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FISCAL IMPACT REPORT

SPONSOR: Vigil DATE TYPED: 02/20/03 HB 398/aHTC
 SHORT TITLE: Power to Close Highways to DPS SB _____
 ANALYST: Gilbert

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Public Safety Motor Transportation Division (MTD)
 Attorney General's Office (AGO)
 Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of HTC Amendment

The House Transportation Committee amendment to House Bill 398 simply changes the bill's title from:

Relating to motor vehicles; transferring the power to close highways in emergencies from the New Mexico State Police to the Department of Public Safety.

To New Bill Title:

Relating to motor vehicles; expanding the power to close highways in emergencies.

Synopsis of Original Bill

House Bill 398 allows the Motor Transportation Division of the Department of Public Safety (MTD) to close state highways under circumstances of "substantial danger". Currently this authority is vested only with the New Mexico State Police.

Significant Issues

According to the MTD, granting uniformed MTD officers the authority to close roadways will enhance public safety. There have been cases where New Mexico State Police Officers were not present and MTD officers were required to wait before a dangerous road could be closed. Such delays can result in the public being unnecessarily exposed to hazardous conditions.

TECHNICAL ISSUES

According to the Attorney General's Office, on Page 1, line 21 and Page 2, line 5 "State Transportation Department" should be used instead of "State Highway and Transportation Department."

RLG/prr