

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;

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

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

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

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

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

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

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model, type or mode of operation;

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

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

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

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

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

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

(6) where vehicle sales are of new vehicles only, such as a department store or a franchisee of a 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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1 weight given for the respective distance between the first and
2 last axle of the group of axles measured longitudinally to the
3 nearest foot as set forth in the following table:

4	Distance in feet between first 5 and last axles of group	Allowed load in pounds 6 on group of axles
7	4	34,320
8	5	35,100
9	6	35,880
10	7	36,660
11	8	37,440
12	9	38,220
13	10	39,000
14	11	39,780
15	12	40,560
16	13	41,340
17	14	42,120
18	15	42,900
19	16	43,680
20	17	44,460
	18	45,240.

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

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1 in the following table:

2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
		Distance in feet between first and last axles of group																						
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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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