

LFC Requester:

Scott Sanchez

**NMDOT NO IMPACT STATEMENT
2025 REGULAR SESSION**

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute, or a correction of a previous bill}

Check all that apply:

Date Prepared: 2/16/2025

Original **Amendment**

Bill No. SB 91

Correction **Substitute**

Sponsor: Katy M. Duhigg
Janelle Anyanonu

Agency/ Code: NMDOT - 805 - OGC

Short Title: Private Collection of
Speeding Camera Fines

Person Writing Analysis: Sam Roybal

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Not applicable.

REVENUE (dollars in thousands)

Not applicable.

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

Not applicable.

SECTION III: NARRATIVE

BILL SUMMARY

Senate Bill 91 (SB 91) amends NMSA 1978, Section 66-8-130. If a municipality implements a municipality penalty assessment program similar to that established in Sections 66-8-116 through 66-8-117 (which establishes penalties for automated cameras or devices for speeding) the municipality is prohibited from:

- 1) Imposing penalties that exceed those of Sections 66-8-116 through 66-8-117;
- 2) Using private company, including collection agency, to collect unpaid penalties under such program;
- 3) Reporting penalty assessment to credit reporting agency;
- 4) Impounding a vehicle for nonpayment of penalty;
- 5) Paying third-party administrator based on number of penalty assessments;

The bill also amends the title of §66-8-130 and defines “credit reporting agency” for the section.

NO IMPACT STATEMENT

SB 91 only effects what a municipality can and cannot do with regards to an automated enforcement penalty assessment program, and the NMDOT does not have any law enforcement duties or powers regarding either state or municipal penalty assessments. Therefore, the bill has neither an administrative nor a fiscal impact on the NMDOT, other than a minor potential impact regarding 2025 SB 241 should that bill pass.

SB 241 allows NMDOT to establish similar automated traffic enforcement systems in posted construction zones. Despite the potential conflict regarding programs of a municipality (NMSA 1978, Section 66-8-130) and a posted construction zone within a municipality (SB 241) applying to the same area, SB 241 provides for an allowable defense to a violation of SB 241 is if the owner has received a citation under Section 66-8-130. See SB 241, Sec. 4.C.(4).

Because the bill has been determined to have no fiscal, operational, administrative or other impact on the NMDOT, the following categories are not applicable:

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS