

HB 133-FN - AS INTRODUCED

2025 SESSION

25-0225

11/06

HOUSE BILL            **133-FN**

AN ACT                modifying the new resident drivers' license transfer requirements, specifying when the division of motor vehicles shall send violation notices, and appropriating funds to the division for technological upgrades required for legal compliance.

SPONSORS:            Rep. Prout, Hills. 13; Rep. Ankarberg, Straf. 7; Rep. Seaworth, Merr. 12; Rep. Selby, Rock. 9; Rep. Prudhomme-O'Brien, Rock. 13; Rep. Potenza, Straf. 19; Rep. Verville, Rock. 2; Rep. Rice, Hills. 38; Rep. Turcotte, Straf. 4; Rep. Drago, Rock. 4; Sen. McGough, Dist 11; Sen. Pearl, Dist 17; Sen. Sullivan, Dist 18

COMMITTEE:          Transportation

---

ANALYSIS

This bill would require nonresident drivers who establish residency in New Hampshire to notify the department of safety if they then cease to become residents within 60 days, or if their out of state driver's license expires or is relinquished.

This bill also specifies when the division of motor vehicles shall send violation notices, and appropriates funds to the division for technological upgrades required for legal compliance

-----

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                    modifying the new resident drivers' license transfer requirements, specifying when the division of motor vehicles shall send violation notices, and appropriating funds to the division for technological upgrades required for legal compliance.

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

1            1 Non Resident Who Establishes a Residency in the State. Amend RSA 263:35 to read as  
2 follows:

3            263:35 Nonresident Who Establishes a Residency in the State.

4            **I.(a)** Notwithstanding the provisions of RSA 261:44 or any other law to the contrary, any  
5 nonresident driver of a motor vehicle who holds a valid driver's license in another jurisdiction, upon  
6 the establishment of a bona fide residency in this state, shall have a maximum of 60 days from the  
7 date his or her residency was established to obtain a driver's license issued by the state of New  
8 Hampshire; provided that H-2A temporary agricultural workers satisfying the requirements under  
9 RSA 263:35-a shall have a maximum of 300 days.

10            **(b)** *An individual subject to subparagraph (a), who ceases to be a resident of*  
11 *this state within 60 days of establishing a bona fide residency and has not yet obtained a*  
12 *driver's license issued by the state of New Hampshire, shall notify the director of their*  
13 *departure from the state.*

14            **(c)** *A resident subject to subparagraph (a), whose out-of-state driver's license*  
15 *expires or is relinquished after becoming a resident of this state shall notify the director.*

16            **II.** *The director shall notify any individual in violation of paragraph I who is more*  
17 *than 30 days past a deadline provided in this section. The notification shall be sent to the*  
18 *in-state address and out-of-state address, if available. The director shall begin sending*  
19 *such notifications within one year of the effective date of this section.*

20            **III.** *The director, for good cause shown, may grant an extension of a deadline in*  
21 *this section to any individual.*

22            2 New Subparagraph; Centralized Voter Registration Database; Information Sharing. Amend  
23 RSA 654:45, IV(b) to read as follows:

24            (b) Voter database record data shall be verified by matching the records with those of  
25 the department of safety and the federal Social Security Administration as are required by law, and  
26 with the records of the state agency or division charged with maintaining vital records. For this  
27 purpose the voter registration record database may be linked to the state agency or division charged  
28 with maintaining vital records and the department of safety, provided that no linked agency or  
29 division may save or retain voter information or use it for purposes other than verifying the accuracy

