

**HB 649-FN - AS INTRODUCED**

2025 SESSION

25-0198  
11/08HOUSE BILL **649-FN**

AN ACT removing the requirement for physical safety inspections and on-board diagnostic tests for passenger vehicles and eliminating funding for the motor vehicle air pollution abatement fund.

SPONSORS: Rep. Granger, Straf. 2; Rep. Osborne, Rock. 2; Rep. Harvey-Bolia, Belk. 3; Rep. Sirois, Hills. 32; Rep. Sellers, Graf. 18; Rep. Sabourin, Rock. 30

COMMITTEE: Transportation

## ANALYSIS

This bill removes the requirement for physical safety inspections and on-board diagnostic tests for passenger vehicles and eliminates funding for the motor vehicle air pollution abatement fund.

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struck through]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

25-0198  
11/08

## STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Five*

AN ACT removing the requirement for physical safety inspections and on-board diagnostic tests for passenger vehicles and eliminating funding for the motor vehicle air pollution abatement fund.

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

1 Motor Vehicle Air Pollution Abatement Fund; Definitions. Amend RSA 125-S:2 to read as follows:

125-S:2 Definitions. In this chapter:

I. "Department" means the department of environmental services.

II. ~~["Motor vehicle inspection fee" means the fee collected by the department of safety pursuant to RSA 266:2-~~

~~HH.]~~ "Mobile source" means, for the purposes of this chapter, any motor vehicle registered for on-road use by the department of safety, division of motor vehicles.

2 Inspection; Power Unit and Trailer. Amend RSA 266:18-d, III to read as follows:

III. Vehicles so certified include the power unit and trailer. The vehicle shall be certified upon submission to the department of documentation satisfactory to the department from the manufacturer attesting that the vehicle is capable of safely carrying the additional weight. Such attestation shall be required upon the first application for certification and a new attestation shall be required at any time when the configuration of the vehicle relative to power unit, axles, springs, or other safety items that could affect the vehicle's ability to qualify for an excess weight certification is altered. Such attestation shall designate the maximum safe gross weight for the vehicles as determined by the components and the summation of the manufacturer's axle design limits for each axle of the

vehicle ~~[The power unit and trailer shall be required at all times to have a current inspection sticker or decal from an official inspection station].~~

3 Inspection; Rulemaking. Amend RSA 266:18-d, VI to read as follows:

VI. The commissioner or his designee may revoke or suspend any additional

registration granted pursuant to paragraph V of any vehicle or vehicles which are being driven in violation of the limits established by RSA 266:18-b or any other provision of law as evidenced by a record of such violations. The commissioner shall adopt rules pursuant to RSA 541-A pertaining to the procedures for such revocation or suspension and the application~~[-]~~ and certification~~[-, and inspection]~~ process for additional truck weights, as well as procedures to become certified as a vehicle inspector for additional weights.

4 Inspection; Motorcycle Noise. Amend RSA 266:59-a to read as follows:

266:59-a Motorcycle Noise Levels.

I. No person shall operate in this state any motorcycle which produces a sound level in excess of the following decibels, when measured in accordance with the provisions of the SAE International Recommended Practice SAE J2825, "Measurement of Exhaust Sound Pressure Levels of Stationary On-Highway Motorcycles":

(a) For all motorcycles, 92 decibels while the engine is operating at idle speed; or

(b) For motorcycles with less than 3 or more than 4 cylinders, 96 decibels while the engine is operating at 2,000 revolutions per minute or 75 percent of maximum engine speed, whichever is less; or

(c) For 3 and 4 cylinder motorcycles, 100 decibels while the engine is operating at 5,000 revolutions per minute or 75 percent of maximum engine speed, whichever is less.

~~[H. No person shall pass for the purposes of the inspection required by RSA 266:1 any motorcycle which produces a sound level in excess of the following decibels, when measured in accordance with the provisions of the SAE International Recommended Practice SAE J2825, "Measurement of Exhaust Sound Pressure Levels of Stationary On-Highway Motorcycles":~~

~~(a) For all motorcycles, 92 decibels while the engine is operating at idle speed; or~~

~~(b) For motorcycles with less than 3 or more than 4 cylinders, 96 decibels while the engine is operating at 2,000 revolutions per minute or 75 percent of maximum engine speed, whichever is less; or~~

~~(c) For 3 and 4 cylinder motorcycles, 100 decibels while the engine is operating at 5,000 revolutions per minute or 75 percent of maximum engine speed, whichever is less.~~

~~HH.]~~ II. Any person who violates the provisions of this section shall be guilty of a violation and shall be fined not less than \$100 nor more than \$300.

