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AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 66-7-401 NMSA 1978 (BEING LAWS 1978, CHAPTER 35, SECTION 472) TO AUTHORIZE THE SECRETARY OF TRANSPORTATION TO ISSUE ORDERS SUSPENDING OR MODIFYING THE REQUIREMENTS FOR VEHICULAR SIZE, WEIGHT AND LOAD PURSUANT TO CHAPTER 66, ARTICLE 7 NMSA 1978 FOR THE DURATION OF A NATIONAL EMERGENCY DECLARED PURSUANT TO FEDERAL LAW OR AN EMERGENCY DECLARED BY THE GOVERNOR PURSUANT TO THE EMERGENCY POWERS CODE; PROVIDING THAT THE ORDERS ARE REQUIRED TO BE PUBLISHED ON THE DEPARTMENT OF TRANSPORTATION'S WEBSITE.

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

SECTION 1. Section 66-7-401 NMSA 1978 (being Laws 1978, Chapter 35, Section 472) is amended to read:

"66-7-401. SCOPE AND EFFECT.--

A. It is a misdemeanor for any person to drive or move or for the owner, lessee or other person directing the operation to cause or permit to be driven or moved on any highway any vehicle of a size or weight exceeding the limitations stated in Sections 66-7-401 through 66-7-416 NMSA 1978 or otherwise in violation of those sections, and the maximum size and weight of vehicles herein specified shall be lawful throughout this state, and local authorities shall have no power or authority to alter the limitations except as

1 express authority may be granted in Sections 66-7-401 through
2 66-7-416 NMSA 1978.

3 B. The provisions of Sections 66-7-401 through
4 66-7-416 NMSA 1978 governing size, weight and load shall not
5 apply to fire apparatus, road machinery engaged in highway
6 construction or maintenance or to implements of husbandry,
7 including farm tractors, temporarily moved upon a highway or
8 to a vehicle operated under the terms of a special permit
9 issued as herein provided.

10 C. Upon the declaration of a national emergency
11 pursuant to federal law or a declaration by the governor of
12 an emergency pursuant to the Emergency Powers Code, the
13 secretary of transportation may issue an order suspending or
14 modifying the requirements for vehicular size, weight and
15 load pursuant to Sections 66-7-401 through 66-7-416 NMSA 1978
16 for the duration of the emergency; provided that the order
17 shall be published on the department of transportation's
18 website."

19 SECTION 2. EFFECTIVE DATE.--The effective date of the
20 provisions of this act is July 1, 2023. _____

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