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FISCAL IMPACT REPORT

SPONSOR Mejia/Hochman-Vigil LAST UPDATED _____
ORIGINAL DATE 2/8/2025
BILL
SHORT TITLE Removal of Motor Vehicle Hazard NUMBER House Bill 314
ANALYST Simon

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
	No fiscal impact	No fiscal impact	No fiscal impact			

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency Analysis Received From

Department of Public Safety

General Services Department

Agency Analysis was Solicited but Not Received From

Department of Transportation

SUMMARY

Synopsis of House Bill 314

House Bill 314 allows a law enforcement officer or employee of the Department of Transportation (NMDOT) to move vehicles, cargo, or debris from a roadway when it constitutes a public safety hazard and provides that the officer or employee cannot be held liable for damages to vehicles, debris, or cargo if removal causes damage. This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns if enacted, or June 20, 2025.

FISCAL IMPLICATIONS

The Department of Public Safety (DPS) does not anticipate a fiscal impact from the bill. Analysis from the General Services Department, which houses the state's Risk Management Division, states the bill would have no fiscal impact to the state's liability fund.

SIGNIFICANT ISSUES

The U.S. Department of Transportation’s field guide for safety and service patrols notes “abandoned vehicles on high-speed, access-controlled roadways are a safety hazard” and research from the American Automobile Association’s Foundation for Traffic Safety has estimated that, nationwide, as many as 125 deaths have been at least partially caused by roadway debris. For this reason, the National Highway Traffic Safety Administration recommends states and their political subdivisions should develop programs to remove debris from roadways. Currently, NMDOT’s courtesy patrols operate on Interstate 25, Interstate 40, and Paseo Del Norte to assist road users or to clear disabled vehicles or debris from travel lanes.

Analysis from DPS states the bill would assist with the prompt removal of traffic obstructions by protecting officers and employees from liability if property is damaged during the removal. That analysis notes some may hesitate to clear debris for fear of legal repercussions.

JS/hj/hg