

Readopt with amendment Fis 1109.12, eff. 5-22-19 (Doc #12785), to read as follows:

Fis 1109.12 Residency in New Hampshire.

(a) Pursuant to RSA 214:11-a, I-a, residency in New Hampshire shall be verified by inspection of a valid New Hampshire driver's license or New Hampshire nondriver's picture identification card issued by the New Hampshire department of safety.

(b) ~~Except as otherwise provided by statute, no other documents purporting to show the residential address of the applicant shall be accepted for the purpose of issuing a license under these rules.~~ Pursuant to RSA 214:11-a, I(b), staff at 11 Hazen Drive, Concord, NH only may accept such alternate forms of identification and proof of residency as would be accepted by the department of safety, division of motor vehicles to support the issuance of a New Hampshire driver license or New Hampshire nondriver picture identification card.

Amend Fis 1501.01(a), effective 7-25-18 (Doc #12590), to read as follows:

(a) "Annual registration" means OHRV registration in accordance with RSA 215-A: 21, other than temporary registration in accordance with RSA 215-A: 21, V, or ~~14 month registration in accordance with RSA 215-A: 21, X, and snowmobile registration in accordance with RSA 215-C: 36.~~

Readopt with amendments Fis 1502.10 to Fis 1502.12, effective 7-25-18 (Doc #12590), to read as follows:

Fis 1502.10 Transfer of Registration An applicant seeking transfer of a registration certificate shall be permitted to transfer between the same registration type ~~as provided in RSA 215-A: 22 or RSA 215-C: 37 by filing a~~ and shall complete and submit the form entitled, "Application for Transfer or Replacement of Current Season Registration and Decals" as revised ~~May 1, 2018~~ 9/2019.

Fis 1502.11 Replacement of Lost, Stolen, Damaged or Destroyed Decals or Plates. ~~Requests for An applicant seeking~~ replacement of decals or plates shall be ~~processed as provided in RSA 215-A: 22 a, or RSA 215-C: 38 upon receipt of a~~ complete and submit the form entitled, "Application for Transfer or Replacement of Current Season Registration and Decals" as revised ~~May 1, 2018~~ 9/2019.

Fis 1502.12 Replacement of Missing or Destroyed Registration Certificate. ~~Requests for~~ replacement of a missing or destroyed registration certificate shall ~~be processed as provided in RSA 215-A: 22 b or RSA 215-C: 38 a only at department headquarters, in person or by mail upon receipt of a~~ complete and submit the form entitled, "Request for Duplicate of Current Season or Antique Registration Certificate", as revised ~~May 1, 2018~~ 9/2019 at department headquarters, in person, or by mail.

Adopt Fis 1502.15 to read as follows:

Fis 1502.15 Verification of Residency and Age.

(a) A person seeking to register an OHRV or snowmobile as a nonresident at an agent location shall provide a valid driver's license or nondriver picture identification card issued by a state or province for inspection in order to verify the age of the applicant.

(b) A person seeking to register an OHRV or snowmobile as a New Hampshire resident at an agent location shall provide a valid New Hampshire driver's license or New Hampshire nondriver picture identification card for inspection in order to verify New Hampshire residence and the age of the applicant.

(c) A person seeking to register an OHRV or snowmobile as a New Hampshire resident who does not possess a valid New Hampshire driver's license or New Hampshire nondriver picture identification card may provide for inspection to staff at 11 Hazen Drive, Concord, NH such alternate forms of identification as proof of residency and age as would be accepted by the department of safety, division of motor vehicles to support the issuance of a New Hampshire driver license or New Hampshire nondriver picture identification card.

Readopt with amendment Fis 1503.01, effective 7-25-18 (Doc #12590), to read as follows:Fis 1503.01 Temporary Nonresident OHRV Registration.

