



to appealing to the Supreme Court. The bill retains the existing 30 day-timeline (30 days after a “final decision” is made by the department) to file an appeal.

## **FISCAL IMPLICATIONS**

SB 201 changes the appeal process of department decisions. Under existing law, decision would be appealed directly to the New Mexico Supreme Court, which may have had a chilling effect on appeals. SB 201 changes the appeal process so that NMDOT decisions pursuant to the Motor Carrier Act and Section 67-3-6.1 NMSA 1978 are appealable to district court pursuant to Section 39-3-1.1 NMSA 1978. This change may result in more appeals, although the extent to which this may happen is speculative at this time.

## **SIGNIFICANT ISSUES**

None identified.

## **PERFORMANCE IMPLICATIONS**

The statutory updates in SB 201 will assist in the transition of the relevant powers and duties from the PRC transportation division to the NMDOT by modernizing and streamlining the statutory authority and appeals process.

## **ADMINISTRATIVE IMPLICATIONS**

NMDOT may need to allocate more staff if an increase of appeals is realized.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None identified.

## **TECHNICAL ISSUES**

None identified.

## **OTHER SUBSTANTIVE ISSUES**

None identified.

## **ALTERNATIVES**

None identified.

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

The NMDOT will take over PRC transportation division duties on July 1, 2024 with outdated, cumbersome, and mainly unused procedures with respect to regulatory functions and hearings.

## **AMENDMENTS**

None suggested.