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SENATE MEMORIAL 2

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Richard C. Martinez

A MEMORIAL

REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY
IMPLEMENTATION OF A PROGRAM TO TRAIN VOLUNTEER CIVILIAN
MOTORCYCLE TRAFFIC ESCORTS AND TO RECOMMEND LEGISLATION TO PLAN
FOR THE IMPLEMENTATION, ENDORSEMENT AND CONTINUED SUPPORT OF
VOLUNTEER CIVILIAN MOTORCYCLE TRAFFIC ESCORTS STATEWIDE.

WHEREAS, organized motorcycle events comprise a
significant portion of charitable giving statewide and result
in the donation of food, toys, money and other measurable gifts
to needy populations; and

WHEREAS, motorcyclists often help escort the remains of
deceased loved ones and fallen military servicemen and
servicewomen to their final resting places; and

WHEREAS, volunteer civilian motorcycle traffic escorts
exist throughout the state, but there is no standard of

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1 training, and the volunteers have no regulation or protection
2 of law, which often necessitates the hiring of paid law
3 enforcement motorcycle officers to ensure the safety of the
4 volunteer motorcyclists and the traveling public participating
5 in an organized event; and

6 WHEREAS, motorcycle events often cross law enforcement
7 jurisdictions, making the use of law enforcement motorcycle
8 escorts a challenging collaboration for multiple agencies; and

9 WHEREAS, the high cost of paying law enforcement to
10 provide for safety often makes the use of paid motorcycle
11 escorts for charity events cost-prohibitive; and

12 WHEREAS, charitable motorcycle events statewide are being
13 canceled due to the increasing cost of law enforcement
14 motorcycle escorts; and

15 WHEREAS, the year 2011 saw the end of the nineteen-year
16 tradition of the Rio Rancho toy run, an event with more than
17 five thousand participants annually, each of whom donated a toy
18 and two nonperishable food items; and

19 WHEREAS, the annual Rio Rancho toy run is no longer held
20 because of the unaffordable cost of hiring law enforcement
21 motorcycle escorts; and

22 WHEREAS, the constitution of New Mexico has an anti-
23 donation clause that forbids giving public money to private
24 operations, effectively preventing law enforcement agencies
25 from donating their services to provide for public safety when

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1 motorcycle escorts are needed; and

2 WHEREAS, a multitude of motorcycle accidents, injuries and
3 deaths that have occurred during organized events could have
4 been prevented through the use of motorcycle escorts to protect
5 the safety of the motorcyclists and the traveling public by
6 keeping participating motorcycles together and increasing their
7 visibility; and

8 WHEREAS, members of the motorcycle community are highly
9 motivated to volunteer for training and endorsement as
10 motorcycle traffic escorts, and they are willing to donate
11 their time to this community service if given the opportunity;
12 and

13 WHEREAS, there are currently no programs endorsed by the
14 state to train volunteer civilian motorcycle traffic escorts;
15 and

16 WHEREAS, a group of motorcyclists traveling together in an
17 organized fashion is a procession and should be protected under
18 the law; and

19 WHEREAS, the state of Arizona has adopted a program to
20 train civilian motorcycle escorts and has a statute enabling
21 the use of volunteer civilian motorcycle escorts, Arizona
22 Revised Statute 28-776;

23 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
24 OF NEW MEXICO that the department of public safety and the
25 department of transportation be requested to convene a task

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1 force to study implementation of a program to train volunteer
2 civilian motorcycle traffic escorts; and

3 BE IT FURTHER RESOLVED that the task force be
4 representative of the motorcycle community at large and include
5 members from the New Mexico motorcycle rights organization, the
6 motorcycle safety foundation, community motorcycle
7 organizations and clubs and independent motorcycle riders; and

8 BE IT FURTHER RESOLVED that the task force conduct a
9 review and analysis of current legislation pertaining to
10 authorized emergency vehicles, licensing requirements and
11 funeral and military procession escort rights of way for the
12 purpose of making recommendations for legislation to improve
13 the protection and endorsement of volunteer civilian motorcycle
14 traffic escorts by the second session of the fifty-first
15 legislature; and

16 BE IT FURTHER RESOLVED that the task force submit its
17 recommendations and findings to the appropriate interim
18 legislative committee by October 2013; and

19 BE IT FURTHER RESOLVED that copies of this memorial be
20 transmitted to the secretary of transportation and the
21 secretary of public safety.