(a) An applicant for a 10-day temporary OHRV wheeled vehicle registration, as authorized in RSA 215-A: 23, V-b, shall ~~provide on a complete and submit the~~ form entitled “Nonresident 10-Day Temporary OHRV (Wheeled Vehicle) Registration Application” Rev 9/2019, and

~~(1) The applicant's:~~

~~a. Name;~~

~~b. Legal address;~~

~~c. Mailing address, if different;~~

~~d. Date of birth;~~

~~e. A valid nonresident driver's license, or state issued non-driver's photo ID or copy thereof; and~~

~~f. A daytime telephone number, if applying by mail;~~

~~(2) Type of vehicle to be registered;~~

~~(3) Year of vehicle manufacture;~~

~~(4) Vehicle make and model;~~

~~(5) Vehicle primary and secondary colors;~~

~~(6) Vehicle identification number;~~

~~(7) Engine displacement;~~

~~(8) The “start date” and “start time” requested;~~

~~(9) The applicant's signature if applying by mail, signed under penalty of unsworn falsification pursuant to RSA 641:3; and~~

~~(10) The correct fee, which shall include the total of the fee specified in RSA 215-A: 23, V-b, plus the agent's fee specified in RSA 214-A: 4, plus the search and rescue fee specified in RSA 215-A: 23, X, plus any transaction fee imposed pursuant to RSA 214-A: 2, VI-a.~~

(b) No ~~application for a~~ temporary nonresident OHRV registration shall be effective prior to May 1 or after October 31 of the current year.

(c) Temporary nonresident OHRV registrations:

(1) Shall be valid only for 10 consecutive calendar days, commencing at the “start time” requested by the applicant;

(2) Shall not be transferable; and

(3) Shall not be replaced by the department if lost, stolen, or destroyed.

(d) Upon meeting all of the above conditions, the agent shall provide the applicant his or her certificate of registration, together with the appropriate registration decal(s).

Repeal Fis 1503.02 and reserve the section as follows:

Fis 1503.02 ~~OHRV 14 Month Registration.~~ RESERVED.

~~(a) An applicant for a 14-month OHRV wheeled vehicle registration, as authorized in RSA 215-A:21, X, shall provide on a form entitled, "14 Month OHRV Registration Application:~~

~~(1) The applicant's:~~

~~a. Name;~~

~~b. Legal address;~~

~~c. Mailing address, if different;~~

~~d. Date of birth;~~

~~e. A valid resident or nonresident driver's license, or state issued non-driver's photo ID or copy thereof; and~~

~~f. A daytime telephone number, if applying by mail;~~

~~(2) Type of vehicle to be registered;~~

~~(3) Year of vehicle manufacture;~~

~~(4) Vehicle make and model;~~

~~(5) Vehicle primary and secondary colors;~~

~~(6) Vehicle identification number;~~

~~(7) Engine displacement;~~

~~(8) The applicant's signature, if applying by mail, signed under penalty of unsworn falsification pursuant to RSA 641:3; and~~

~~(9) The correct fee, which shall include the total of the fee specified in RSA 215-A: 21, X, plus the agent's fee specified in RSA 214-A: 4, plus the search and rescue fee specified in RSA 215-A: 23, X, plus any transaction fee imposed pursuant to RSA 214-A: 2, VI a.~~

~~(b) No 14-month OHRV wheeled vehicle registration shall be effective prior to May 1 of the current year.~~

~~(c) An applicant seeking to pay a reduced fee based upon wheeled vehicle club membership shall show an NHOHVA voucher, in either electronic or printed format, at the time of registration of a valid membership for the corresponding registration year in a New Hampshire non-profit OHRV club as specified in RSA 215-A:21, X, that includes the following:~~

- ~~(1) Member's first and last name;~~
- ~~(2) Member's address;~~
- ~~(3) Whether a single or family membership;~~
- ~~(4) If family membership, name of spouse;~~
- ~~(5) A unique NHOHVA member ID number obtained by the applicant from NHOHVA;~~
- ~~(6) Date of issue;~~
- ~~(7) The OHRV registration year to which the NHOHVA member ID number applies; and~~
- ~~(8) OHRV club name.~~

~~(d) An OHRV registration issued or effective between May 1 of the current year and June 30 of the current year to an applicant who has paid a prorated fee in accordance with RSA 215-A:21, X shall expire on July 1 of the subsequent year.~~

~~(e) Upon meeting all of the above conditions, the agent shall provide the applicant his or her certificate of registration, together with the appropriate registration decal(s).~~

Readopt with amendments Fis 1503.03, effective 7-25-18 (Doc #12590), to read as follows:

Fis 1503.03 Annual Registration of OHRVs and Snowmobiles.

(a) OHRV and snowmobile registrations shall be available to an applicant by appearing in person at an agent location and at headquarters, in person or by mail.

