

LFC Requester:

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: 2/10/25 *Check all that apply:*
Bill Number: House Bill 148 Original Correction
 Amendment Substitute

Sponsor: Rep. Day Hochman-Vigil **Agency Name and Code:** Economic Development Department
Number: 41900 **Person Writing:** Nora Meyers Sackett
Rob Black
Short Title: Autonomous Vehicle Act **Phone:** 505-795-3966 **Email:** Nora.Sackett@edd.nm.gov
Rob.black@edd.nm.gov

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
Total						

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

House Bill 148 establishes the Autonomous Vehicle Act, enacting requirements for the operation of autonomous vehicles in New Mexico.

The legislation requires that until 2036, autonomous vehicles on public highways in the state must have a licensed human operator behind the steering wheel with the ability to control the vehicle. The human operator in a commercial autonomous vehicle is required to be an employee, contractor, or other designee of the system manufacturer. The legislation also requires certain systems, sensors, and equipment for an autonomous motor vehicle to operate on a New Mexico public highway.

The operation of an autonomous motor vehicle in autonomous mode is prohibited when required to yield to an emergency vehicle or school bus, in a school or construction zone, within public parking facility parking areas, and outside of any other operating conditions allowed by the Department of Transportation – in these situations, a human operator must take control of the vehicle.

The legislation limits the operation of autonomous commercial motor vehicles to testing performed in accordance with the requirements of the Autonomous Vehicle Act unless operations have been approved by rule of the National Highway Traffic Safety Administration. The legislation also establishes a driver's license endorsement for driving an autonomous commercial motor vehicle.

In order to operate an autonomous motor vehicle on a New Mexico public highway, the owner, operator, or manufacturer must:

- Provide certification to the Department of Transportation that the autonomous system has operated for at least ten thousand miles without incident
- Submit to and receive approval from the Department of Transportation of a safety and operations plan

Owners and operators of autonomous motor vehicles are required to submit a report twice annually detailing all incidents involving the vehicle.

The legislation requires notice and certain information to be provided to the Department of Transportation prior to testing an autonomous motor vehicle on a public highway in New Mexico and directs the Department of Transportation to promulgate rules regarding the process.

The legislation establishes insurance requirements for commercial and non-commercial autonomous motor vehicles.

FISCAL IMPLICATIONS

None for EDD.

SIGNIFICANT ISSUES

House Bill 148 establishes unique to New Mexico safety and regulation requirements for the operation of autonomous public vehicles on public highways. Creating unique requirements that may require vehicle re-design, human operators behind a physical steering wheel for a decade, making New Mexico a more difficult and expensive place to operate autonomous vehicles.

By requiring that an autonomous motor vehicle system have operated without incident for ten thousand miles to be certified to operate in New Mexico the bill will make it much more difficult for operators to continue in state. An incident does not need to be the fault of the autonomous vehicle operator for the prohibition to take place, it could be the fault of another driver or an act of God.

By requiring a human operator to be present behind a steering wheel until 2036 the bill eliminates many cost and logistical advantages to autonomous vehicles (eliminating driver rest breaks, availability of qualified workforce, etc.) The bill requires that a human operator take control of a vehicle during a variety of different scenarios including in a construction zone or when yielding to an emergency vehicle. These types of events are unpredictable and would not allow for logistical planning to overcome the human operator requirement. Currently there are autonomous vehicles on the market that do not have steering wheels and therefore would not be allowed on public highways in New Mexico regardless of their safety record.

The states surrounding New Mexico do not have the Bill's unique requirements. By creating unique mechanical and operational requirements that go beyond federal standards the bill could have significant interstate commerce and interstate transportation impacts when vehicles are need to cross New Mexico to get to another state or country.

Because of the enhanced, unique regulatory environment created by the bill operators will likely be deterred from locating service, manufacturing or testing facilities in the state.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

None for EDD.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS