AN ACT

RELATING TO MOTOR VEHICLES; RESTRICTING THE USE OF RED FLASHING LIGHTS BY CERTAIN MOTOR VEHICLES; REQUIRING THAT DRIVERS MOVE OVER OR SLOW DOWN FOR CERTAIN VEHICLES DISPLAYING FLASHING EMERGENCY OR HAZARD LIGHTS.

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

SECTION 1. Section 66-3-835 NMSA 1978 (being Laws 1978, Chapter 35, Section 141) is amended to read:

"66-3-835. SPECIAL RESTRICTIONS ON LAMPS.--

A. Lighted lamps or illuminating devices upon a motor vehicle, other than headlamps, spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle warning lamps and school bus warning lamps, that project a beam of light of an intensity greater than three hundred candle power shall be directed so that no part of the high-intensity portion of the beam strikes the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle.

B. A person shall not drive or move upon a highway a vehicle or equipment with a lamp or device displaying a red light visible from directly in front of the center of the vehicle or equipment, except as expressly authorized or required by the Motor Vehicle Code.

C. Flashing lights are prohibited except as

provided in this section and except on authorized emergency
vehicles, school buses, snow-removal equipment and
highway-marking equipment. Except as otherwise provided in
this section, flashing red lights may be used as warning
lights on disabled or parked vehicles and on any vehicle as
a means of indicating a turn.

D.   A recovery or repair vehicle standing on a
highway for the purpose of removing, and actually engaged in
removing, a disabled vehicle and while engaged in towing a
disabled vehicle may display flashing lights in any color
except red. This provision shall not be construed as
permitting the use of flashing lights by recovery or repair
vehicles in going to or returning from the location of
disabled vehicles unless actually engaged in towing a
disabled vehicle.

E.   Only fire department vehicles, law enforcement
agency vehicles, ambulances and school buses may display
flashing red lights visible from the front of the vehicle.
All other vehicles authorized by the Motor Vehicle Code to
display flashing lights visible from the front of the vehicle
may use any other color of light that is visible."

SECTION 2. Section 66-7-332 NMSA 1978 (being Laws 1978,
Chapter 35, Section 436, as amended) is amended to read:

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

APPROACH OF CERTAIN STATIONARY VEHICLES.--

      A. Upon the immediate approach of an authorized emergency vehicle displaying flashing emergency lights or when the driver is giving audible signal by siren, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

      B. Upon approaching a stationary authorized emergency vehicle or a recovery or repair vehicle displaying flashing emergency or hazard lights, unless otherwise directed, the driver of a vehicle shall:

      (1) if reasonably safe to do so, drive in a lane not adjacent to the stationary vehicle, decrease the speed of the vehicle to a speed that is reasonable and prudent under the circumstances and proceed with caution; or

      (2) if it is not reasonably safe to drive in a lane not adjacent to the stationary vehicle, decrease the speed of the vehicle to a speed that is reasonable and prudent under the circumstances, proceed with caution and be prepared to stop.

      C. This section shall not operate to relieve the driver of an authorized emergency vehicle or the driver of any

other vehicle from the duty to drive and park with due regard

for the safety of all persons using the highway." _____