(b) An applicant for an annual OHRV or snowmobile vehicle registration shall ~~provide on a complete~~ and submit the form entitled "Annual Registration Application", Rev. 9/2019 and

~~(1) The applicant's:~~

~~a. Name;~~

~~b. Legal address;~~

~~c. Mailing address, if different;~~

~~d. Date of birth;~~

~~e. A valid resident or nonresident driver's license, or state issued non-driver's photo ID or copy thereof; and~~

~~f. A daytime telephone number, if applying by mail;~~

~~(2) Type of vehicle to be registered;~~

~~(3) Year of vehicle manufacture;~~

~~(4) Vehicle make and model;~~

~~(5) Vehicle primary and secondary colors;~~

~~(6) Vehicle identification number;~~

~~(7) Engine displacement; and~~

~~(8) The applicant's signature, if applying by mail, signed under penalty of unsworn falsification pursuant to RSA 641:3.~~

~~(c) An applicant for an annual OHRV or snowmobile vehicle registration shall pay the agent the correct fee, which includes:~~

~~(1) The fee specified in RSA 215-A: 23 or RSA 215-C: 39;~~

~~(2) The agent's fee specified in RSA 214-A: 4;~~

~~(3) The search and rescue fee specified in RSA 215-A: 23, X or RSA 215-C: 39, XI; and~~

~~(4) Any transaction fee imposed pursuant to RSA 214-A: 2, VI-a.~~

~~(c) (d) An applicant seeking to pay a reduced fee based upon snowmobile club membership shall show an NHSA voucher, in either printed or electronic format at the time of registration of a valid membership for the corresponding registration year in a New Hampshire non-profit snowmobile club as specified in RSA 215-C:39, I and III, that includes the following:~~

~~(1) Member's first and last name;~~

~~(2) Member's address;~~

~~(3) Whether a single or family membership;~~

~~(4) If family membership, name of spouse;~~

~~(5) A unique NHSA member ID number obtained by the applicant from NHSA;~~

~~(6) Date of issue;~~

~~(7) The snowmobile registration year to which the NHSA member ID number applies; and~~

~~(8) Snowmobile club name.~~

~~(d) (e) An applicant seeking to pay a reduced fee based upon wheeled vehicle club membership shall show an NHOHVA voucher in either printed or electronic format at the time of registration of a valid membership for the current corresponding registration year in a New Hampshire non-profit OHRV club as specified in RSA 215-A:23 I and III, that includes the following:~~

~~(1) Member's first and last name;~~

~~(2) Member's address;~~

~~(3) Whether a single or family membership;~~

- (4) If family membership, name of spouse;
- (5) A unique NHOHVA member ID number obtained by the applicant from NHOHVA;
- (6) Date of issue;
- (7) The OHRV registration year to which the NHOHVA member ID number applies; and
- (8) OHRV club name.

(e) Upon meeting all of the above conditions, the agent shall provide the applicant his or her certificate of registration, together with the appropriate registration decal(s).

Readopt with amendment Fis 1503.04, effective 7-25-18 (Doc #12590), to read as follows:

Fis 1503.04 Permanent Registration of Antique ~~OHRVs and Snowmobiles~~ ATVs and Trail Bikes.

(a) A permanent registration of an antique ~~OHRVs or snowmobiles~~ ATV or trail bike shall only be available at headquarters, in person, or by mail.

(b) An applicant for a permanent registration of an antique ATV or trail bike, ~~or snowmobile~~ as defined in RSA 215-A: 1, I-c or I-d and RSA 215-C: 4, shall complete and submit the ~~provide on~~ a form entitled, "Antique ATV & Trail Bike Registration Application", Rev. 9/2019, and

~~(1) The applicant's:~~

~~a. Name;~~

~~b. Legal address;~~

~~c. Mailing address, if different;~~

~~d. Date of birth;~~

~~e. A valid resident driver's license, or state issued non-driver's photo ID or copy thereof; and~~

~~f. A daytime telephone number, if applying by mail;~~

~~(2) Type of vehicle to be registered;~~

~~(3) Year of vehicle manufacture;~~

~~(4) Vehicle make and model;~~

~~(5) Vehicle primary and secondary colors;~~

~~(6) Vehicle identification number;~~

~~(7) Engine displacement; and~~

~~(8) The applicant's signature, signed under penalty of unsworn falsification pursuant to RSA 641:3.~~

~~(c)~~ An applicant for an antique ~~ATV, trail bike or snowmobile~~ registration shall pay the agent the correct fee, which includes:

- (1) The one time permanent fee specified in RSA 215-A: 23; ~~or RSA 215-C: 39;~~
- (2) The agent's fee specified in RSA 214-A: 4;
- (3) The search and rescue fee specified in RSA 215-A: 23, X ~~or RSA 215-C: 39, XI;~~ and
- (4) Any transaction fee imposed pursuant to RSA 214-A: 2, VI-a.

