unless such passenger is properly fastened and secured by a child
15 restraint system which is in accordance with the safety standards approved by the United States
16 Department of Transportation in 49 C.F.R. section 517.213. If the passenger is 57 inches or more in
17 height, the provisions of this paragraph shall not apply.

18 III. A person shall not be guilty of a violation of this section if the motor vehicle the person is
19 driving is a motorcycle as defined in RSA 259:63, is being operated in a parade authorized by law or
20 ordinance, provided that the parade vehicle is traveling at a speed of no more than 15 miles per
21 hour, or is a vehicle that makes frequent stops, such as a United States Postal Service carrier or
22 delivery carrier.

23 IV. A person shall not be guilty of a violation of this section if the person is a passenger in a
24 motor vehicle for hire, such as a taxi or livery, that is regularly used for such purpose, is a passenger
25 of an authorized emergency vehicle, or is a person with a mental or physical handicap which
26 prevents the use of approved restraints, provided that such restriction is certified by a licensed
27 physician or nurse practitioner.

28 V. Any driver who violates the provisions of this section shall be guilty of a violation and
29 shall be subject to the following fines:

30 (a) \$50 per offense.

31 (b) \$25 per offense for each passenger not properly restrained in accordance with this
32 section.

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1 VI. The provisions of this section shall be enforceable only as a secondary offense when the
2 police officer detains the driver for a suspected violation of another provision of Title XXI. A
3 conviction for violating the provisions of this section shall not preclude any other offense for which
4 violation of this section might constitute an element.

5 3 New Section; Equipment of Vehicles; Inspections; Passenger Restraints. Amend RSA 266 by
6 inserting after section 3-a the following new section:

7 266:3-b Passenger Restraints.

8 I. Any motor vehicle operating on a public way shall be equipped with passenger restraints
9 and shall be able to accommodate child safety restraint systems meeting all federal motor vehicle
10 safety standards unless such vehicle was manufactured prior to January 1, 1968.

11 II. The director shall establish a procedure for the examination of passenger restraints on
12 motor vehicles during the inspection required pursuant to RSA 266:1. The procedure shall confirm
13 that passenger restraints meeting applicable federal motor vehicle safety standards are properly
14 installed for the driver and each passenger of the vehicle being inspected.

15 4 Effective Date. This act shall take effect 60 days after its passage.