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FISCAL IMPACT REPORT

SPONSOR <u>Gonzales</u>	LAST UPDATED _____
	ORIGINAL DATE <u>2/23/23</u>
SHORT TITLE <u>Yield to Transit Buses</u>	BILL NUMBER <u>Senate Bill 249</u>
	ANALYST <u>Anderson</u>

REVENUE* (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY23	FY24	FY25		
Minimal	\$2.5-\$12.5	\$2.5-\$12.5	Recurring	TRD Motor Vehicle Suspense Fund

Parentheses () indicate revenue increases.
*Amounts reflect most recent version of this legislation.

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
		\$17.8		\$17.8	Nonrecurring	TRD Motor Vehicle Suspense Fund

Parentheses () indicate expenditure decreases.
*Amounts reflect most recent version of this legislation.

Sources of Information

LFC Files
Responses Received From
 Taxation Revenue Department (TRD)
 Department of Public Safety (DPS)

SUMMARY

Synopsis of Senate Bill 249

Senate Bill 249 amends §66-1-4.11 NMSA 1978 which pertains to Motor Vehicles. The bill will require drivers to yield to transit busses displaying yield signs, establishes definitions for mass transit, passenger van, public mass transit operator, and transit bus. SB249 provides for a penalty assessment of \$25.00 for each violation.

This bill does not contain an effective date, and as a result, would go into effect June 16, 2023, (90 days after the Legislature adjourns) if signed.

FISCAL IMPLICATIONS

It is unknown how many violations for failing to yield to a transit bus displaying a yield sign will be issued. For every 100 violations, \$2,500 in fee revenue would be generated; for every 500 violations, \$12.5 thousand in fee revenue would be generated. Fees collected will be remitted to the state treasurer for credit to the general fund.

Implementation of this bill will have a moderate impact on the Information Technology Division (ITD). The Taxation Revenue Department (TRD) estimated the time to develop, test, and implement changes in to their Tapestry system would be approximately 320 hours (2 months). They estimate a total, nonrecurring, operating cost of \$17.8 thousand. They said SB249 requires adding a new violation code for the existing list in Tapestry and testing the configuration changes.

SIGNIFICANT ISSUES

SB249 obligates drivers to yield the right of way to a transit bus when the bus is displaying an illuminated yield sign and it is attempting to merge into a traffic lane from a designated bus stop.

SB249 does not require a public mass transit operator to install illuminated yield signs on the buses it operates, nor does it relieve a driver of a transit bus from applicable traffic laws or duty of care.

The definitions in the bill are as follows:

Mass transit: a coordinated system of transit modes providing transportation for use by the general public.

Passenger van: a vehicle with seating for 13 or fewer people, a maximum interior headroom of 52 inches and single rear tires.

Public mass transit operator: an agency or political subdivision of the state that provides mass transit services.

Transit bus: a bus operated by a public mass transit operator.

ADMINISTRATIVE IMPLICATIONS

TRD indicated the Motor Vehicle Division (MVD) and Financial Distributions Division staffs will verify Tapestry system changes by performing selected tests of data, functionality, and reporting, including performing a mock distribution before authorizing Tapestry to implement these changes.