(c) ~~(d)~~ A permanent registration of an antique ATV or trail bike, ~~or snowmobile~~ shall:

- (1) Be available only to residents of New Hampshire;
- (2) Be available only for machines that are at least 25 years old;
- (3) Become invalid upon the occurrence of any of the following events:
 - a. The registrant is no longer a legal resident of New Hampshire;
 - b. The registrant transfers ownership of the machine, either voluntarily to a person or legal entity of which he is not the beneficiary, or involuntarily by death; or
 - c. The machine is destroyed.

(d) ~~(e)~~ Upon meeting all of the above conditions, the department shall provide the applicant his or her certificate of registration, together with the appropriate permanent registration plates.

Adopt Fis 1503.041 to read as follows:

Fis 1503.041 Permanent Registration of Antique Snowmobiles.

(a) A permanent registration of an antique snowmobile shall only be available at headquarters, in person, or by mail.

(b) An applicant for a permanent registration of an antique snowmobile as defined in RSA 215-C: 1, shall complete and submit the form entitled, "Antique Snowmobile Registration Application", Rev 9/2019, and the correct fee, which includes:

- (1) The one time permanent fee specified in RSA 215-C: 39;
- (2) The agent's fee specified in RSA 214-A: 4;
- (3) The search and rescue fee specified in RSA 215-C: 39, XI; and
- (4) Any transaction fee imposed pursuant to RSA 214-A: 2, VI-a.

(c) A permanent registration of an antique snowmobile shall:

- (1) Be available only to residents of New Hampshire;
- (2) Be available only for machines manufactured in the year 1994 or prior;

(3) Become invalid upon the occurrence of any of the following events:

- a. The registrant is no longer a legal resident of New Hampshire;
- b. The registrant transfers ownership of the machine, either voluntarily to a person or legal entity of which he is not the beneficiary, or involuntarily by death; or
- c. The machine is destroyed.

(d) Upon meeting all of the above conditions, the department shall provide the applicant his or her certificate of registration, together with the appropriate permanent registration plates.

Readopt with amendment Fis 1503.05 and Fis 1503.06, effective 7-25-18 (Doc #12590), to read as follows:

Fis 1503.05 Business Entity Registration.

(a) A business entity registration of an OHRV or snowmobile shall only be available at headquarters, in person, or by mail.

(b) All initial applicants for a business entity registration shall submit a letter on business letterhead, signed by a person with legal authority to bind the applicant entity, to the law enforcement division indicating how the OHRV or snowmobile will be used for business purposes in New Hampshire.

(c) The law enforcement division shall not approve an initial application for a business entity registration unless the applicant certifies that the OHRV or snowmobile shall be operated solely in the ongoing conduct of the business in New Hampshire, and not for the recreational use of an officer, employee, partner, member, shareholder, trustee or beneficiary of the applicant.

(d) Renewal registration applications for the same business entity shall not require law enforcement division review before the application is processed for issuance of the registration.

(e) An applicant for a business entity registration ~~of an annual OHRV or snowmobile vehicle registration, or 14 month OHRV vehicle registration shall provide on a complete and submit the~~ form entitled, "Business Entity Registration Application", Rev 9/2019; and

~~(1) The applicant's:~~

- ~~a. Business entity name;~~
- ~~b. Name of a contact person at the business entity;~~
- ~~c. Legal address of the business entity;~~
- ~~e. Mailing address, if different;~~
- ~~d. A daytime telephone number; and~~
- ~~e. The signature of a person with authority to legally bind the applicant signed under penalty of unsworn falsification pursuant to RSA 641:3.~~

~~(2) Type of vehicle to be registered;~~

~~(3) Year of vehicle manufacture;~~

- ~~(4) Vehicle make and model;~~
- ~~(5) Vehicle primary and secondary colors;~~
- ~~(6) Vehicle identification number; and~~
- ~~(7) Engine displacement.~~

(f) An applicant for an annual snowmobile or OHRV, or 14 month OHRV a business entity registration shall pay the agent the correct fee, which includes:

- (1) The resident non-club member fee specified in RSA 215-A: 23, ~~RSA 215-A:21~~, or RSA 215-C: 39;
- (2) The agent's fee specified in RSA 214-A: 4;
- (3) The search and rescue fee specified in RSA 215-A: 23, X or RSA 215-C: 39, XI; and
- (4) Any transaction fee imposed pursuant to RSA 214-A: 2, VI-a.

