

**RULEMAKING NOTICE FORM**

Notice Number

**2019-194**

Rule Number

**Fis 1109.12;  
Fis 1500 various**

1. Agency Name & Address:

**NH Fish and Game Department  
11 Hazen Drive  
Concord, NH 03301**

2. RSA Authority:

**RSA 206:10, I; RSA 214:7;  
RSA 215-A:26, V; RSA  
215-C:45, V; RSA 215-  
A:27, I; RSA 215-A:13, II;  
RSA 215-C:29, II**

3. Federal Authority:

**none**

4. Type of Action:

Adoption   **xx**    
 Amendment   **xx**    
 Repeal \_\_\_\_\_  
 Readoption \_\_\_\_\_  
 Readoption w/amendment   **xx**  

5. Short Title: **Residency for Permits and Licenses and Off Highway Recreation Vehicles and Snowmobiles**

6. (a) Summary of what the rule says and of any proposed amendments:

**The proposal seeks to amend rule Fis 1109.12 on residency for Department permits and licenses and rules Fis 1500 on OHRVs and snowmobiles to implement various session laws passed in the 2019 session, being Ch. 93, Ch. 97, Ch. 216, Ch. 241, and Ch. 294, which made changes to requirements for the registration and operation of OHRV's and snowmobiles. Fis 1109.12 on residency for Department permits and licenses is being readopted with amendment, and Fis 1502.15 is being adopted, to implement Ch. 97 as to requirements for proof of residency. Fis 1501.01(a) is amended, and Fis 1503.02 is repealed and reserved, to remove a reference to a 14-month registration option, which is now repealed by Ch. 241. Fis 1502.10, Fis 1502.11, Fis 1502.12, Fis 1503.01, Fis 1503.03, Fis 1503.05, Fis 1503.06, Fis 1504.01, and Fis 1505.01 are readopted with amendment to incorporate revised Departmental forms by reference. Fis 1503.04 is readopted with amendment, and Fis 1504.041 is proposed for adoption, to implement new requirements for the registration of antique snowmobiles, OHRVs, and trail bikes. Fis 1504.02 is being readopted with amendment to change the date of termination of an annual dealer license from July 1 to April 30, and Fis 1505.02 is being readopted with amendment to change the date of termination of an annual rental agent license from July 1 to April 30, to reflect the change in registration year adopted in Ch. 241. Fis 1507.01 and Fis 1507.02 are being amended by inserting new prohibitions against use of a decal assigned to a different machine. Fis 1509.01 and Fis 1509.02 are readopted with amendment to reflect statutory changes in reciprocity with neighboring states. Fis 1510.03(b) is amended to incorporate safety standards adopted in statute.**

6. (b) Brief description of the groups affected:

**All persons who seek to register or operate an OHRV or snowmobile in New Hampshire, as well as all persons who seek to sell such machines as a dealer or act as a rental operation for such machines.**

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

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

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Paul G. Sanderson, Esq.** Title: **Legal Coordinator**  
Address: **11 Hazen Drive** Phone #: **603-271-1136**  
**Concord, NH 03301** Fax#: **602-271-1438**  
E-mail: **comments@wildlife.nh.gov**  
TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Monday December 16, 2019 at 4:00 PM**

Fax  E-mail  Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Monday December 9, 2019 at 1:00 PM**

Place: **Fish and Game Headquarters, 11 Hazen Dr. Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 19:195, dated 10/22/19

**1. Comparison of the costs of the proposed rule(s) to the existing rule(s):**

There is no difference in costs when comparing the proposed rules to the existing rules. Not applicable to Fis 1502.15, Fis 1503.041, Fis 1507.01(c), or 1507.02(c), which are new rules.

**2. Cite the Federal mandate. Identify the impact on state funds:**

No federal mandate, no impact on state funds.

**3. Cost and benefits of the proposed rule(s):**

**A. To State general or State special funds:**

None.

**B. To State citizens and political subdivisions:**

None.

**C. To independently owned businesses:**

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

**The proposal does not impose any programs, responsibilities, or administrative duties upon any political subdivision of the state, and thus does not violate the NH Constitution, Part I, Article 28-a.**