SENATE BILL

58TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2027

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING THE MOTOR VEHICLE CODE TO REQUIRE DEPARTMENT OF TRANSPORTATION APPROVAL OF THE WRITTEN AND ELECTRONIC FORMAT FOR VEHICLE ACCIDENT REPORTS; REQUIRING ELECTRONIC SUBMISSION OF VEHICLE ACCIDENT REPORTS BY LAW ENFORCEMENT OFFICERS; MAKING AN APPROPRIATION.

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

SECTION 1. Section 66-7-207 NMSA 1978 (being Laws 1978, Chapter 35, Section 396, as amended) is amended to read:

"66-7-207. [~~WRITTEN~~] REPORTS OF ACCIDENTS.--

A. The driver of a vehicle involved in an accident resulting in bodily injury to or death of any person or total property damage to an apparent extent of five hundred dollars ($500) or more shall, within five days after the accident, forward an electronic or a written report of the accident to

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the department of transportation in a format approved by that department.

B. The department of transportation may require any driver of a vehicle involved in an accident [~~of~~] for which a report must be made [~~as provided in~~] pursuant to this section to file supplemental reports whenever the original report is insufficient in the opinion of the department of transportation and may require witnesses of accidents to render reports concerning the accidents to the department of transportation.

C. Every law enforcement officer who, in the regular course of duty, investigates a motor vehicle accident [~~of which report must be made as required in this section~~] for which a report is required to be made, either at the time of and at the scene of the accident or thereafter by interviewing participants or witnesses, shall forward, within twenty-four hours after completing the investigation, [~~forward a written~~] an electronic report of the accident to the department of transportation in a format approved by that department. A law enforcement officer shall also, within twenty-four hours after completing the investigation, forward the [~~written~~] electronic report of the accident to [~~the motor transportation division of~~] the department of public safety if the accident involves a commercial motor vehicle and results in:

(1) bodily injury to any person and the person is transported to a medical facility for immediate medical

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attention;

(2) the death of any person; or

(3) any vehicle involved in the accident being towed from the scene due to disabling damage caused by the accident."

SECTION 2. Section 66-7-209 NMSA 1978 (being Laws 1978, Chapter 35, Section 398, as amended) is amended to read:

"66-7-209. ACCIDENT REPORT FORM.--

A. The [~~state highway and~~] department of transportation [~~department~~] shall prepare and, upon request, supply to police departments, district medical investigators, sheriffs, garages and other suitable agencies or [~~individuals~~] other persons forms for written, and the electronic format for electronic, accident reports required under Section 66-7-207 NMSA 1978 appropriate with respect to the persons required to make the reports and the purposes to be served. The department of transportation shall publish the written form and the electronic format for the reports on its website in a clearly marked and easily accessible manner. The [~~written~~] reports to be made by persons involved in accidents and by investigating officers shall call for sufficiently detailed information to disclose with reference to a traffic accident the cause, conditions then existing and the persons and vehicles involved. The report of the investigating officer shall also state whether the persons involved in the accident have motor vehicle

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or automobile liability insurance and the name and address of each insurance carrier.

B. Every accident report required to be made [~~in writing~~] shall be made on an appropriate form or in an electronic format approved by the [~~state highway and~~] department of transportation [~~department~~] in conjunction with the New Mexico state police division of the [~~public safety~~] department of public safety and shall contain all of the information required on the form unless not available.

C. Every accident report shall also contain information sufficient to enable the [~~state highway and~~] department of transportation [~~department~~] to determine whether the requirements for the deposit of security under any of the laws of this state are inapplicable by reason of the existence of insurance or other exceptions specified therein."

SECTION 3. APPROPRIATION.--Nine million dollars ($9,000,000) is appropriated from the general fund to the department of transportation for expenditure in fiscal years 2028 through 2030. Any unexpended balance remaining at the end of fiscal year 2030 shall revert to the general fund. The appropriation shall be used for the implementation of Sections 66-7-207 and 66-7-209 NMSA 1978 as follows:

A. five million dollars ($5,000,000) to purchase equipment and software to assist law enforcement agencies to migrate to an electronic reporting system for vehicle

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accidents;

B. three million dollars ($3,000,000) to hire staff to implement an electronic reporting system for vehicle accidents and to train local law enforcement personnel on the use of the system; and

C. one million dollars ($1,000,000) to develop and establish an internet platform for the electronic reporting of vehicle accidents.

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