

1 SENATE BILL 601

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Pete Campos

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10 AN ACT

11 RELATING TO MOTOR VEHICLES; REQUIRING DRIVERS TO MOVE OVER OR  
12 SLOW DOWN FOR WASTE AND RECYCLING COLLECTION VEHICLES WHEN IT  
13 IS REASONABLY SAFE TO DO SO.

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

16 SECTION 1. Section 66-7-332 NMSA 1978 (being Laws 1978,  
17 Chapter 35, Section 436, as amended) is amended to read:

18 "66-7-332. OPERATION OF VEHICLES ON APPROACH OF MOVING  
19 AUTHORIZED EMERGENCY VEHICLES--OPERATION OF VEHICLES [~~ON~~  
20 ~~APPROACH OF CERTAIN~~] APPROACHING STATIONARY VEHICLES AND WASTE  
21 AND RECYCLING COLLECTION VEHICLES.--

22 A. Upon the immediate approach of an authorized  
23 emergency vehicle displaying flashing emergency lights or when  
24 the driver is giving audible signal by siren, the driver of  
25 every other vehicle shall yield the right of way and shall

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underscored material = new  
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1 immediately drive to a position parallel to, and as close as  
2 possible to, the right-hand edge or curb of the roadway clear  
3 of any intersection and shall stop and remain in that position  
4 until the authorized emergency vehicle has passed, except when  
5 otherwise directed by a police officer.

6 B. Upon approaching a stationary authorized  
7 emergency vehicle [~~or~~], a recovery or repair vehicle displaying  
8 flashing emergency or hazard lights or a waste or recycling  
9 collection vehicle, unless otherwise directed, the driver of a  
10 vehicle shall:

11 (1) if reasonably safe to do so, drive in  
12 a lane not adjacent to the stationary vehicle, recovery or  
13 repair vehicle or waste or recycling collection vehicle,  
14 decrease the speed of the vehicle to a speed that is reasonable  
15 and prudent under the circumstances and proceed with caution;  
16 or

17 (2) if it is not reasonably safe to drive  
18 in a lane not adjacent to the stationary vehicle, recovery or  
19 repair vehicle or waste or recycling collection vehicle,  
20 decrease the speed of the vehicle to a speed that is reasonable  
21 and prudent under the circumstances, proceed with caution and  
22 be prepared to stop.

23 C. This section shall not operate to relieve the  
24 driver of [~~an authorized emergency vehicle or the driver of any~~  
25 ~~other~~] a vehicle from the duty to drive and park with due

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underscoring material = new  
~~[bracketed material] = delete~~

1 regard for the safety of all persons using the highway.

2 D. A person who violates the provisions of this  
3 section is guilty of a penalty assessment misdemeanor."

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