

HOUSE BILL 286

**57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

INTRODUCED BY

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AN ACT

RELATING TO MOTOR VEHICLES; ESTABLISHING A WEIGHT ALLOWANCE FOR  
HEAVY-DUTY ELECTRIC VEHICLES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 66-1-4.5 NMSA 1978 (being Laws 1990,  
Chapter 120, Section 6, as amended) is amended to read:

"66-1-4.5. DEFINITIONS.--As used in the Motor Vehicle  
Code:

A. "electric-assisted bicycle" means a vehicle  
having two or three wheels, fully operable pedals and an  
electric motor. Electric-assisted bicycles are classified as  
follows:

(1) "class 1 electric-assisted bicycle" means  
an electric-assisted bicycle equipped with a motor not  
exceeding seven hundred fifty watts of power that provides

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1 assistance only when the rider is pedaling and that ceases to  
2 provide assistance when the bicycle reaches a speed of twenty  
3 miles per hour;

4 (2) "class 2 electric-assisted bicycle" means  
5 an electric-assisted bicycle equipped with a motor not  
6 exceeding seven hundred fifty watts of power that provides  
7 assistance regardless of whether the rider is pedaling but  
8 ceases to provide assistance when the bicycle reaches a speed  
9 of twenty miles per hour; and

10 (3) "class 3 electric-assisted bicycle" means  
11 an electric-assisted bicycle equipped with a motor not  
12 exceeding seven hundred fifty watts of power that provides  
13 assistance only when the rider is pedaling and that ceases to  
14 provide assistance when the bicycle reaches a speed of twenty-  
15 eight miles per hour;

16 B. "electric mobility device" means a two- or  
17 three-wheel vehicle with an electric motor for propulsion that  
18 does not meet the definition of an electric-assisted bicycle  
19 and is capable of exceeding a speed of twenty miles per hour on  
20 motor power alone;

21 C. "electric vehicle" means a motor vehicle that  
22 derives all of the vehicle's power from electricity stored in a  
23 battery that:

24 (a) has a capacity of not less than twenty-  
25 five kilowatt-hours;

1                    (b) is capable of powering the vehicle for a  
2 range of at least one hundred miles; and

3                    (c) is capable of being recharged from an  
4 external source of electricity;

5                    ~~[G.]~~ D. "electric personal assistive mobility  
6 device" means a self-balancing device having two nontandem  
7 wheels designed to transport a single person by means of an  
8 electric propulsion system with an average power of one  
9 horsepower and with a maximum speed on a paved level surface of  
10 less than twenty miles per hour when powered solely by its  
11 propulsion system and while being ridden by an operator who  
12 weighs one hundred seventy pounds;

13                    ~~[D.]~~ E. "electronic credential" means an electronic  
14 extension of the department-issued physical credential that  
15 conveys identity and driving privilege information;

16                    ~~[E.]~~ F. "electronic credential system" means a  
17 digital process that includes a method for loading electronic  
18 credentials onto a device, issuing electronic credentials,  
19 requesting and transmitting electronic credential data elements  
20 and performing tasks to maintain the system;

21                    ~~[F.]~~ G. "essential parts" means all integral and  
22 body parts of a vehicle of a type required to be registered by  
23 the provisions of the Motor Vehicle Code, the removal,  
24 alteration or substitution of which would tend to conceal the  
25 identity of the vehicle or substantially alter its appearance,

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1 model, type or mode of operation;

2           ~~[G-]~~ H. "established place of business", for a  
3 dealer or auto recycler, means a place:

4                   (1) devoted exclusively to the business for  
5 which the dealer or auto recycler is licensed and related  
6 business;

7                   (2) identified by a prominently displayed sign  
8 giving the dealer's or auto recycler's trade name used by the  
9 business;

10                   (3) of sufficient size or space to permit the  
11 display of one or more vehicles or to permit the parking or  
12 storing of vehicles to be dismantled or wrecked for recycling;

13                   (4) on which there is located an enclosed  
14 building on a permanent foundation, which building meets the  
15 building requirements of the community and is large enough to  
16 accommodate the office or offices of the dealer or auto  
17 recycler and large enough to provide a safe place to keep the  
18 books and records of the dealer or auto recycler;

19                   (5) where the principal portion of the  
20 business of the dealer or auto recycler is conducted and where  
21 the books and records of the business are kept and maintained;  
22 and

23                   (6) where vehicle sales are of new vehicles  
24 only, such as a department store or a franchisee of a  
25 department store, as long as the department store or franchisee

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1 keeps the books and records of its vehicle business in a  
2 general office location at its place of business; as used in  
3 this paragraph, "department store" means a business that offers  
4 a variety of merchandise other than vehicles, and sales of the  
5 merchandise other than vehicles constitute at least eighty  
6 percent of the gross sales of the business; and

7           [~~H.~~] I. "explosives" means any chemical compound or  
8 mechanical mixture that is commonly used or intended for the  
9 purpose of producing an explosion and that contains any  
10 oxidizing and combustive units or other ingredients in such  
11 proportions, quantities or packing that an ignition by fire,  
12 friction, concussion, percussion or detonator of any part of  
13 the compound or mixture may cause such a sudden generation of  
14 highly heated gases that the resultant gaseous pressures are  
15 capable of producing destructive effects on contiguous objects  
16 or of destroying life or limb."

17           SECTION 2. Section 66-7-410 NMSA 1978 (being Laws 1978,  
18 Chapter 35, Section 481, as amended) is amended to read:

19           "66-7-410. GROSS WEIGHT OF VEHICLES AND LOADS.--

20           A. Subject to the limit upon the weight imposed  
21 upon the highway through any one axle as set forth in Section  
22 66-7-409 NMSA 1978 and except as provided in Subsection D of  
23 this section, the total gross weight with load imposed upon the  
24 highway by any one group of two or more consecutive axles of a  
25 vehicle or combination of vehicles shall not exceed the gross

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weight given for the respective distance between the first and last axle of the group of axles measured longitudinally to the nearest foot as set forth in the following table:

Distance in feet between first and last axles of group	Allowed load in pounds on group of axles
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4	34,320
5	35,100
6	35,880
7	36,660
8	37,440
9	38,220
10	39,000
11	39,780
12	40,560
13	41,340
14	42,120
15	42,900
16	43,680
17	44,460
18	45,240.

B. Except as provided in Subsection D of this section, the total gross weight with load imposed on the highway by any vehicle or combination of vehicles where the distance between the first and last axles is more than eighteen feet shall not exceed that given for the respective distances

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1 in the following table:

2	Distance in feet between first	Allowed load in pounds
3	and last axles of group	on group of axles
4	19	53,100
5	20	54,000
6	21	54,900
7	22	55,800
8	23	56,700
9	24	57,600
10	25	58,500
11	26	59,400
12	27	60,300
13	28	61,200
14	29	62,100
15	30	63,000
16	31	63,900
17	32	64,800
18	33	65,700
19	34	66,600
20	35	67,500
21	36	68,400
22	37	69,300
23	38	70,200
24	39	71,100
25	40	72,000

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1	41	72,900
2	42	73,800
3	43	74,700
4	44	75,600
5	45	76,500
6	46	77,400
7	47	78,300
8	48	79,200
9	49	80,100
10	50	81,000
11	51	81,900
12	52	82,800
13	53	83,700
14	54	84,600
15	55	85,500
16	56 or over	86,400.

C. The distance between the centers of the axles shall be measured to the nearest even foot. When a fraction is exactly one-half, the next larger whole number shall be used.

D. The total gross weight with load limitations imposed by this section for any vehicle or combination of vehicles shall be increased by:

- (1) four hundred pounds if the vehicle or combination of vehicles uses idle reduction technology; ~~[or]~~
- (2) if the vehicle is a natural gas vehicle, a

1 standard gross weight limit increase for each axle distance  
2 category in this section, established by the division by rule,  
3 by an amount equal to the difference between the average weight  
4 of the vehicle attributable to its natural gas tank and fuel  
5 system and the average weight of a comparable diesel tank and  
6 fuel system; or

7 (3) if the vehicle is an electric vehicle, a  
8 gross vehicle weight rating of twenty-six thousand one pounds  
9 or more."

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