

<b>LFC Requester:</b>	<b>Felix Chavez</b>
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)  
*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

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

**Date Prepared:** 28JAN2025 *Check all that apply:*  
**Bill Number:** SB154 Original  Correction   
 Amendment  Substitute

**Sponsor:** Senator Antonio Maestas **Agency Name and Code:** 790 – Department of Public Safety  
**Short Title:** Moving Traffic Violation **Person Writing:** Matthew Broom, Deputy Chief  
**Title:** Deferred Sentences **Phone:** 57576014 **Email:** Matthew.broom@dps.

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
NFI	NFI	N/A	N/A

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
NFI	NFI	NFI	N/A	N/A

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	NFI	NFI	NFI	N/A	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

Amends the Motor Vehicle Code to prohibit a court from deferring a sentence of a person who commits a moving traffic violation if that person has, within the past year, had a sentence for a moving traffic violation deferred.

**FISCAL IMPLICATIONS** - There is no fiscal impact to DPS.

**SIGNIFICANT ISSUES** – No significant issues to DPS.

#### **PERFORMANCE IMPLICATIONS –**

DPS believes passage of this bill will help provide a deterrent to dangerous driving activity and as a result have a positive impact on roadway safety. This bill lists seven (7) traffic violations to which this amendment would apply. The first four (4) listed are penalty assessment misdemeanors with no jail jurisdiction. Therefore, removing the ability to receive a deferred sentence the second time an offender commits one of these moving violations provides a deterrent to hopefully keep them driving more safely. A deferred sentence, if successfully completed, would allow the offender to keep the points of their driver's license. The crimes listed in (B)(5) - (7) have ninety (90) days of possible jail jurisdiction and possible fines. Being able to receive a deferred sentence to those charges is a major benefit to the offender, and removing the ability to get a deferred sentence after having previously received one is a significant consequence that would hopefully deter that conduct in the future. Reckless driving, careless driving, and racing on highways are particularly dangerous driving behaviors and present a significant safety concern to the motoring public at large. Moreover, this kind of driving has become more pervasive in recent years, putting the motoring public at risk. DPS supports this bill.

**ADMINISTRATIVE IMPLICATIONS** – No administrative implications to DPS.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP** – None at this time.

**TECHNICAL ISSUES** – No technical issues to DPS.

#### **OTHER SUBSTANTIVE ISSUES**

In 2022, NHTSA reported 42,000 motor vehicle fatalities in the US, and New Mexico consistently ranks among the top states for traffic fatalities and serious injury crashes on a per capita basis. In addition, research suggests that drivers who repeatedly evade penalties are more likely to continue to display problematic driving behaviors. By prohibiting deferrals for individuals with recent moving violations, we can create a stronger deterrent and encourage safer driving habits, ultimately leading to fewer accidents and fatalities on our roads.

**ALTERNATIVES** – No recommended alternatives at this time.

#### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status Quo will remain.

**AMENDMENTS** – DPS has no recommended amendments at this time.