

LFC Requester:	Scott Sanchez
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov

(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

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

Date Prepared: 1/23/25 *Check all that apply:*
Bill Number: HB 105 Original Correction
 Amendment Substitute

Sponsor: A Reeb **Agency Name and Code:** NM CVRC/ 78000
Short Title: Traffic Offense **Number:** _____
Video Testimony **Person Writing:** Claire Harwell/Frank Zubia
Title: _____ **Phone:** 505-553-1223 **Email:** Frank.Zubia@cvrc.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
0	0	0	0

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
0	0	0	0	0

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	n/a	n/a	n/a	n/a	n/a	n/a

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

BILL SUMMARY

Expert witnesses in driving while impaired cases spend a great deal of time in court and traveling to and from court hearings. The bill legalizes video appearances by these experts in cases involving breath or blood analysis, in which they are under subpoena to appear. The bill includes driver acceptance of this type of video testimony as part of the "Implied Consent" Law. The bill also makes edits to existing law to render it gender neutral.

Synopsis:

The bill would create a new section of the motor vehicle Implied Consent Law that would authorize subpoenaed expert witnesses to testify remotely by electronic means.

FISCAL IMPLICATIONS

None for CVRC.

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

The bill would need to be reconciled with existing law on confrontation of witnesses.

PERFORMANCE IMPLICATIONS

None for CVRC. CVRC would anticipate greater availability of experts, improved time efficiency in case processing, and streamlined case processing, all of which would positively impact crime victims in overburdened court systems.

ADMINISTRATIVE IMPLICATIONS

None for CVRC.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None noted.

TECHNICAL ISSUES

None noted.

OTHER SUBSTANTIVE ISSUES

None noted.

ALTERNATIVES

None noted.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Continued limited availability of experts in driving while impaired cases, and rescheduling which burdens all participants in court cases.

AMENDMENTS

None suggested.