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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/27/07

SPONSOR Silva LAST UPDATED \_\_\_\_\_ HB 1060

SHORT TITLE Motor Vehicle "Incidental" Carrier SB \_\_\_\_\_

ANALYST Wilson

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

	FY07	FY08	FY09	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
<b>Total</b>		(\$0.1)	(\$0.1)	(\$0.1)	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Response Received From

Public Regulation Commission (PRC)

### SUMMARY

#### Synopsis of Bill

House Bill 1060 changes the definition of "incidental carrier" to mean a motor carrier of persons that transports passengers using vehicles designed to transport sixteen or more passengers, including the driver, and for which the customer pays either directly or indirectly.

### FISCAL IMPLICATIONS

This bill limits slightly the scope of the PRC and should require fewer resources to enforce the new law as opposed to the current law.

### SIGNIFICANT ISSUES

The PRC states among other things, the Motor Carrier Act 65-2A-1 to 40 NMSA 1978 defines the type of carriage subject to regulation by the Commission. Included in the definition section, 65-2A-3 NMSA 1978, is a definition for "incidental carrier." HB 1060 amends the definition of incidental carrier found at §65-2A-3 S NMSA 1978, to limit its reach and impact.

The PRC has promulgated rules and made efforts to utilize and enforce this statutory definition, however, the reach of the current definition is beyond the original intent of the language and the PRC estimate is that the current language includes thousands of unnecessary persons. The

current language is over-inclusive and brings within the regulatory scheme persons not originally intended to be regulated. This amendment corrects the problem.

This change will require carriers transporting 15 passengers or more to meet the financial responsibility requirements set by the PRC as prescribed by §65-2A-18 NMSA 1978 and the PRC transportation rules

**ADMINISTRATIVE IMPLICATIONS**

By limiting the scope of the current law to vehicles transporting 15 or more passengers, the PRC enforcement responsibility is reduced.

DW/mt