

LFC Requester:	Scott Sanchez
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AGENCY BILL ANALYSIS – 2026 SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO
AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov
(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 05February2026 *Check all that apply:*
Bill Number: SB312 Original Correction
 Amendment Substitute

Sponsor: Antoinette Sedillo Lopez **Agency Name and Code:** 790 – Department of Public Safety
Short Title: Safety Helmets as Negligence **Person Writing:** Carolyn Huynh, Deputy Chief,
Title: Safety Helmets as Negligence **Phone:** 505681286 **Email:** Carolynn.huynh@dps.

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
NFI	NFI	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
NFI	NFI	NFI	N/A	N/A

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Senate Bill 312 (SB-312) amends New Mexico's motorcycle helmet laws by removing statutory language that prevents failure to wear a safety helmet from being considered contributory negligence or fault in civil actions. The bill repeals existing provisions that prohibit courts from limiting or apportioning damages based on helmet nonuse and deletes similar protections in the Children's Code and Motor Vehicle Code. Helmet requirements for operators and passengers under eighteen remain in place, while autocycles continue to be exempt.

FISCAL IMPLICATIONS

None for the Department of Public Safety (DPS).

SIGNIFICANT ISSUES

No significant issues for DPS.

PERFORMANCE IMPLICATIONS

No performance implications for DPS.

ADMINISTRATIVE IMPLICATIONS

No administrative implications for DPS.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplication, companionship, or relationship for DPS.

TECHNICAL ISSUES

No technical issues for DPS.

OTHER SUBSTANTIVE ISSUES

No substantive issues for DPS.

ALTERNATIVES

No alternative issues for DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo will remain the same.

AMENDMENTS

No amendments at this time.