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SENATE MEMORIAL 35

50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012

INTRODUCED BY

Richard C. Martinez

A MEMORIAL

REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP A PROGRAM TO TRAIN VOLUNTEER CIVILIAN MOTORCYCLE TRAFFIC ESCORTS AND TO RECOMMEND LEGISLATION TO PLAN FOR THE IMPLEMENTATION, ENDORSEMENT AND CONTINUED SUPPORT OF VOLUNTEER CIVILIAN MOTORCYCLE TRAFFIC ESCORTS STATEWIDE.

WHEREAS, organized motorcycle events comprise a significant portion of charitable giving statewide, resulting in the donation of food, toys, money and other measurable gifts to needy populations; and

WHEREAS, motorcyclists often help escort the remains of deceased loved ones and fallen military servicemen and servicewomen to their final resting places; and

WHEREAS, volunteer civilian motorcycle traffic escorts currently exist throughout the state, but there is no standard

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1 of training, and the volunteers have no regulation or
2 protection of law, often necessitating the hiring of paid law
3 enforcement motorcycle officers to ensure the safety of the
4 volunteer motorcyclists and the traveling public participating
5 in an organized event; and

6 WHEREAS, motorcycle events often cross law enforcement
7 jurisdictions, making the use of law enforcement motorcycle
8 escorts a challenging collaboration for multiple agencies; and

9 WHEREAS, the high cost of paying law enforcement to
10 provide for safety often makes the use of paid motorcycle
11 escorts for charity events cost-prohibitive; and

12 WHEREAS, charitable motorcycle events statewide are being
13 canceled due to the increasing cost of law enforcement
14 motorcycle escorts; and

15 WHEREAS, the year 2011 saw the end of the nineteen-year
16 tradition of the Rio Rancho toy run, an event with more than
17 five thousand participants annually, each of whom donate a toy
18 and two nonperishable food items; and

19 WHEREAS, the Rio Rancho toy run is now canceled because of
20 the unaffordable cost of hiring law enforcement motorcycle
21 escorts; and

22 WHEREAS, the constitution of New Mexico has an anti-
23 donation clause that forbids giving public money to private
24 operations, effectively preventing law enforcement agencies
25 from donating their services to provide for public safety when

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1 motorcycle escorts are needed; and

2 WHEREAS, a multitude of preventable motorcycle accidents,
3 injuries and deaths during organized events could have been
4 prevented through the use of motorcycle escorts to protect the
5 safety of the motorcyclists and the traveling public by keeping
6 participating motorcycles together and increasing their
7 visibility; and

8 WHEREAS, members of the motorcycle community are highly
9 motivated to volunteer for training and endorsement as
10 motorcycle traffic escorts and are willing to donate their time
11 to this community service if given the opportunity; and

12 WHEREAS, there are currently no programs endorsed by the
13 state to train volunteer civilian motorcycle traffic escorts;
14 and

15 WHEREAS, a group of motorcyclists traveling together in an
16 organized fashion is a procession and should be protected under
17 the law; and

18 WHEREAS, the state of Arizona has adopted a program to
19 train civilian motorcycle escorts and has a statute enabling
20 the use of volunteer civilian motorcycle escorts, Arizona
21 Revised Statute 28-776;

22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
23 OF NEW MEXICO that the department of public safety and the
24 department of transportation be requested to convene a task
25 force to develop a program to train volunteer civilian

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1 motorcycle traffic escorts; and

2 BE IT FURTHER RESOLVED that this task force be
3 representative of the motorcycle community at large and include
4 members from the New Mexico motorcycle rights organization, the
5 motorcycle safety foundation, community motorcycle
6 organizations and clubs and independent motorcycle riders; and

7 BE IT FURTHER RESOLVED that this task force conduct a
8 review and analysis of current legislation pertaining to
9 authorized emergency vehicles, licensing requirements and
10 funeral and military procession escort rights of way for the
11 purpose of making recommendations for legislation to improve
12 the protection and endorsement of volunteer civilian motorcycle
13 traffic escorts by the first session of the fifty-first
14 legislature; and

15 BE IT FURTHER RESOLVED that this task force submit its
16 recommendations and findings to the appropriate interim
17 legislative committee by October 2012; and

18 BE IT FURTHER RESOLVED that copies of this memorial be
19 transmitted to the secretary of transportation and the
20 secretary of public safety.