

HB 1308-FN - AS AMENDED BY THE HOUSE

5Mar2026... 0523h

2026 SESSION

26-2882

06/09

HOUSE BILL **1308-FN**

AN ACT relative to increasing the penalty for passing a stopped school bus.

SPONSORS: Rep. Giasson, Hills. 29; Rep. Layon, Rock. 13; Rep. Litchfield, Rock. 32; Rep. Markell, Rock. 18; Rep. Mazur, Hills. 44; Rep. Miller, Straf. 21; Rep. Reinfurt, Hills. 29; Rep. Sabourin dit Choiniere, Rock. 30

COMMITTEE: Criminal Justice and Public Safety

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AMENDED ANALYSIS

This bill increases penalties for unlawfully passing a stopped school bus, authorizes bus camera footage as identification evidence, and mandates license suspension for first and repeat offenses.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT relative to increasing the penalty for passing a stopped school bus.

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

1 1 Overtaking and Passing School Bus. Amend RSA 265:54, I-a and I-b to read as follows:

2 I-a. Testimony under oath from the school bus driver or other witness that a vehicle failed to  
 3 stop and remain stopped as required by paragraph I shall be sufficient evidence to prove that the  
 4 owner of the vehicle was driving and has violated the provisions of paragraph I, unless such evidence  
 5 is rebutted or contradicted. ***The camera footage from the bus may be used as evidence to  
 6 identify the vehicle owner or operator and shall be made available by subpoena to law  
 7 enforcement and the county attorney. Any video recording shall be used for the sole  
 8 purpose of supplementing observations and sworn statements of a school bus driver or  
 9 operator, including for purposes of identification of vehicles and operators responsible for  
 10 school bus law violations. The owner of a vehicle cited for a school bus law violation shall  
 11 also have access to the recording or to a copy of the recording, if requested.***

12 I-b. Except as provided in paragraph IV, a person who violates the provisions of paragraph I  
 13 shall be guilty of a ~~[violation]~~ ***class B misdemeanor*** and shall be fined ~~[\$150]~~ ***\$300*** plus penalty  
 14 assessment for a first offense~~[- and shall be fined not less than \$250 nor more than \$1,000 for a  
 15 subsequent offense. In addition, the director may suspend the person's license to drive or  
 16 nonresident driving privilege for a period of 30 days for a second or subsequent offense.]~~ ***In  
 17 addition, the director shall suspend the person's license to drive or nonresident driving  
 18 privilege for a period of 7 days for the first offense.***

19 I-c. ***Except as provided in paragraph IV, a person who violates the provisions of  
 20 paragraph I, a second or subsequent time shall be guilty of a class A misdemeanor, and  
 21 shall be fined not less than \$750. Unless the court determines that exceptional  
 22 circumstances exist, the person's driver's license or privilege to drive shall be revoked for a  
 23 period of not less than 30 days.***

24 I-d. ***Except as provided in paragraph IV, a person who violates the provisions of  
 25 paragraph I, a third or subsequent time shall be guilty of a class A misdemeanor, and shall  
 26 be fined not less than \$750. The person shall be sentenced to a mandatory sentence of not  
 27 less than 15 consecutive days in the county correctional facility. The person's driver's  
 28 license or privilege to drive shall be revoked indefinitely and shall not be restored for at  
 29 least one year. At the end of the minimum revocation period the person may petition the  
 30 court for eligibility to reapply for a driver's license only after completing a driver safety  
 31 course.***

**HB 1308-FN - AS AMENDED BY THE HOUSE**

**- Page 2 -**

1        2 Effective Date. This act shall take effect January 1, 2027.

**HB 1308-FN- FISCAL NOTE  
AS AMENDED BY THE HOUSE (AMENDMENT #2026-0523h)**

AN ACT relative to increasing the penalty for passing a stopped school bus.

**FISCAL IMPACT:**

<b>Estimated State Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
<b>Expenditures*</b>	Indeterminable			
<i>Funding Source</i>	General Fund			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

\*Expenditure = Cost of bill      \*Appropriation = Authorized funding to cover cost of bill

<b>Estimated Political Subdivision Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>County Revenue</b>	\$0	\$0	\$0	\$0
<b>County Expenditures</b>	Indeterminable			
<b>Local Revenue</b>	\$0	\$0	\$0	\$0
<b>Local Expenditures</b>	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](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