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FISCAL IMPACT REPORT

SPONSOR Woods **ORIGINAL DATE** 01/30/14
LAST UPDATED _____ **HB** _____

SHORT TITLE County Road Speed Limits **SB** 209

ANALYST Soderquist

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY14	FY15	FY16		
	NFI			

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

Senate Bill 209 proposes to amend Section 66-7 NMSA 1978 by adding a sub-section identifying the maximum speed that a vehicle may be driven on unmarked county roads by specifying that, “No person shall drive a vehicle on a highway at a speed greater than fifty-five miles per hour on a county road, as defined in Section 66-7-304 NMSA 1978, without a posted speed limit.” Further, the proposed legislation changes “Highway and Transportation Department” to “Department of Transportation” throughout section. Any citation resulting from not adhering to the proposed statutory change will remain a penalty assessment misdemeanor.

FISCAL IMPLICATIONS

There is no identified fiscal impact from the proposed legislation.

SIGNIFICANT ISSUES

According to the response from the DPS, the most significant issue presented by SB 209 is it specifies the maximum speed of 55 miles per hour that a vehicle may lawfully be driven on unmarked county roads. This proposed legislation potentially increases public safety because

most county roads are not engineered, designed, constructed nor surfaced for the higher speeds that are safe on highways and interstates. As such, SB 209 identifies a safer and clearer maximum speed that officers may enforce on unmarked county roads where the maximum would subjectively be determined based upon roadway conditions, potentially up to 75 miles per hour.

PERFORMANCE IMPLICATIONS

None identified.

ADMINISTRATIVE IMPLICATIONS

None identified.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The existing statute does not specifically identify a maximum speed for unmarked county roads. Without designating the maximum speed in statute, the maximum safe speed is left to be determined by several factors and potentially up to 75 mile per hour for unmarked county roadways. The status quo leaves drivers, law enforcement officers, and the courts to subjectively determine the safe maximum speed when speed limits are not marked.

RS/ds