

LFC Requester:

Helen Gaussoin

**NMDOT NO IMPACT STATEMENT
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: 2/19/2025

Bill No. SB 96

Sponsor: Leo Jaramillo

Agency/ Code: NMDOT - 805 - Traffic Safety

Short Title Off-Highway Vehicle Tires &
Sizes

Person Writing Analysis: Shannon Glendenning

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SECTION II: FISCAL IMPACT

Not applicable.

APPROPRIATION (dollars in thousands)

Not applicable.

REVENUE (dollars in thousands)

Not applicable.

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

Not applicable.

SECTION III: NARRATIVE

BILL SUMMARY

Senate Bill 96 (SB 96) amends the definition of off-highway motor vehicle under Section 66-3-1001.1 NMSA 1978. Specifically, the bill amends the "all-terrain vehicle" sub-definition of off-highway motor vehicles to specify "non-highway" instead of "low-pressure" tires; amends the "recreational off-highway vehicle" sub-definition of off-highway motor vehicles to increase the weight limit from a gross vehicle weight of no greater than 1,750 lbs to an unladen dry weight of no greater than 3,500 lbs; and eliminates the engine displacement restriction in the recreational off-highway vehicle sub-definition.

NO IMPACT STATEMENT

SB 96 has neither direct fiscal nor significant operational impact on the NMDOT because the NMDOT does not regulate off-highway motor vehicles except to the extent that such may be

allowed to operate on designated segments of the state highway system.

State Transportation Commission (STC) Policy No. 71 (CP 71) provides a framework for the STC to designate segments of the state highway system to allow on-highway operation of off-highway vehicles as defined by Section 66-3-1001.1 NMSA 1978 and equipped as provided in Subsection C of 66-3-1011 NMSA 1978. CP 71 Section C. requires that a local public entity pass an ordinance or resolution requesting off-highway motor vehicles be allowed to operate on designated segments of the state highway system within its jurisdiction and that the NMDOT provide a written recommendation that off-highway motor vehicles can be operated reasonably safely on the designated sections.

If SB 96 becomes law, the NMDOT will have to review, for pre-existing designations, those ordinances and resolutions by local public entities, and NMDOT recommendations upon which the designations are premised, to make sure that such ordinances, resolutions, and recommendations encompass the amended definition of off-highway motor vehicles. In the event they do not, NMDOT will have to coordinate with relevant local public entities and reevaluate NMDOT's recommendation in accordance with the amended definition of off-highway motor vehicles so that the STC may be able to consider re-designating segments of the state highway system when previous ordinances, resolutions, and recommendations do not comport with changes in law. Such reviews would likely have a minimal impact on NMDOT operations.

Because the bill has been determined to have no fiscal, operational, administrative or other impact on the NMDOT, the following categories are not applicable:

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS