

SB 149-FN - AS INTRODUCED

2025 SESSION

25-0923

09/08

SENATE BILL ***149-FN***

AN ACT relative to the crime of aggravated driving while intoxicated.

SPONSORS: Sen. Birdsell, Dist 19; Sen. Avard, Dist 12; Sen. Lang, Dist 2; Sen. Gannon, Dist 23; Sen. Ricciardi, Dist 9; Sen. Watters, Dist 4; Rep. Roy, Rock. 31; Rep. Osborne, Rock. 2

COMMITTEE: Judiciary

ANALYSIS

This bill adds wrong-way driving to the list of aggravating factors that can elevate a driving while intoxicated offense to an aggravated driving while intoxicated offense.

This bill is at the request of the department of safety.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 relative to the crime of aggravated driving while intoxicated.

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

1 1 Aggravated Driving While Intoxicated; Aggravating Factor Added. Amend RSA 265-A:3, I(d)-
2 (e) to read as follows:

3 (d) Carries as a passenger a person under the age of 16; ~~or~~

4 (e) Drives a vehicle with a gross combination weight rating of 10,001 pounds or more; **or**

5 **(f) Drives or operates a vehicle in violation of 265:26, I;**

6 2 Aggravated Driving While Intoxicated; Aggravating Factor Added. Amend RSA 265-A:3, II(d)-
7 (e) to read as follows:

8 (d) Carries as a passenger a person under the age of 16; ~~or~~

9 (e) Drives a vehicle with a gross combination weight rating of 10,001 pounds or more; or

10 **(f) Drives or operates a vehicle in violation of 265:26, I; or**

11 3 Effective Date. This act shall take effect January 1, 2026.

**SB 149-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to the crime of aggravated driving while intoxicated.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	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 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

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:

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