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FISCAL IMPACT REPORT

SPONSOR Wallace DATE TYPED 02/11/05 HB 71/aHJC

SHORT TITLE Motorists Moving Aside for Emergency Vehicles SB _____

ANALYST Ford

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY05	FY06			
			Minimal	

(Parenthesis () Indicate Revenue Decreases)

Relates to
SB 280

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
Department of Public Safety (DPS)

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Committee amendment changes the provision describing emergency vehicles to which approaching drivers must yield. The amendment uses a simpler description of an emergency vehicle “displaying flashing emergency lights” and requires that either flashing emergency lights *or* an audible signal require an approaching driver to yield.

Synopsis of Original Bill

House Bill 71 establishes a new responsibility for motorists to yield to emergency vehicles. It requires motorists approaching a stationary emergency vehicle that is displaying flashing emergency lights to move aside. The motorist must, if possible, move to a lane that is not adjacent to the emergency vehicle, decrease to a reasonable and prudent speed, and proceed with caution. If it is not safe to move to a lane that is not adjacent, the driver must lower the vehicle’s speed, pro-

ceed with caution, and be prepared to stop.

The bill increases the fine for failure to yield to an emergency vehicle from \$10 to \$50. This fine would apply to both violations of existing law as well as violations of the new requirements established by the bill.

Significant Issues

Existing law requires motorists to drive as close as possible to the right-hand edge or curb of the roadway and remain stopped until the authorized emergency vehicle has passed. The current fine for failing to do this is \$10.

FISCAL IMPLICATIONS

The existing fine for failing to yield to an emergency vehicle would increase from \$10 to \$50. There would also be a \$50 fine for the newly created infraction of failing to move aside when approaching a stationary emergency vehicle. This would create additional revenue to the general fund in the form of higher fines. There may also be additional costs for enforcement of the new provision. As the AOC notes, new laws have the potential to increase caseloads in the courts. These costs would be off-set by the additional fine revenue so the total fiscal impact is likely to be minimal.

AOC also notes a minimal administrative cost for statewide update, distribution, and documentation of statutory changes.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Senate Bill 280, relating to commercial vehicle penalties, also amends 66-8-116 NMSA 1978.

TECHNICAL ISSUES

Given the unpredictable nature of emergency situations, it may be prudent for the bill to require all motorists to be prepared to stop, even those driving in a non-adjacent lane.

EF/sb