

1 SENATE BILL 96

2 57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

3 INTRODUCED BY

4 Leo Jaramillo

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10 AN ACT

11 RELATING TO OFF-HIGHWAY MOTOR VEHICLES; AMENDING SECTION
12 66-3-1001.1 NMSA 1978 (BEING LAWS 2005, CHAPTER 325, SECTION 1,
13 AS AMENDED); AMENDING DEFINITIONS CONCERNING TIRES AND VEHICLE
14 SIZE.

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

17 SECTION 1. Section 66-3-1001.1 NMSA 1978 (being Laws
18 2005, Chapter 325, Section 1, as amended) is amended to read:

19 "66-3-1001.1. DEFINITIONS.--As used in the Off-Highway
20 Motor Vehicle Act:

21 A. "board" means the off-highway motor vehicle
22 advisory board;

23 B. "department" means the department of game and
24 fish;

25 C. "division" means the motor vehicle division of

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1 the taxation and revenue department;

2 D. "fund" means the trail safety fund;

3 E. "off-highway motor vehicle" means a motor
4 vehicle designed by the manufacturer for operation exclusively
5 off the highway or road and includes:

6 (1) "all-terrain vehicle", which means a motor
7 vehicle fifty inches or less in width, having an unladen dry
8 weight of one thousand pounds or less, traveling on three or
9 more ~~[low-pressure]~~ non-highway tires and having a seat
10 designed to be straddled by the operator and handlebar-type
11 steering control;

12 (2) "off-highway motorcycle", which means a
13 motor vehicle traveling on not more than two tires and having a
14 seat designed to be straddled by the operator and that has
15 handlebar-type steering control;

16 (3) "snowmobile", which means a motor vehicle
17 designed for travel on snow or ice and steered and supported in
18 whole or in part by skis, belts, cleats, runners or low-
19 pressure tires;

20 (4) "recreational off-highway vehicle", which
21 means a motor vehicle designed for travel on four or more non-
22 highway tires, for recreational use by one or more persons, and
23 having:

24 (a) a steering wheel for steering
25 control;

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(b) non-straddle seating;

(c) maximum speed capability greater than thirty-five miles per hour;

(d) [~~gross vehicle~~] unladen dry weight [~~rating~~] of no greater than [~~one thousand seven hundred fifty~~] three thousand five hundred pounds;

(e) less than eighty inches in overall width, exclusive of accessories; and

~~[(f) engine displacement of less than one thousand cubic centimeters; and~~

~~(g)]~~ (f) identification by means of a seventeen-character vehicle identification number; or

(5) by rule of the department, any other vehicles that may enter the market that fit the general profile of vehicles operated off the highway for recreational purposes;

F. "staging area" means a parking lot, trailhead or other location to or from which an off-highway motor vehicle is transported so that it may be placed into operation or removed from operation; and

G. "unpaved public roadway" means a dirt graveled street or road that is constructed, signed and maintained for regular passenger-car use by the general public."