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HOUSE BILL

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO MOTOR VEHICLES; REQUIRING DURING ROADSIDE EMERGENCIES THAT DRIVERS APPROACH STATIONARY TOWING AND REPAIR VEHICLES AS THEY WOULD OTHER EMERGENCY VEHICLES.

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

SECTION 1. 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 AUTHORIZED EMERGENCY 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, exhaust whistle or bell, 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

underscoring material = new
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1 the roadway clear of any intersection and shall stop and remain
2 in that position until the authorized emergency vehicle has
3 passed, except when otherwise directed by a police officer.

4 B. Upon approaching a stationary authorized
5 emergency vehicle displaying flashing emergency lights, unless
6 otherwise directed, the driver of a vehicle shall:

7 (1) if reasonably safe to do so, drive in a
8 lane not adjacent to where the authorized emergency vehicle is
9 stopped, decrease the speed of the vehicle to a speed that is
10 reasonable and prudent under the circumstances and proceed with
11 caution; or

12 (2) if it is not reasonably safe to drive in a
13 lane not adjacent to where the authorized emergency vehicle is
14 stopped, decrease the speed of the vehicle to a speed that is
15 reasonable and prudent under the circumstances, proceed with
16 caution and be prepared to stop.

17 C. This section shall not operate to relieve the
18 driver of an authorized emergency vehicle from the duty to
19 drive and park with due regard for the safety of all persons
20 using the highway.

21 D. For the purposes of Subsections B and C of this
22 section, "authorized emergency vehicle" includes roadside
23 towing and repair vehicles."