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LFC Requester:	
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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: 01.28.25 *Check all that apply:*
Bill Number: S 91 Original Correction
 Amendment Substitute

Sponsor: Duhigg Anyanonu **Agency Name and Code** AOC 21800
Short Title: Private Collection of Speeding Camera Fines **Number:** _____
Person Writing Cynthia Pacheco
Phone: 505-470-8795 **Email** aocclp@nmcourts.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
0	0		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
	Unknown loss of revenue			

(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: Senate Bill 91 would prohibit municipalities that operate speeding camera technology from imposing penalties that exceed the statutory penalty assessments, prevent the use of a private collection firm to collect unpaid fines, impound a vehicle for unpaid fines, or pay a third party administrator to report non-payment to a credit reporting agency.

FISCAL IMPLICATIONS

There may be an impact on the potential revenue collected for municipalities.

SIGNIFICANT ISSUES

In the 2023 regular session of the legislature, House Bill 139 was introduced. This legislation eliminated the use of penalty assessment fees as revenue. The bill passed with a heavy bipartisan majority and included delay dates to allow affected agencies time to reconfigure budgets and seek additional appropriations to replace fee revenue. The use of fees as revenue was abolished for multiple reasons, including double taxation, impact on marginalized communities, and the conflict created when a public agency is distracted from public service to collection agencies. When HB 139 became law, this state created a policy decision to reject the use of traffic violation fees as a revenue source in New Mexico. Senate Bill 91 enforces this policy decision by preventing the use of aggressive tactics to secure payment of penalty assessments.

PERFORMANCE IMPLICATIONS

Municipalities who wish to enforce compliance will be required to manage compliance with internal staff.

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS