

SENATE BILL 359

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

George K. Munoz

Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO MOTOR VEHICLES; HCEDC → ~~SETTING A MAXIMUM SPEED LIMIT FOR TRUCK TRACTORS ATTACHED TO A FREIGHT TRAILER;~~ ← HCEDC

REQUIRING TRUCK TRACTORS ATTACHED TO A FREIGHT TRAILER TO DRIVE IN THE RIGHT-HAND LANE ON INTERSTATE HIGHWAYS.

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

HCEDC → ~~SECTION 1. Section 66-7-301 NMSA 1978 (being Laws 1978, Chapter 35, Section 405, as amended) is amended to read:~~

~~"66-7-301. SPEED REGULATION.--~~

~~A. No person shall drive a vehicle on a highway at~~

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~~a speed greater than:~~

~~(1) fifteen miles per hour on all highways when passing a school while children are going to or leaving school and when the school zone is properly posted;~~

~~(2) thirty miles per hour in a business or residence district;~~

~~(3) fifty-five miles per hour on a county road, as defined in Section 66-7-304 NMSA 1978, without a posted speed limit;~~

~~(4) HCEDC→SPAC→sixty←SPAC SPAC→sixty-five←SPAC←HCEDC HCEDC→sixty←HCEDC miles per hour HCEDC→SPAC→on interstate highways←SPAC←HCEDC if the vehicle is a truck tractor attached to a freight trailer;~~

~~{(4)} (5) seventy-five miles per hour; and~~

~~{(5)} (6) the posted speed limit in construction zones posted as double fine zones or other safety zones posted as double fine zones as designated by the department of transportation; provided that the posted speed limit shall be determined by an engineering study performed by the department of transportation.~~

~~B. In every event, speed shall be so controlled by the driver as may be necessary:~~

~~(1) to avoid colliding with a person, vehicle or other conveyance on or entering the highway;~~

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~~(2) to comply with legal requirements as may be established by the department of transportation or the New Mexico state police division of the department of public safety and the duty of all persons to use due care; and~~

~~(3) to protect workers in construction zones posted as double fine zones or other safety zones posted as double fine zones as designated by the department of transportation.~~

~~C. The speed limits set forth in Subsection A of this section may be altered as authorized in Section 66-7-303 NMSA 1978."~~

~~SECTION 2. Section 66-7-303 NMSA 1978 (being Laws 1957, Chapter 73, Section 2, as amended) is amended to read:~~

~~"66-7-303. ESTABLISHMENT OF SPEED ZONES.--~~

~~A. Whenever the secretary of [highway and] transportation determines upon the basis of an engineering survey and traffic investigation, a detailed report of which is filed with the [traffic safety] bureau [of the state highway and transportation department], that any speed established by law is greater or less than is reasonable or safe under the conditions found to exist upon any part of a state highway, the secretary of [highway and] transportation may declare the speed limit for that part, and that speed limit shall be authorized and effective when appropriate signs giving notice thereof are~~

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~~erected at that particular part of the highway; provided that no speed limit shall be declared greater than seventy-five miles per hour or HCEDC→SPAC→sixty←SPAC SPAC→sixty-five←SPAC←HCEDC HCEDC→sixty←HCEDC miles per hour HCEDC→SPAC→on interstate highways←SPAC←HCEDC if the vehicle is a truck tractor attached to a freight trailer. The declaration of speed limits by the secretary of [highway and] transportation shall not be considered rules for purposes of the State Rules Act.~~

~~B. Whenever a local authority determines upon the basis of an engineering survey and traffic investigation that any speed limit permitted under state law or local ordinance is greater or less than is reasonable or safe under the conditions found to exist upon any part of a highway within its jurisdiction, it may declare a speed limit for that part, and that speed limit shall be authorized and effective when appropriate signs giving notice thereof are erected at that particular part of the highway; provided that no speed limit shall be declared greater than seventy-five miles per hour.~~

~~G. Engineering surveys and traffic investigations made by local authorities shall be on a form approved by the secretary of [highway and] transportation. If engineers are not available to the local authorities, the [state highway and] department of transportation [department] may make the surveys~~

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~~and investigations for the local authorities.~~

~~D. Speed zones may be marked by a sign containing a flashing yellow light and, when the light is in operation, the speed limit, instructions or regulations on the sign are in effect.~~

~~E. Alteration of speed limits on state highways by local authorities is not effective until approved by the secretary of [highway and] transportation.~~

~~F. The provisions of Subsections A and B of this section shall not apply to changes of speed limit in construction zones authorized pursuant to Section 66-7-303.1 NMSA 1978."~~ ← HCEDC

SECTION HCEDC → ~~3.~~ 1. ← HCEDC A new section of the Motor Vehicle Code is enacted to read:

"[NEW MATERIAL] TRUCK TRACTOR--RIGHT-HAND LANE TRAVEL REQUIRED.--A truck tractor attached to a freight trailer being operated on the interstate highway system HCEDC → **and outside the boundaries of a municipality** ← HCEDC shall drive in the right-hand lane except when overtaking another vehicle."