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HOUSE BILL 68

**55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

INTRODUCED BY

Dayan Hochman-Vigil

AN ACT

RELATING TO TORT CLAIMS; EXPANDING DEFINITIONS IN THE SPACE  
FLIGHT INFORMED CONSENT ACT; MAKING THE PROVISIONS OF THE SPACE  
FLIGHT INFORMED CONSENT ACT PERMANENT BY ELIMINATING THE  
DELAYED REPEAL IN LAWS 2013, CHAPTER 131, SECTION 4.

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

**SECTION 1.** Section 41-14-2 NMSA 1978 (being Laws 2010,  
Chapter 8, Section 2, as amended) is amended to read:

"41-14-2. DEFINITIONS.--As used in the Space Flight  
Informed Consent Act:

A. "crew" means an employee of a space flight  
entity who performs activities in the course of that employment  
directly relating to the launch, reentry or other operation of  
or in a launch vehicle or reentry vehicle that carries human  
beings;

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1           B. "launch" means placing or trying to place a  
2 launch vehicle or reentry vehicle and any payload, crew or  
3 participant in a suborbital trajectory, in earth orbit in outer  
4 space or otherwise in outer space. "Launch" includes  
5 activities involved in the preparation of a launch vehicle or  
6 payload for launch when those activities take place at a launch  
7 site in New Mexico;

8           C. "launch vehicle" means:

9                   (1) a vehicle built to operate in, or place a  
10 payload or human beings in, outer space; or

11                   (2) a [~~suborbital rocket~~] vehicle built to  
12 operate in, or transport a payload or human being by,  
13 suborbital flight;

14           D. "participant" means an individual who is not  
15 crew and who is carried within a launch vehicle or reentry  
16 vehicle;

17           E. "participant injury" means an injury sustained  
18 by a participant, including bodily injury, emotional distress,  
19 death, property damage or any other loss arising from the  
20 participant's participation in space flight activities;

21           F. "payload" means an object that a person  
22 undertakes to place in outer space by means of a launch vehicle  
23 or reentry vehicle, including components of the vehicle  
24 specifically designed or adapted for that object;

25           G. "reenter" or "reentry" means to purposefully

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1 return or attempt to return a reentry vehicle and its payload,  
2 crew or participants from earth orbit or from outer space to  
3 earth;

4 H. "reentry vehicle" means a vehicle, including a  
5 reusable launch vehicle, designed to return from earth orbit or  
6 outer space to earth substantially intact;

7 I. "space flight activities" means:

8 (1) activities, including crew training,  
9 involved in the preparation of a launch vehicle, payload, crew  
10 or participant for launch;

11 (2) the conduct of a launch;

12 (3) activities, including crew training,  
13 involved in the preparation of a reentry vehicle and payload,  
14 crew or participant; and

15 (4) the conduct of a reentry; and

16 J. "space flight entity" means:

17 (1) a public or private entity holding a  
18 United States federal aviation administration launch, reentry,  
19 operator or launch site license, permit or other authorization  
20 for space flight activities; or

21 (2) a manufacturer or supplier of components,  
22 services or vehicles used by the entity that has been reviewed  
23 by the United States federal aviation administration as part of  
24 issuing such a license, permit or authorization."

25 SECTION 2. REPEAL.--Laws 2013, Chapter 131, Section 4 is

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