HB 133-FN - AS INTRODUCED

- Page 2 -

1 of the information contained in the voter database. The link authorized by this subparagraph shall  
2 not allow the department of state or election officials direct access to the motor vehicle registration  
3 or driver's license records maintained by the division of motor vehicles; ***provided that such link***  
4 ***shall authorize the department of state to identify voter records with out-of-state driver's***  
5 ***license information where the record cannot be matched to an in-state driver's license***  
6 ***obtained within the deadline provided in RSA 263:35. The secretary of state shall***  
7 ***authorize the release of information from the voter database necessary for the department***  
8 ***of safety to notify an individual pursuant to RSA 263:35, II.*** The commissioner of safety may  
9 authorize the release of information from motor vehicle registration and driver's license records to  
10 the extent that the information is necessary to department of state and department of safety  
11 cooperation in a joint notification to individuals of apparent discrepancies in their records and to the  
12 extent that the information is necessary to resolve those discrepancies. The commissioner of safety  
13 and the secretary of state are authorized to enter into an agreement that establishes the services to  
14 be provided by the department of safety and the cost for those services. The department of safety  
15 shall not be required to provide any services under this subparagraph unless an agreement is in  
16 place and there are sufficient funds in the election fund to pay the cost for the services. The system  
17 shall facilitate the identification and correction of voter registration records whenever a registered  
18 voter has died or has been disenfranchised pursuant to part I, article 11 of the New Hampshire  
19 constitution or RSA 654:5 through RSA 654:6, or when the domicile address does not match the  
20 address provided by the same individual to the department of safety.

21 3 Appropriation. The sum of \$40,000 for the biennium ending June 30, 2027 is hereby  
22 appropriated to the division of motor vehicles to implement information technology upgrades to carry  
23 out the information-sharing and notice provisions regarding license transfer violations pursuant to  
24 RSA 654:45. This sum is in addition to any other sums appropriated to the division of motor vehicles  
25 for the biennium. The governor is authorized to draw a warrant for said sum out of any money in  
26 the treasury not otherwise appropriated.

27 4 Effective Date. This act shall take effect July 1, 2025.

**HB 133-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT modifying the new resident drivers' license transfer requirements, specifying when the division of motor vehicles shall send violation notices, and appropriating funds to the division for technological upgrades required for legal compliance.

**FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.**

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
<b>Expenditures*</b>	\$0	<u>Information Technology Upgrades</u> \$40,000 in FY 2026 (Funding Provided in Bill)  <u>DMV Position</u> \$67,000 in FY 2026, \$70,000 in FY 2027, and \$72,000 in FY 2028 (Funding Not Provided in Bill)		
<i>Funding Source(s)</i>	Restricted - Highway Fund Cost of Collections - Per the state constitution, costs associated with the collection/administration of highway fund revenue by the Department of Safety is deducted prior to funds being credited as unrestricted highway fund revenue			
<b>Appropriations*</b>	\$0	\$40,000 for Information Technology Upgrades		\$0
<i>Funding Source(s)</i>	General Fund			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

**METHODOLOGY:**

This bill:

- Adds a requirement to new NH residents to notify the Division of Motor Vehicles (DMV) if they have been a resident of the state of NH for more than 60 days and have not yet obtained a NH license and requires that if their out of state license has expired or been relinquished that they notify the DMV.
- Requires the DMV Director notify an individual found to have been a resident of the State of NH for over 90 days without obtaining a NH license that they are in violation of RSA 263:35 (the Director may grant an extension to this time if good cause is shown).
- Requires that when a new NH resident voter uses an out of state license that the Secretary of State sends notification to the DMV and a notice will be sent to the applicant's in-state and out-of-state address if available.

- Appropriates \$40,000 in general funds to the DMV to implement information technology upgrades to carry out the information-sharing and notice provisions regarding license transfer violations pursuant to RSA 654:45. It is expected that these funds would be expended in FY 2026.

In addition to the \$40,000 for information technology upgrades, The Department of Safety states it would need one (1) new Data Control Clerk III position (SOC 43-3, step 1), with a total estimated salary and benefit cost of \$67,000 in FY 2026, \$70,000 in FY 2027, and \$72,000 in FY 2028, assuming a start date of July 1, 2025. It should be noted that this bill provides neither appropriation nor authorization for new personnel.

Any impact this bill may have on the Department of State would be absorbed in its routine operating budget.

**AGENCIES CONTACTED:**

Department of Safety and Department of State