

HB 1410-FN - AS INTRODUCED

2026 SESSION

26-3084
06/09

HOUSE BILL ***1410-FN***

AN ACT creating a new classification for electric vehicles.

SPONSORS: Rep. T. Walsh, Merr. 10; Rep. St. Clair, Belk. 5; Rep. Veilleux, Hills. 34; Rep. Hill,
Merr. 2

COMMITTEE: Transportation

ANALYSIS

This bill defines out-of-class electric vehicles, establishes disclosure requirements for sellers, restricts public operation unless reclassified, sets equipment and licensing standards, imposes age and safety requirements, and establishes penalties for violations.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT creating a new classification for electric vehicles.

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

1 1 New Section; Out-of-Class Electric Vehicles. Amend RSA 259 by inserting after section 27-a
2 the following new section:

3 259:27-b Out-of-Class Electric Vehicles.

4 I. "Out-of-class electric vehicle" or "OCEV" means any vehicle with fewer than 4 wheels that:

5 (a) Is powered by an electric motor with a continuous rated output of 750 watts or
6 greater;

7 (b) Is capable of attaining a speed of 20 miles per hour or greater on motor power alone;

8 and

9 (c) Is not otherwise classified as:

10 (1) A moped;

11 (2) A motor-assisted scooter;

12 (3) A motorcycle;

13 (4) A motor-driven cycle; or

14 (5) An electric personal assistive mobility device.

15 II. A vehicle shall also be considered an OCEV if it:

16 (a) Has multiple operating modes, including any mode that exceeds 20 miles per hour on
17 motor power alone; or

18 (b) Is advertised, marketed, or sold in a manner that implies it functions as an electric
19 bicycle but does not meet the definition of "electric bicycle" under RSA 259:27-a.

20 III. OCEVs shall be considered "motor vehicles" under RSA 259:60 solely for the purposes of
21 violations of RSA 265-A:2 and RSA 265-A:3.

22 2 New Section; Disclosures. Amend RSA 357-C by inserting after section 3-a the following new
23 section:

24 357-C:3-b Disclosure of Out-of-Class Electric Vehicle Status Required.

25 I. Any seller of a new or used electric vehicle with fewer than 4 wheels that does not meet
26 the definition in RSA 259:27-a shall provide the following disclosure at the point of sale and in all
27 advertising:

28 "THIS VEHICLE IS NOT AN ELECTRIC BICYCLE AS DEFINED BY NH RSA 259:27-a AND IS
29 INSTEAD A TYPE OF MOTOR VEHICLE AND SUBJECT TO APPLICABLE MOTOR VEHICLE
30 LAWS IF USED ON PUBLIC ROADS OR PUBLIC LANDS."

31 II. This disclosure shall:

- 1 (a) Be in bold, capital letters;
2 (b) Appear in a font size equal to or larger than the vehicle description; and
3 (c) Be included in all online listings, printed materials, and social media posts for the
4 vehicle.

5 III. Failure to provide this disclosure constitutes prima facie evidence of a deceptive trade
6 practice under RSA 358-A:2.

7 3 New Sections; Operation and Classification. Amend RSA 265 by inserting after section 144-a
8 the following new sections:

9 265:144-b Operation and Classification of Out-of-Class Electric Vehicles.

10 I. An OCEV shall not be operated on any public way or non-motorized rail trail system
11 unless:

- 12 (a) The vehicle is reclassified under a chapter of the RSA that permits such use;
13 (b) It meets all applicable safety and registration requirements; and
14 (c) The operator shall follow all applicable rules of the road.

15 II. OCEVs shall be exempt from the electric vehicle registration fee established in RSA
16 261:141-c.

17 III. No person shall operate an OCEV unless it is equipped with:

- 18 (a) At least one, but not more than 2, headlights in working order for use from one hour
19 after sunset to one hour before sunrise;
20 (b) One or more rear taillights in working order for the same period;
21 (c) Adequate brakes capable of stopping the vehicle within 40 feet at 20 miles per hour
22 or locking the wheels to a standstill;
23 (d) At least one mirror; and
24 (e) Either a bell or horn.

25 IV. A speedometer is required unless one was not originally installed by the manufacturer.

26 V. Operators of OCEVs shall:

- 27 (a) Hold a valid operator's license in accordance with RSA 263:1; and
28 (b) Be subject to RSA 263:64 if operating an OCEV upon a public way while under
29 license suspension or revocation.

30 265:144-c Designated Use and Age Restrictions for Out-of-Class Electric Vehicles.

31 I. OCEVs may be operated only in designated areas as defined by RSA.

32 II. Operation on public ways or non-motorized rail trails is prohibited unless explicitly
33 authorized.

34 III. Operators shall wear eyeglasses, goggles, or a protective face shield when operating on a
35 public way.

36 IV. No person under 16 years of age shall operate an OCEV.

37 V. Any rider under 18 years of age shall wear a helmet.

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1 265:144-d Penalties for Violations of Out-of-Class Electric Vehicle Laws. Any person or entity
2 found in violation of this act shall be guilty of a violation and subject to a fine of \$250 per offense.

3 4 Effective Date.

4 I. Section 2 of this act shall take effect July 1, 2026.

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

**HB 1410-FN- FISCAL NOTE
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AN ACT creating a new classification for electric vehicles.

FISCAL IMPACT: This bill does not provide funding.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Department of Safety - \$16,000 in FY 2027 Criminal Justice System - Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill creates a new classification for certain high-powered, non-standard electric vehicles that fall outside of existing definitions as out-of-class electric vehicles (OCEVs). In addition to definitions, it also establishes disclosure requirements, operating rules, safety standards, age restrictions, and penalties. OCEVs are defined as motor vehicles solely for the purposes of DUI statutes and are subject to all DUI conviction requirements and sanctions, as well as fines associated with violations under the outlined legislation proposed. To implement these changes, the Department of Safety states it would incur a one-time cost (information technology and form changes) of \$16,000 in FY 2027.

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Department of Safety, Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association