~~(f)~~ (g) Upon meeting all of the above conditions, the agent shall provide the applicant his or her certificate of registration, together with the appropriate registration decal(s).

Fis 1503.06 Trails Maintenance Vehicle Registration.

(a) Registration of an OHRV trail maintenance vehicle or snowmobile trail maintenance vehicle as defined in RSA 215-A: 1 or RSA 215-C: 1 shall only be available at headquarters, in person, or by mail.

(b) An applicant for an OHRV trail maintenance vehicle or snowmobile trail maintenance vehicle registration shall ~~provide on a complete and submit the form~~ entitled, "Trails Maintenance Vehicle Application For: Cross Country Ski Trails, OHRV Trails, or Snowmobile Trails", Rev 9/2019, and :

- ~~(1) The applicant's:~~
 - ~~a. Business entity or club entity name;~~
 - ~~b. Name of a contact person;~~
 - ~~c. Legal address of the applicant entity;~~
 - ~~c. Mailing address, if different;~~
 - ~~d. A daytime telephone number;~~
 - ~~e. Name of the club trail administrator; and~~
 - ~~f. The signature of a person with authority to legally bind the applicant, signed under penalty of unsworn falsification pursuant to RSA 641:3;~~
- ~~(2) Type of vehicle to be registered;~~
- ~~(3) Year of vehicle manufacture;~~
- ~~(4) Vehicle make and model;~~

~~(5) Vehicle primary and secondary colors;~~

~~(6) Vehicle identification number; and~~

~~(7) Engine displacement.~~

~~(c) An applicant for an OHRV or snowmobile trail maintenance vehicle registration shall pay the correct fee, as specified in RSA 215-A: 23, XI or RSA 215-C: 39, XII.~~

~~(c) (d)~~ All applications for trail maintenance vehicle registration shall be reviewed and approved by the bureau of trails, department of natural and cultural resources to confirm that the applicant operates the vehicle for trail maintenance purposes.

~~(d) (e)~~ Upon meeting all of the above conditions, the department shall provide the applicant his or her certificate of registration, together with the appropriate registration decal(s).

Readopt with amendments Fis 1504.01 and Fis 1504.02, effective 7-25-18 (Doc #12590), to read as follows:

Fis 1504.01 Application for Annual Dealer License.

(a) An applicant for an annual dealer license may apply in person or by mail at department headquarters.

(b) The applicant for an ~~initial~~ annual dealer license shall complete and submit the ~~following on a form~~ entitled "OHRV/Snowmobile Dealer Application", Rev 9/2019 and

~~(1) Business name, physical address and telephone number in New Hampshire;~~

~~(2) Business mailing address, if different than the physical address;~~

~~(3) An indication as to whether the applicant has ever been convicted of an OHRV, snowmobile, or other fish and game violation;~~

~~(4) Acknowledgement by the applicant that the business meets local zoning and other local regulatory requirements;~~

~~(5) Whether the application is an individual, corporation, partnership, or other form of business entity;~~

~~(6) Whether the applicant is in the business of buying, selling, exchanging or renting OHRVs or snowmobiles or both;~~

~~(7) The number of salespersons on staff;~~

~~(8) The number of dealer plates requested;~~

~~(9) An acknowledgement of the duty to:~~

~~a. Comply with RSA 215-A: 26 a and RSA 215-C: 46, and that a failure to comply shall constitute grounds for suspension or revocation of the dealer license;~~

~~b. Notify the department prior to any change in the name or physical address of the licensed business; and~~

~~e. Use issued dealer plates in accordance with RSA 215-A:26, RSA 215-C:46 and Fis 1504.~~

~~(10) The dated signature of the person, signed under penalty of unsworn falsification pursuant to RSA 641:3; and~~

~~(11) The name of a contact person at the licensed business location.~~

~~(c) The applicant for a renewal of a dealer license shall submit on the form entitled, "OHRV/Snowmobile Dealer Application", Rev 2019:~~

~~(1) Updates to any of the information required by Fis 1504.01(b) (1) through (11), updated to correct information previously provided to the department;~~

