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# State of New Hampshire

DEPARTMENT OF SAFETY  
OFFICE OF THE COMMISSIONER  
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603/271-2791

JOHN J. BARTHELMES  
COMMISSIONER

February 11, 2013

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

### Requested Action

Authorize the Department of Safety to maintain regular bank accounts with Profile Bank to use as temporary holding accounts for revenues collected by town municipal agents, effective upon Governor and Council approval.

### Explanation

In compliance with RSA 261:74g-III and the associated administrative rule Saf-C 519.21(b), effective 5-23-2012, it is necessary for the Department of Safety (State) to maintain a bank account locally where a municipal office will serve as an agent of the State in the registration of motor vehicles. Saf-C 519.21(b) states "All fees collected by a municipal agent shall be deposited in a state bank account established locally by the division in the name of the state of New Hampshire. The establishment of the account shall require governor and council approval."

The accounts with Profile Bank will be utilized by the municipal agents for Alton and Wakefield. They will serve as temporary holding accounts and will not incur fees but will simply act as a conduit for bank-to-bank transfers. These bank accounts will be maintained for the purpose of accepting overnight deposits and forwarding receipts to the State Treasurer.

Respectfully submitted,

  
John J. Barthelmes  
Commissioner of Safety

# TITLE XXI

## MOTOR VEHICLES

### CHAPTER 261

#### CERTIFICATES OF TITLE AND REGISTRATION OF VEHICLES

#### Registration by Municipal Agents

##### Section 261:74-g

**261:74-g Rulemaking.** – The director shall adopt rules pursuant to RSA 541-A relative to:

- I. Minimum standards for the qualification of registration agents and their staff;
- II. Training requirements and programs for registration agents and their staffs;
- III. The collection, deposit and remittance of state funds pursuant to this subdivision;
- IV. The completion of required reports and records and their submission to the department;
- V. Minimum standards of accuracy, legibility and timeliness of submission for documents and reports;
- VI. The bonding of registration agents and their staffs to indemnify the state in case of loss;
- VII. The efficient and economical administration of this subdivision.

**Source.** 1981, 439:4, eff. Jan. 1, 1982, at 12:01 a.m.

Saf-C 519.21 Remittance.

(a) All registration fees received by a municipal agent, except those received in payment of the additional fee authorized by RSA 261:74-d, shall be remitted to the department as set forth in this section.

(b) All fees collected by a municipal agent shall be deposited in a state bank account established locally by the division in the name of the state of New Hampshire. The establishment of the account shall require governor and council approval.

(c) When fees are paid by the customer to the municipal agent by check, the checks shall be:

(1) Endorsed by the municipal agent for deposit only, using a stamp provided by the department; and

(2) Deposited in the state account.

(d) When fees are paid by the customer to the municipal agent in cash, the cash shall be deposited in the state account.

(e) Each remittance by the municipal agent to the department shall include copies of registrations and other required documentation along with a copy of the bank deposit slip and bank receipt covering the remittance in question.

(f) Each remittance shall also be accompanied by an official credit or debit memorandum.

(g) All fees collected by a municipal agent shall be deposited in the state account on a daily basis unless the municipal agent demonstrates to the director in writing that a daily deposit constitutes a hardship.

(h) The director shall approve an alternate deposit schedule in accordance with (g) above but at no time will approval be given for a deposit schedule which covers more than a 3-day work period.

(i) Each municipal agent shall not hold for deposit an amount in excess of the bond required in Saf-C 519.08.

(j) Each municipal agent shall be responsible for depositing into the state account an amount equal to all registration fees processed by the municipal agent that day.

Source. #7972, eff 10-17-03 (See Revision Note at chapter heading for Saf-C 500); ss by #9995, INTERIM, eff 9-17-11, EXPIRED: 3-15-12

New. #10135, eff 5-23-12