

1 HOUSE BILL 378

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Christine Trujillo and Elizabeth "Liz" Thomson and

5 Patricia Roybal Caballero and Art De La Cruz and

6 D. Wonda Johnson

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10 AN ACT

11 RELATING TO MOTOR VEHICLES; PROHIBITING AN AUTONOMOUS VEHICLE
12 FROM TRANSPORTING A GOOD OR PASSENGER UNLESS A HUMAN OPERATOR
13 IS PHYSICALLY PRESENT AND HAS THE ABILITY TO MONITOR THE
14 VEHICLE'S PERFORMANCE, INTERVENE, OPERATE THE VEHICLE AND TURN
15 OFF THE ENGINE.

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17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

18 SECTION 1. Section 66-7-13 NMSA 1978 (being Laws 2021,
19 Chapter 114, Section 8) is amended to read:

20 "66-7-13. AUTONOMOUS MOTOR VEHICLES--STANDARDS--
21 REQUIREMENTS FOR TRANSPORTING A GOOD OR PASSENGER--LOCAL
22 REGULATION.--

23 A. Autonomous motor vehicles and autonomous
24 commercial motor vehicles shall meet all applicable federal
25 motor vehicle safety standards. Additionally, autonomous motor

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1 vehicles and autonomous commercial motor vehicles shall be
2 ~~[capable of being]~~ operated in compliance with applicable
3 traffic and motor vehicle laws in New Mexico.

4 B. No autonomous vehicle shall transport a good or
5 passenger unless a human operator is physically present in the
6 autonomous vehicle and has the ability at all times to monitor
7 the vehicle's performance, intervene, operate the vehicle and
8 turn off the engine. The human operator shall meet all
9 applicable federal and state qualifications for the operation
10 of autonomous and non-autonomous vehicles.

11 ~~[B.]~~ C. No political subdivision of the state may,
12 by ordinance, resolution or any other means, prohibit the
13 testing or operation of an autonomous motor vehicle or
14 autonomous commercial motor vehicle within the jurisdictional
15 boundaries of the political subdivision solely on the basis of
16 the motor vehicle being equipped with an automated driving
17 system."