~~(2) A list of all dealer plates in the applicant's possession;~~

~~(3) A list of all registration plates to be returned, if any; and~~

~~(4) The dated signature of the applicant, signed under penalty of unsworn falsification pursuant to RSA 641:3.~~

~~(d) An applicant shall pay, together with the application:~~

~~(1) The annual dealer license fee imposed by RSA 215-A: 26, IV or RSA 215-C: 45, IV;~~

~~(2) The dealer registration fee imposed by RSA 215-A: 23, IV or RSA 215-C: 39, IV for each plate requested;~~

~~(3) Any transaction fee imposed pursuant to RSA 214-A: 2, VI-a;~~

~~(4) The agent's fee specified in RSA 214-A: 4, and~~

~~(5) The search and rescue fee specified in RSA 215-A: 23, X or RSA 215-C: 39, XI.~~

~~(c) By signing the form, the applicant acknowledges the duty to:~~

~~a. Comply with RSA 215-A: 26-a and RSA 215-C: 46, and that a failure to comply shall constitute grounds for suspension or revocation of the dealer license;~~

~~b. Notify the department prior to any change in the name or physical address of the licensed business; and~~

~~c. Use issued dealer plates in accordance with RSA 215-A:26, RSA 215-C:46 and Fis 1504.~~

~~(d) (e) Applications shall be submitted to the department:~~

~~(1) At least 30 days prior to the date the applicant intends to operate as a dealer for initial applications; or~~

~~(2) For renewal applications, on or before May 1 ~~June 30~~ of each year.~~

~~(d)~~ (f) A dealer may at any time during the registration year request additional dealer plates, up to the maximum number allowed by Fis 1504.04, by placing the request in writing to headquarters, and including the dealer registration fee, transaction fee, agent fee, and search and rescue fee described in (d) above.

Fis 1504.02 Processing of Applications for Annual Dealer License

(a) Upon receipt of an application for an annual dealer license or dealer plate registration, the department shall examine and verify the information provided, and approve the application unless:

- (1) The individual owner or the business entity has been convicted of an OHRV or snowmobile violation for which any unpaid fine remains outstanding, or for which any period of suspension has not expired;
- (2) The individual owner or business entity has been found in any proceeding to have misused dealer plates, or is unable to account for the current location of any dealer plates previously issued in accordance with Fis 1504.01; or
- (3) The applicant does not operate a physical sales location within the state of New Hampshire.

(b) An annual dealer license shall be issued only to the person or business entity that makes application for the license.

(c) The decision of the executive director to either approve or deny the application for an annual dealer license or dealer plate registration shall be given to the applicant in accordance with RSA 541-A:29 by:

- (1) Issuing an annual dealer license certificate and dealer certificates of registration, together with the number of dealer plates requested, for a term to expire upon the subsequent April 30 ~~July 1~~; or
- (2) A letter of denial, setting forth the reason under (a) above why the application for initial approval or renewal of an annual dealer license was not approved in whole or in part, and advising the applicant of their right to seek a hearing to contest the decision.

(d) Within 30 days of the issuance of a letter denying an application for initial or renewal of an annual dealer license or dealer plate registration, the applicant may request a hearing to contest the decision in accordance with the procedures set forth in Fis 200.

Readopt with amendments Fis 1505.01 and Fis 1505.02, effective 7-25-18 (Doc #12590), to read as follows:

Fis 1505.01 Application for Annual Rental Agent Licenses.

(a) An applicant for an annual rental agent license may apply in person or by mail at department headquarters.

(b) The applicant for an annual rental agent license shall complete and submit the following on a form entitled "OHRV/Snowmobile Rental Agent Application", Rev. 9/2019 and

- ~~(1) Business name, address and telephone number in New Hampshire;~~
- ~~(2) Business mailing address;~~

~~(3) An indication as to whether the applicant has ever been convicted of an OHRV, snowmobile, or other fish and game violation;~~

~~(4) Acknowledgement by the applicant that the business meets local zoning and other local regulatory requirements; regulations;~~

~~(5) Whether the application is an individual, corporation, partnership, or other form of business entity;~~

~~(6) Whether the applicant is in the business of buying, selling, exchanging or renting OHRVs or snowmobiles or both;~~

~~(7) The number of rental agent registrations requested;~~

~~(8) An acknowledgement of the duty to:~~

~~a. Comply with RSA 215-A: 26 a and RSA 215-C: 46, and that a failure to comply shall constitute grounds for suspension or revocation of the rental agent license;~~

