

LFC Requester:

Noah Montano

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

SECTION I: GENERAL INFORMATION

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

Date Prepared: 2/1/2025

Check all that apply:

Bill Number: SB 213

Original X Correction
Amendment Substtute

Sponsor: Sen. Roberto "Bobby" J. Gonzales

Agency Name and Code Number: 305 - New Mexico Department of Justice

Short Title: Yielding to Transit Buses

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Table with columns: Appropriation (FY25, FY26), Recurring or Nonrecurring, Fund Affected

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Table with columns: Estimated Revenue (FY25, FY26, FY27), Recurring or Nonrecurring, Fund Affected

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis:

Overview of SB 213.

SB 213 creates a new traffic offense for failure to yield to a transit bus, defines new terms relative to that new offense, and modifies two other definitions of existing terms in the Motor Vehicle Code that are unrelated to the new offense.

Section 1. Section 1 amends Section 66-1-4.11 by defining “mass transit” as follows: “E. ‘mass transit’ means a coordinated system of transit modes providing transportation for use by the general public.”

Section 2. Section 2 amends Section 66-1-4.14 by defining “passenger van” as follows: “D. ‘passenger van’ means a vehicle with seating for thirteen or fewer people, a maximum interior headroom of fifty-two inches and single rear tires”.

Section 2 also amends Section 66-1-4.14 by defining “public mass transit operator” as follows: “O. ‘public mass transit operator’ means an agency or a political subdivision of the state that provides mass transit services.”

Section 3. Section 3 amends Section 66-1-4.17 by modifying the definition of “title service company” in subsection (E) by replacing the term “motor transportation” with the term “New Mexico state police.”

Section 3 also amends Section 66-1-4.17 by defining “transit bus” as follows: “K. ‘transit bus’ means a bus operated by a public mass transit operator”.

Section 3 also amends Section 66-1-4.17 by modifying the definition of “transportation inspector” in re-lettered subsection (L) by replacing the term “motor transportation” with the term “New Mexico state police.”

Section 4. Section 4 creates the new traffic offense of failure to yield to a transit bus by creating a new section of the Motor Vehicle Code, NMSA 1978, Section 66-7-332.2, which provides: “A. A driver shall yield the right of way to a transit bus, excepting a passenger van, when an illuminated yield sign is displayed on the rear of the bus and the bus is attempting to merge into a

traffic lane from a designated bus stop.”

Section 4 also includes the following as subsection (B) of Section 66-7-332.2: “This section does not require a public mass transit operator to install illuminated yield signs on the buses it operates.”

Section 4 also includes the following as subsection (C) of Section 66-7-332.2: “This section does not relieve a driver of a transit bus from any applicable traffic laws or duty of care.”

Section 4 also includes the following as subsection (D) of Section 66-7-332.2: “A person who violates the provisions of this section is guilty of a penalty misdemeanor.”

Section 5. Section 5 amends NMSA 1978, Section 66-8-116 providing that the penalty assessment for violation of Section 66-7-332.2 is \$25.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None known.

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

N/A