

FIFTY-THIRD LEGISLATURE
FIRST SESSION, 2017

March 8, 2017

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred

SENATE BILL 76, as amended

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 11, after the semicolon, insert "RESTRICTING THE USE OF RED FLASHING LIGHTS BY CERTAIN MOTOR VEHICLES;".

2. On page 1, between lines 15 and 16, insert the following new section:

"SECTION 1. Section 66-3-835 NMSA 1978 (being Laws 1978, Chapter 35, Section 141) is amended to read:

"66-3-835. SPECIAL RESTRICTIONS ON LAMPS.--

A. Lighted lamps or illuminating devices upon a motor vehicle, other than headlamps, spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle warning lamps and school bus warning lamps, ~~which~~ that project a beam of light of an intensity greater than three hundred candle power shall be directed so that no part of the high-intensity portion of the beam strikes the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle.

B. ~~No~~ A person shall not drive or move upon ~~any~~ a highway ~~any~~ a vehicle or equipment with a lamp or device ~~thereon~~ displaying a red light visible from directly in front of the center of the vehicle or equipment, ~~[This section does not apply to any vehicle upon which a red light visible from the front is]~~ except as expressly authorized or required by the Motor Vehicle Code.

C. Flashing lights are prohibited except as provided in ~~[Subsection D of]~~ this section and except on authorized emergency vehicles, school buses, snow-removal equipment and highway-marking equipment. Except as otherwise provided in this section, flashing red lights may be used as warning lights on disabled or parked vehicles and on any vehicle as a means of indicating a turn.

D. ~~[Tow cars]~~ A recovery or repair vehicle standing on ~~[highways]~~ a highway for the purpose of removing, and actually

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engaged in removing, a disabled [~~vehicles~~] vehicle and while engaged in towing [~~any~~] a disabled vehicle may display flashing lights in any color except red. This provision shall not be construed as permitting the use of flashing lights by [~~tow cars~~] recovery or repair vehicles in going to or returning from the location of disabled vehicles unless actually engaged in towing a disabled vehicle.

E. Only fire department vehicles, law enforcement agency vehicles, ambulances and school buses [~~shall~~] may display flashing red lights visible from the front of the vehicle. All other vehicles authorized by the Motor Vehicle Code to display flashing lights visible from the front of the vehicle may use any other color of light that is visible."".

3. Renumber the succeeding section accordingly.

Respectfully submitted,

Gail Chasey, Chair

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 11 For 0 Against
Yes: 11
No: 0
Excused: Egolf, Gentry
Absent: None

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