~~b. Notify the department prior to any change in the name or physical address of the licensed business; and~~

~~c. Use issued rental decals in accordance with RSA 215-A:26, RSA 215-C:46 and Fis 1505.~~

~~(9) The dated signature of a person with authority to bind the applicant business entity signed under penalty of unsworn falsification pursuant to RSA 641:3;~~

~~(10) The following information for each rental vehicle:~~

~~a. Year of manufacture;~~

~~b. Vehicle make and model;~~

~~c. Vehicle primary and secondary colors;~~

~~d. Vehicle identification number; and~~

~~e. Engine displacement; and~~

~~(11) The name of a contact person at the rental agency.~~

~~(e) The applicant for a renewal rental agent application shall submit on the form entitled, "OHRV/Snowmobile Rental Agent Application", Rev _____ 2019.~~

~~(1) The information required by Fis 1505.01(b) (1) through (11) updated to correct information previously provided to the department; and~~

~~(2) The dated signature of the applicant, signed under penalty of unsworn falsification pursuant to RSA 641:3.~~

~~(d) An applicant shall pay, together with the application:~~

~~(1) The annual rental agent license fee imposed by RSA 215-A: 26, IV or RSA 215-C: 45, IV;~~

- (2) Any transaction fee imposed pursuant to RSA 214-A: 2, VI-a;
- (3) The agent's fee specified in RSA 214-A: 4;
- (4) The search and rescue fee specified in RSA 215-A: 23, X or RSA 215-C: 39, XI; and
- (5) The rental registration fee imposed by RSA 215-A: 23, IV-a or RSA 215-C:39, V for each decal requested.

(c) By signing the form, the applicant acknowledges the duty to:

a. Comply with RSA 215-A: 26-a and RSA 215-C: 46, and that a failure to comply shall constitute grounds for suspension or revocation of the rental agent license;

b. Notify the department prior to any change in the name or physical address of the licensed business; and

c. Use issued rental decals in accordance with RSA 215-A:26, RSA 215-C:46 and Fis 1505.

(d) ~~(e)~~ Applications shall be submitted to the department:

- (1) At least 30 days prior to the date the applicant intends to operate as a rental agent for initial applications; or
- (2) At least 5 business days prior to approval for renewal applications.

(d) ~~(f)~~ A rental agent may at any time during the registration year request additional registrations ~~certificates~~ and decals by placing the request in writing to headquarters, and including the rental registration fees described in (d) above.

Fis 1505.02 Processing of Applications for Annual Rental Agent License.

(a) Upon receipt of the application for an annual rental agent license, the department shall examine and verify the information provided, and approve the application unless:

- (1) The individual owner or the business entity has been convicted of an OHRV or snowmobile violation for which any unpaid fine remains outstanding, or for which any period of suspension has not expired;
- (2) The individual owner or business entity has been found in any proceeding to have misused rental agent registration decals; or
- (3) The individual owner or the business entity as applicant is solely engaged in the purchase, sale, exchange or service of OHRVs or snowmobiles by the general public, in which case the applicant shall not be licensed as a rental agent, but shall be evaluated for licensure as a dealer.

(b) An annual rental agent license shall be issued only to the person or business entity that makes application for the license.

(c) The decision of the executive director to either approve or deny the application for an annual rental agent license shall be given to the applicant in accordance with RSA 541-A:29 by:

(1) Issuing an annual rental agent license certificate, together with the number of rental registration decals requested, for a term to expire upon the subsequent April 30 ~~June 30~~; or

(2) Issuing a letter of denial, setting forth the reason under (a) above why the application for initial approval or renewal of an annual rental agent license was not approved, and advising the applicant of their right to seek a hearing to contest the decision.

(d) Within 30 days of the issuance of a letter denying an application for initial or renewal of an annual rental agent license, the applicant may request a hearing to contest the decision in accordance with the procedures set forth in Fis 200.

Amend Fis 1507.01, effective 7/25/18 (Doc # 12590), by inserting paragraph (c), cited and to read as follows:

Fis 1507.01 Snowmobile Decal Placement.

(c) No person shall affix, or permit to be affixed to a snowmobile a registration decal or plate that has been assigned by the department, or the registration authority of another jurisdiction, to another snowmobile.

Amend Fis 1507.02, effective 7/25/18 (Doc # 12590), by inserting paragraph (c), cited and to read as follows:

Fis 1507.02 OHRV Decal Placement.

