

1 HOUSE BILL 370

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 Roberto "Bobby" J. Gonzales

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10 AN ACT

11 RELATING TO MOTOR VEHICLES; REQUIRING DURING ROADSIDE
12 EMERGENCIES THAT DRIVERS APPROACH STATIONARY TOWING AND REPAIR
13 VEHICLES AS THEY WOULD OTHER EMERGENCY VEHICLES.

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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. Section 66-7-332 NMSA 1978 (being Laws 1978,
17 Chapter 35, Section 436, as amended) is amended to read:

18 "66-7-332. OPERATION OF VEHICLES ON APPROACH OF
19 AUTHORIZED EMERGENCY VEHICLES.--

20 A. Upon the immediate approach of an authorized
21 emergency vehicle displaying flashing emergency lights or when
22 the driver is giving audible signal by siren, exhaust whistle
23 or bell, the driver of every other vehicle shall yield the
24 right of way and shall immediately drive to a position parallel
25 to, and as close as possible to, the right-hand edge or curb of

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1 the roadway clear of any intersection and shall stop and remain
2 in that position until the authorized emergency vehicle has
3 passed, except when otherwise directed by a police officer.

4 B. Upon approaching a stationary authorized
5 emergency vehicle displaying flashing emergency lights, unless
6 otherwise directed, the driver of a vehicle shall:

7 (1) if reasonably safe to do so, drive in a
8 lane not adjacent to where the authorized emergency vehicle is
9 stopped, decrease the speed of the vehicle to a speed that is
10 reasonable and prudent under the circumstances and proceed with
11 caution; or

12 (2) if it is not reasonably safe to drive in a
13 lane not adjacent to where the authorized emergency vehicle is
14 stopped, decrease the speed of the vehicle to a speed that is
15 reasonable and prudent under the circumstances, proceed with
16 caution and be prepared to stop.

17 C. This section shall not operate to relieve the
18 driver of an authorized emergency vehicle from the duty to
19 drive and park with due regard for the safety of all persons
20 using the highway.

21 D. For the purposes of Subsections B and C of this
22 section, "authorized emergency vehicle" includes roadside
23 towing and repair vehicles."