



Department of the Secretary of State

Bureau of Motor Vehicles

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COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

Testimony of Secretary of State Shenna Bellows
Department of the Secretary of State
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Neither For Nor Against
L.D. 1479 “An Act To Make Certain Traffic Infractions Secondary Offenses”

Senator Deschambault, Representative Warren and Members of the Joint Standing Committee on Criminal Justice and Public Safety, my name is Shenna Bellows, and I am the Secretary of State and a resident of Manchester. I am speaking today neither for nor against L.D. 1479 “An Act To Make Certain Traffic Infractions Secondary Offenses.”

To begin, I want to thank the bill sponsor for bringing this legislation forward. I think we can all agree - we want to keep our citizens and roads safe. One of the questions raised is how we best do that in a way that treats all people equally. Unfortunately, national data demonstrates with regards to traffic stops that there are disproportionate rates of vehicle stops among communities of color compared to those who are white.¹ We are hopeful that in the future we will be able to adequately enforce legitimate vehicle violations without the need to unnecessarily stop a vehicle.

To that end, L.D. 1479 proposes to make a number of motor vehicle violations secondary offenses, meaning those particular offenses cannot be the primary reason to stop a vehicle. It’s important to note that one area, that of registrations was recently changed July 1, 2022 (PL 2021, c. 427, sec. 1, 2, and 4). If the bill moves forward as amended, we would encourage the committee to review the bill language carefully to avoid any conflicts with the new law or unintended inconsistency.

Depending on how the committee decides to go forward regarding vehicles that are unregistered or that have expired registrations, there would likely be a fiscal impact. If you can no longer stop vehicles for expired registration, you remove the primary enforcement mechanism for vehicle registration. By curtailing registration enforcement, in the absence of an alternative enforcement mechanism, this bill raises some financial concerns for the Bureau of Motor Vehicles.

Most people are law-abiding, but each year, the department observes a certain percentage of potential scofflaws. For example, there were approximately 400,000 vehicle registrations that were not renewed between April 2020 and March 2021. Registrations are not renewed because either the vehicle was sold, is not being used or the owner chooses to continue to operate it unregistered. In this same approximate time period about 360,000 vehicles were purchased and titled. An assumption can be made that for each vehicle purchased, the owner either sold their previous vehicle or traded it in. If we make that assumption, then we can say of the 400,000 unregistered vehicles, 360,000 were replaced, leaving approximately 40,000 that were not registered but that are still being operated on the roads today. This represents about 3% of registered vehicles, which is consistent with historical experience. In other words,

we can assume that under existing laws, about 3% of vehicles that should be registered are not and are in violation of the law.

This leads to the question of how many more vehicle owners would fail to register their vehicles if they knew they could not be stopped for the violation as a primary stop by law enforcement. This is a far more difficult question to answer. There is no question there would be more scofflaws than there are now. A reasonable estimate might be that approximately 5% of vehicles that should be registered would not be. The registration fee for a passenger car is \$35. If 5% of vehicles go unregistered, that would be a significant loss of revenue to the Highway Fund. Vehicle registrations are critical for public safety and for the financial health of the Highway Fund.

Again, we agree with some of the underlying rationale behind this bill. We only seek to draw your attention to the potential impact of noncompliance with registration violations and our responsibility to ensure the roads and bridges we all drive on every day are safe and secure.

For these reasons, I speak neither for nor against L.D. 1479. Thank you for your time. I am happy to answer any questions.

¹ Emma Pierson et al., *A large-scale analysis of racial disparities in police stops across the United States*, Nature Human Behaviour, July 2020, available at <https://5harad.com/papers/100M-stops.pdf>.