(c) No person shall affix, or permit to be affixed to an OHRV a registration decal or plate that has been assigned by the department, or the registration authority of another jurisdiction, to another OHRV.

Readopt with amendment Fis 1509.01 and Fis 1509.02, eff. 7/25/18 (Doc #12590), to read as follows:

Fis 1509.01 Snowmobile Reciprocity.

(a) Except as specified in (c) below, only NH/VT commerce zone trails shall be open to snowmobiles displaying both:

(1) Pursuant to Vermont law, a valid Vermont Association of Snow Travelers, Inc. trails maintenance assessment decal, also known as the VAST trails pass; and

(2) A valid registration decal from any state or province.

(b) NH/VT commerce zone trails, identified with signs as such, shall consist of all legal snowmobile trails located in the towns of Lancaster, Northumberland, Stratford, Columbia, Colebrook, and Stewartstown from the New Hampshire/Vermont state line east to U.S. Route 3.

~~(c) All New Hampshire snowmobile trails shall be open to snowmobiles properly displaying, pursuant to Vermont law, a VAST trails pass, as well as a valid registration decal from any state or province on January 25, January 26, and January 27, 2019 and January 24, 25, and 26, 2020. These reciprocity weekends with Vermont shall be valid only if all Vermont snowmobile trails are open to all legally registered New Hampshire snowmobiles.~~

(d) Only NH/ME border trails shall be open to snowmobiles registered only in Maine, except as specified in (h).

(e) NH/ME border trails shall be identified with signs as such and shall be as follows:

- (1) State corridor trail 19 located in the towns of Chatham and Shelburne; and
- (2) State corridor trail ITS 82 and 82A coming into the town of ~~Success~~ Cambridge.

(f) All trails in NH shall be open to snow traveling maintenance vehicles registered in Maine.

(g) All snowmobile trails shall be open to vehicles registered to agencies of the state of Maine, provided that the vehicles are used for official purposes.

~~(h) All New Hampshire snowmobile trails shall be open to all legally registered Maine snowmobiles on January 25, January 26, and January 27, 2019 and January 24, 25, and 26, 2020. This reciprocity weekend with Maine shall be valid only if all Maine snowmobile trails are open to all legally registered New Hampshire snowmobiles.~~

Fis 1509.02 Wheeled Vehicle Reciprocity.

(a) Only NH/VT commerce zone trails shall be open to OHRVs displaying both:

- (1) Pursuant to Vermont law, a valid Vermont ATV Sportsman's Association (VASA) Trail Access Decal (TAD); and
- (2) A valid registration decal from any state or province.

(b) NH/VT commerce zone trails, identified with signs as such, shall consist of ~~all~~ legal wheeled vehicle trails located in the towns of ~~Lancaster, Northumberland,~~ Stratford, ~~Columbia,~~ Colebrook, and Stewartstown from the New Hampshire/Vermont state line east to U.S. Route 3.

Amend Fis 1510.03(b), effective 7/25/18 (Doc #12590), to read as follows:

Fis 1510.03 Sound Level Limits for Stationary Snowmobiles.

(b) No snowmobile shall be manufactured, sold, offered for sale, or operated in this state unless;

- (1) It is equipped with a muffler in good working order; and
- (2) In accordance with RSA 215-C:28, I, it meets the minimum safety standards for snowmobile product certification of the Snowmobile Safety and Certification Committee in effect at the time of its manufacture.

APPENDIX

Rule(s)	State Statute (RSA) Implemented
Fis 1109.12	RSA 214:7
Fis 1501.01(a), Fis 1502.10-1502.12, and Fis 1502.15	RSA 215-A:21; RSA 215-A: 23, VIII; RSA215-C:36, VIII
Fis 1503.01, 1503.02 (repealed), Fis 1503.03, Fis 1503.04, Fis 1503.041, Fis 1503.05, and Fis 1503.06	RSA 215-A:21; RSA 215-A: 23, VIII; RSA 215-C:36, VIII

Fis 1504.01, Fis 1504.02, Fis 1505.01, and Fis 1505.02	RSA 215-A:26; RSA 215-C:45
Fis 1507.01(c) and Fis 1507.02(c)	RSA 215-A:21; RSA 215-C:36
Fis 1509.01 and Fis 1509.02	RSA 215-A:27; RSA 215-C:47
Fis 1510.03 (b)	RSA 215-A:13; RSA 215-C:29