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FISCAL IMPACT REPORT

BILL NUMBER: Senate Bill 73

SHORT TITLE: Driver's Ed Requirements

SPONSOR: Sens. Berghmans and Sedillo Lopez/Rep. Parajon

LAST UPDATE: _____ **ORIGINAL DATE:** 1/28/26 **ANALYST:** Rovang/Liu

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
DPS	No fiscal impact	No fiscal impact	No fiscal impact	None	Recurring	Other state funds
PED	No fiscal impact	No fiscal impact	No fiscal impact	None	Recurring	Other state funds
Total	No fiscal impact	No fiscal impact	No fiscal impact	None	Recurring	Other state funds

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency or Agencies Providing Analysis

Department of Public Safety (DPS)

Public Education Department (PED)

Regional Education Cooperatives (REC)

Agency or Agencies That Were Asked for Analysis but did not Respond

Department of Transportation (DOT)

Taxation and Revenue Department (TRD)

SUMMARY

Synopsis of Senate Bill 73

Senate Bill 73 (SB73) stipulates that approved drivers' education courses must provide at least three hours of education and training on driving with vulnerable road users. The bill defines a vulnerable road user as:

1. A pedestrian, including a person working or providing emergency services on or along a roadway;
2. A person riding or leading an animal; or
3. A person operating or riding any other kind of vehicle that does not provide the same safety or protection as a truck or car.

SB73 assigns responsibility to the Department of Transportation (DOT), through the Traffic Safety Bureau, to prescribe and enforce updated minimum driver education and training standards consistent with this requirement.

The effective date of this bill is January 1, 2027.

FISCAL IMPLICATIONS

RECs note costs of adding new drivers' education requirements can mostly be absorbed into existing operating budgets. Pecos Valley (REC #8) offers driver training statewide and may experience minor fiscal impacts from updating its curriculum. Neither DPS nor PED anticipate any fiscal impact.

SIGNIFICANT ISSUES

In 2025, New Mexico ranked 10th in the nation for traffic fatalities. According to the DOT, New Mexico had 381 motor-vehicle related fatalities, 144 (37.7 percent) of which were vulnerable road user fatalities. TRIP, a national transportation research nonprofit, found that fatal and serious traffic crashes in New Mexico resulted in \$10.1 billion in economic and quality-of-life costs in 2024. According to the U.S. Department of Transportation, motor-vehicle accidents involving vulnerable road users are much more likely to result in a fatality than others, and the proportion of motor-vehicle accidents involving vulnerable road users has been growing each year throughout the country. While less widespread in the United States, vulnerable road user training is common practice in other countries including the United Kingdom and Australia and typically emphasizes identifying vulnerable road users, blind spot awareness, safe passing distances, speed reduction, environmental cues, and compliance.

DPS notes provisions of the bill are consistent with existing traffic safety statutes and complements current DWI prevention and motorcycle safety education requirements. PED notes the requirement to include both training and education as mandatory for driver's education may provide new drivers with the strategies and awareness to avoid accidents with vulnerable road users and reduce the number of New Mexicans that die in motor-vehicle accidents each year.

New Mexico has made previous legislative attempts to make vulnerable road users and drivers safer. The Legislature passed, and the Governor signed a bill into law in 2015, prohibiting texting while driving, and providing penalties for violations. A bill was introduced in the Legislature (but did not pass) in 2015, that would have required the use of a motorcycle safety helmet, while another was introduced that would have required the use of a safety helmet or payment of increased fees to permit motorcycle operators or passengers to refrain from wearing a safety helmet.

ADMINISTRATIVE IMPLICATIONS

The bill would require PED or its designated representative to include at least three hours of training and education on driving with vulnerable road users in its minimum standards for drivers' education courses taught at schools.

Currently, PED assigns DOT as its designee for purposes of the development and administration

of driver's education course content and materials for public schools. As PED's designee, DOT would make the modifications to current course content to reflect the provisions of the bill. It should be noted the bill imposes identical requirements directly upon the Traffic Safety Bureau of DOT through amendment of the Motor Vehicle Code.

Pursuant to 18.20.12 NMAC, driver education schools must provide a minimum of 30 credit hours of classroom instruction if the course also includes a minimum of seven hours of behind-the-wheel training, or 56 credit hours of classroom instruction if the course does not include the minimum hours of behind-the-wheel training. Additionally, courses must include a minimum of six hours of classroom instruction devoted to DWI prevention and education, other impairments and distractions, and information on organ donation and the Jonathan Spradling Revised Uniform Anatomical Gifts Act. Provisions of this bill would require DOT to promulgate rules that incorporate the three hours of education and training on driving with vulnerable road users.

SR/sl/dw/rl