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SENATE BILL 252

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

INTRODUCED BY

Crystal Diamond

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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repealed.