

LFC Requester:

Anne Hanika-Ortiz

## AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

### SECTION I: GENERAL INFORMATION

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

Date Prepared: 1/14/2025

Check all that apply:

Bill Number: HB30

Original  Correction   
Amendment  Substitute

Sponsor: Rep. Kathleen Cates

Agency Name and Code Number: 305 – New Mexico Department of Justice

Person Writing

Short Title: MOTOR CARRIER SAFETY ACT CHANGES

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### SECTION II: FISCAL IMPACT

#### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis ( ) indicate expenditure decreases)

#### REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis ( ) indicate revenue decreases)

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

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
 Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

*This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.*

**BILL SUMMARY**

**Synopsis:**

HB30’s (pre-filed) heading only refers to the “Motor Carrier Safety Act,” located at Chapter 65, Article 3. However, HB30, Section 1, amends the “Motor Transportation Act,” Section 65-1-2 *Definitions* (as amended through 2015). Additionally, this bill amends Chapter 66, the “Motor Vehicle Code” as well. It would be helpful if the heading is revised to clarify this issue.

Section 1 adds definitions to the “Motor Transportation Act” for "motor carrier of railroad employees" and “on-duty time.”

Section 2 amends the “Short Title” section references for the “Motor Carrier Safety Act.”

Section 3 amends the “Motor Carrier Safety Act,” located at Chapter 65, Article 3 to include under applicability “a motor carrier of railroad employees.”

Section 4 amends “Regulations-Inspections” to authorize the department (defined as the department of public safety per Section 65-1-2(F)) to enter a vehicle or facility of a motor carrier of railroad employee to inspect, to provide a safety review, to audit or to conduct an accident investigation.

Section 5 enacts a new section 65-3-6.1 for Motor Carrier of Railroad Employees—Requirements which includes annual training and certification of drivers, maintaining liability insurance, maintaining uninsured and underinsured coverage, vehicle inspections, alcohol and controlled substance testing of drivers, and the maintenance of driver qualification files.

Section 6 enacts a new section 65-3-7.1 for Motor Carrier of Railroad Employees- Driver Requirements which includes driver physicals and vehicle inspections.

Section 7 enacts a new section 65-3-7.2 for Motor Carrier of Railroad Employees—Disqualification of Drivers—Reporting which provides that persons convicted of driving under the influence whose license has been revoked or been convicted, persons convicted under the Controlled Substances Act, and persons convicted of three or moving violations within three years shall not be allowed to transport employees of a railroad

corporation for a motor carrier for one to five years.

Section 8 enacts a new Section 65-3-8.1 for Motor Carrier of Railroad Employees—Requirements—Vehicle—Equipment which includes conditions for transport, vehicle equipment and maintenance, and vehicle identification.

Section 9 amends Section 65-3-11, Hours of Service of Drivers to require adoption by the department of rules limiting driver duty hours and the maintenance of records by the motor carrier showing compliance.

Section 10 amends Section 65-3-14, Drug and Alcohol Testing Program—Report Positive Test to include “a motor carrier of railroad employees.”

Section 11 amends Section 66-3-875, Safety Belts; Type and Manner of Installation in the “Motor Vehicle Code” (Chapters 66, Articles 1 through 8) to refer to all safety belt requirements in Chapters 65 and 66 NMSA 1978 and to require compliance with SAE (Society of Automobile Engineers) International standards.

Section 12 states that the effective date for these changes is January 1, 2026.

## **FISCAL IMPLICATIONS**

NA

## **SIGNIFICANT ISSUES**

None other than to clarify this bill amends/adds to the “Motor Transportation Act” and the “Motor Vehicle Act,” in addition to “Motor Carrier Safety Act.”

## **PERFORMANCE IMPLICATIONS**

All performance issues, including the drafting of new applicable rules, would reside with the Department of Public Safety and any and all agencies tasked with safety belt enforcement.

## **ADMINISTRATIVE IMPLICATIONS**

The Department of Public Safety would need to draft new rules and thereafter set up administrative enforcement of the new requirements and new rules.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None.

## **TECHNICAL ISSUES**

NA

## **OTHER SUBSTANTIVE ISSUES**

NA

## **ALTERNATIVES**

None.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo.

**AMENDMENTS**

NA