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FISCAL IMPACT REPORT

SPONSOR Cook ORIGINAL DATE 3/2/15
 LAST UPDATED _____ HB 502

SHORT TITLE Off-Highway Vehicle Operations & Fees SB _____

ANALYST Jorgensen

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Transportation (DOT)

Department of Health (DOH)

SUMMARY

Synopsis of Bill

House Bill 502 allows for exceptions to the Off-Highway Motor Vehicle Act to provide for operation of off-highway vehicles on paved streets or highways under specified conditions, and to prohibit counties or municipalities from imposing fees for off-highway vehicle use on public land.

HB 502 amends the Act to allow off-highway motor vehicles on public streets, roads or highways in the following cases:

- when a street, road or highway is designated as open by the state or any agency or political subdivision;
- during special off-highway vehicle events lawfully conducted pursuant to the authority granted to the local political subdivision;
- when using an off-road vehicle for agricultural purposes; or
- when political subdivisions have authorized, by ordinance or resolution, the establishment of off-highway motor vehicle routes to permit the operation of off-highway motor vehicles on streets or roads.

FISCAL IMPLICATIONS

There are no fiscal implications for state agencies as a result of enactment of this legislation.

SIGNIFICANT ISSUES

The DOH notes:

Off-road motor vehicles, unless they are motorcycles with only two wheels, are designed to be driven exclusively on dirt roads or trails, with unique steering mechanisms, suspension systems and tires that better accommodate the irregular surfaces of dirt. Conversely, off road motor vehicles (other than motorcycles) with three or more tires have proven to be quite dangerous when utilized on paved roads for the following reasons:

- Off-road vehicle steering mechanisms are far more sensitive on paved roads, often causing these vehicles to turn too quickly and sharply, thus tipping or rolling over; the special softly inflated tires and the custom suspension systems are assets on dirt roads, yet are equally hazardous liabilities on paved roads.
- Off-road vehicles, given their low profile, are frequently difficult for other motor vehicle operators to see at a distance, in time to avoid a collision, and especially at night, even if the off road vehicle has lights.
- Off-road vehicles are generally not designed to travel at speeds exceeding 25-30 mph, even on dirt roads, due to their instability, so even if a responsible operator is maintaining a reasonable and safe speed for this type of vehicle on pavement, it might only serve to increase the likelihood of a collision with an on-road motor vehicle traveling legally at the posted speed limit of 45-55 mph.

Youth ages 16-17 years are already the highest risk age group for crashes while driving on-road vehicles due to both their inexperience and their underdeveloped decision making ability. Allowing them to operate off-road vehicles on pavement, where they would be subject to more unstable and sensitive steering, as well as the potential for collisions with on-road vehicles traveling at higher speeds that don't readily see them, would only increase the element of risk of injury or fatality.

The DOT notes:

ATVs are designed to be driven on off-road terrain. ATVs have solid rear axles and no rear differential so that the inside rear wheel skids when making a turn because its path length is less than the path length of the outside wheel. This design works off-road, but makes turning on pavement difficult and dangerous.

CJ/aml/je