

## NMDOT BILL ANALYSIS 2025 REGULAR SESSION

*{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}*

### **SECTION I: GENERAL INFORMATION**

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

*Check all that apply:*

Original  Amendment   
Correction  Substitute

Date Prepared: 2/10/2025

Bill No. SB 73

Sponsor: Antoinette Sedillo Lopez  
and Pamela Herndon

Agency/ Code: NMDOT - 805 - Planning

Short Title Require Bicycle Stops  
for Safety

Person Writing Analysis: Rosa Kozub

Phone: 505-231-9869 Email: Rosa.kozub@dot.nm.gov

### **SECTION II: FISCAL IMPACT**

Not applicable.

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

Senate Bill 73 (SB 73) amends the Motor Vehicle Code, specifically the Traffic Laws that Apply to Persons Riding Bicycles (Sections 66-3-702 and 66-7-345 NMSA 1978). SB 73 allows bicyclists to proceed through: (1) a stop light before the light turns green, if the bicyclist has stopped and if there is no approaching pedestrian, bicycle or vehicle (Section 66-7-345 E.(1)); and (2) a stop or yield sign without stopping if there is no approaching pedestrian, bicycle or vehicle (Section 66-7-345 E.(2)). Section 66-7-345 E.(2) also requires a bicyclist to stop at a stop or yield sign before entering the intersection “if required for safety to stop”.

#### **FISCAL IMPLICATIONS**

Unknown fiscal impact but potentially significant (See “Significant Issues” below).

#### **SIGNIFICANT ISSUES**

Because the first sentence of Section 66-7-345 E.(2) allows a bicyclist, under certain circumstances, to proceed through an intersection without stopping, NMDOT will not be able to assert a full comparative fault defense (the bicyclist failing to follow traffic safety laws) against potential tort claim. NMDOT’s liability will increase substantially if NMDOT has a direct responsibility to maintain the subject intersection. Other than the first sentence of Section 66-7-345 E.(2), the remainder of SB 73 has no discernable impact on NMDOT.

## **PERFORMANCE IMPLICATIONS**

Similar laws are in effect in at least eight states across the country and create an environment where the law reflects the actual behavior of many bicyclists. A [March 2022 fact sheet by the National Highway Traffic Safety Administration](#) indicates that adoption of similar laws has a positive impact on bicyclist safety. Enacting this law would further the State's Target Zero (zero roadway fatalities by 2050) and multimodal mobility goals, as established in NMDOT's Long-Range Statewide Transportation Plan (NM 2045 Plan).

## **ADMINISTRATIVE IMPLICATIONS**

Unknown.

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

None.

## **TECHNICAL ISSUES**

None.

## **OTHER SUBSTANTIVE ISSUES**

None.

## **ALTERNATIVES**

None.

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

None.

## **AMENDMENTS**

None.