5 Inspection; Odometers. Amend RSA 266:60 to read as follows:

266:60 Standards for Odometers. No passenger motor vehicle designated as a 1972 or later model which is manufactured after January 1, 1972, shall be registered in this state unless it is equipped with a tamper-resistant odometer designed with the intent to reduce the likelihood of unlawful tampering with the mileage reading thereon. The director may adopt rules pursuant to RSA 260:5 establishing standards for such devices, which standards shall be consistent with provisions of federal law, if any, relating thereto. The director shall not require, as a condition precedent to the initial sale of a vehicle, ~~[the inspection,]~~ certification or other approval of such odometer if such device or equipment has been certified by the manufacturer as complying with federal or state law or rule.

6 Street Rod Equipment; Inspection. Amend RSA 266:13, I to read as follows:

I. A vehicle registered as a street rod shall be equipped as prescribed by RSA 266 ~~[and state of New Hampshire official inspection station rules adopted pursuant to RSA 541-A,]~~ as ~~[they]~~ **it** may be applicable to vehicles whose model year is prior to the year 1949.

7 Custom Vehicles; Inspection. Amend RSA 266:115, I to read as follows:

I. A vehicle registered as a custom vehicle shall be equipped as prescribed by RSA 266 ~~[and state of New Hampshire official inspection station rules adopted pursuant to RSA 541-A,]~~ as ~~[they]~~ **it** may be applicable to such vehicles.

8 Sale of Unsafe Used Motor Vehicles; Inspection. Amend RSA 358-F:2 to read as follows:

358-F:2 Inspection. Before selling to any customer any used motor vehicle which is **believed by the customer to be** unsafe for operation upon the highways pursuant to ~~[RSA 266:8]~~ **RSA 266**, the dealer shall, upon the request of the customer, conduct or have conducted a safety inspection of such vehicle. If the vehicle is found to be unsafe for

operation, the dealer may sell the vehicle to the customer without correcting the defects, but only if the dealer presents to the customer at the time of sale a notice which states: This motor vehicle ~~[will not pass a New Hampshire inspection and]~~ is unsafe for operation ***upon the highways pursuant to RSA 266***. The following defects must be corrected ~~[before an inspection sticker will be issued]~~. The dealer shall list all ~~[inspection]~~ defects under this statement and specify the date on which the inspection was conducted and the person who performed the inspection. The dealer may make a reasonable charge for conducting the inspection.

9 Sale of Unsafe Used Motor Vehicles; Remedy. Amend RSA 358-F:4 to read as follows:  
358-F:4 Remedy. A failure of any dealer to comply with the provisions of this section, or a concealment by any dealer of any defect which was discovered, or should have been discovered, during the inspection ~~[required by]~~ ***requested under*** RSA 358-F:2 is an unfair or deceptive act or practice within the meaning of RSA 358-A:2. Any right or remedy set forth in RSA 358-A may be used to enforce the provisions of this chapter.

- 10 Repeal. The following are repealed:
- I. RSA 125-S:4, relative to the motor vehicle air pollution abatement fund.
  - II. RSA 260:6-a, relative to administrative review of sanctions against inspection stations.
  - III. RSA 260:6-b, relative to point system for automobile dealer and inspection station violations.
  - IV. RSA 266:1, relative to inspection authorized.
  - V. RSA 266:1-a, relative to state police duties relative to vehicle inspection.
  - VI. RSA 266:1-b, relative to inspection of trailers.
  - VII. RSA 266:2, relative to fees.
  - VIII. RSA 266:3, relative to inspection of spare tires.
  - IX. RSA 266:3-a, relative to rust.
  - X. RSA 266:4, relative to repair of defective equipment.
  - XI. RSA 266:5, relative to penalties for failing to obey inspection requirements.
  - XII. RSA 266:6, relative to driving of uninspected vehicles.
  - XIII. RSA 266:8, relative to sales of unsafe vehicles.
  - XIV. RSA 266:59-b, relative to emission control equipment.
  - XV. RSA 266:78-o, relative to emergency and warning lights; duties of official inspection stations.
- 11 Effective Date. This act shall take effect January 1, 2026.

LBA  
25-0198  
1/10/25

**HB 649-FN- FISCAL NOTE**  
**AS INTRODUCED**

AN ACT removing the requirement for physical safety inspections and on-board diagnostic tests for passenger vehicles and eliminating funding for the motor vehicle air pollution abatement fund.

**FISCAL IMPACT:**

| Estimated State Impact |                                                                 |                                                                                                                    |                         |                         |
|------------------------|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|-------------------------|-------------------------|
|                        | FY 2025                                                         | FY 2026                                                                                                            | FY 2027                 | FY 2028                 |
| Revenue                | \$0                                                             | \$1,706,250<br>Decrease                                                                                            | \$3,412,500<br>Decrease | \$3,412,500<br>Decrease |
| Revenue Fund(s)        | General Fund, Highway Fund, and MV Air Pollution Abatement Fund |                                                                                                                    |                         |                         |
| Expenditures*          | \$0                                                             | <u>Highway Fund Block Grants To Municipalities</u><br>FY 2027 - \$173,250 Decrease<br>FY 2028 - \$346,500 Decrease |                         |                         |

|                          |                                                  |                                                                                                                         |     |     |
|--------------------------|--------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|-----|-----|
|                          |                                                  | <u>MV Air Pollution Abatement Fund</u><br>FY 2026 - Indeterminable<br>FY 2027 and FY 2028 - \$272,000 Decrease Per Year |     |     |
| <i>Funding Source(s)</i> | Highway Fund and MV Air Pollution Abatement Fund |                                                                                                                         |     |     |
| <b>Appropriations*</b>   | \$0                                              | \$0                                                                                                                     | \$0 | \$0 |
| <i>Funding Source(s)</i> |                                                  |                                                                                                                         |     |     |

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

| Estimated Political Subdivision Impact |         |         |                    |                    |
|----------------------------------------|---------|---------|--------------------|--------------------|
|                                        | FY 2025 | FY 2026 | FY 2027            | FY 2028            |
| Local Revenue                          | \$0     | \$0     | \$173,250 Decrease | \$346,500 Decrease |
| Local Expenditures                     | \$0     | \$0     | \$0                | \$0                |

METHODOLOGY:

This bill, effective January 1, 2026, eliminates the requirement of a physical safety inspection and on-board diagnostics testing for all private passenger vehicles. The Department of Safety reports that there were 1,048,001 vehicles registered in the last completed calendar year (2023). Inspection stickers cost \$3.25, with revenue split between three accounts: \$2.75 to the highway fund, \$0.25 to the general fund, and \$0.25 to the motor vehicle air pollution abatement fund. Based on the assumption of 1,050,000 fewer inspection stickers calendar year, this bill will have the following impact on state revenue:

|                                              | FY 2026              | FY 2027              | FY 2028              |
|----------------------------------------------|----------------------|----------------------|----------------------|
| # Fewer Inspection Stickers                  | 525,000              | 1,050,000            | 1,050,000            |
| <u>Revenue Decrease</u>                      |                      |                      |                      |
| Highway Fund (\$2.75/per)                    | (\$1,443,750)        | (\$2,887,500)        | (\$2,887,500)        |
| General Fund (\$0.25/per)                    | (\$131,250)          | (\$262,500)          | (\$262,500)          |
| MV Air Pollution Abatement Fund (\$0.25/per) | (\$131,250)          | (\$262,500)          | (\$262,500)          |
| <b>Total</b>                                 | <b>(\$1,706,250)</b> | <b>(\$3,412,500)</b> | <b>(\$3,412,500)</b> |

Also, pursuant to RSA 235:23 (“Apportionment A”, highway fund block grants), 12 percent of highway fund road toll and motor vehicle fee revenue collected is distributed to municipalities, therefore, under this bill state expenditures and local revenue would decrease by \$173,250 in FY 2027 and \$346,500 in FY 2028 and each year thereafter.

This bill also repeals the Motor Vehicle Air Pollution Abatement Fund, administered by the Department of Environmental Services. Expenditures in FY 2026 are indeterminable as is unknown how much may be remaining in this dedicated fund at time of repeal (January 1, 2026) or how spending may be impacted in the months leading up to the repeal. For informational purposes, as of June 30, 2024, the Department reported a fund balance of \$691,596, and average annual expenditures over the past four fiscal years of approximately \$272,000.

AGENCIES CONTACTED:

Department of Safety and Department of Environmental Services

