

HOUSE BILL 215

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

Luis M. Terrazas and Jenifer Jones and Gabriel Ramos

AN ACT

RELATING TO MOTOR VEHICLES; AUTHORIZING LOCAL AND COUNTY ELECTED AUTHORITIES TO ALLOW OFF-HIGHWAY MOTOR VEHICLES TO OPERATE ON PAVED STREETS AND HIGHWAYS WITHIN THE POLITICAL BOUNDARIES OF THE AUTHORIZING ENTITY.

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

SECTION 1. Section 66-3-1011 NMSA 1978 (being Laws 1975, Chapter 240, Section 11, as amended) is amended to read:

"66-3-1011. OPERATION ON STREETS OR HIGHWAYS--PROHIBITED
AREAS.--

A. A person shall not operate an off-highway motor vehicle on any:

(1) limited access highway or freeway at any time; or

(2) paved street or highway except as provided

underscored material = new
[bracketed material] = delete

1 in Subsection B, C, D or E of this section.

2 B. Off-highway motor vehicles may cross streets or
3 highways, except limited access highways or freeways, if the
4 crossings are made after coming to a complete stop prior to
5 entering the roadway. Off-highway motor vehicles shall yield
6 the right of way to oncoming traffic and shall begin a crossing
7 only when it can be executed safely and then cross in the most
8 direct manner as close to a perpendicular angle as possible.

9 C. If authorized by ordinance or resolution of a
10 local or county elected authority, ~~[or the state transportation~~
11 ~~commission]~~ a recreational off-highway vehicle or an all-
12 terrain vehicle may be operated on a paved street or highway
13 ~~[owned and controlled by]~~ within the political boundaries of
14 the authorizing entity if:

15 (1) the vehicle has one or more headlights and
16 one or more taillights that comply with the Off-Highway Motor
17 Vehicle Act;

18 (2) the vehicle has brakes, mirrors and
19 mufflers;

20 (3) the operator has valid driver's licenses
21 or permits as required under the Motor Vehicle Code and off-
22 highway motor vehicle safety permits as required under the Off-
23 Highway Motor Vehicle Act;

24 (4) the operator is insured in compliance with
25 the provisions of the Mandatory Financial Responsibility Act;

.233149.1

(5) the operator of the vehicle is using eye protection that complies with the Off-Highway Motor Vehicle Act; and

(6) if the operator is under eighteen years of age, the operator is wearing a safety helmet that complies with the Off-Highway Motor Vehicle Act.

D. Except for sections of the Motor Vehicle Code that are in conflict with the licensing and equipment requirements of the Off-Highway Motor Vehicle Act, any operator using an off-highway motor vehicle on a paved street or highway shall be subject to the requirements and penalties for operators of moving and parked vehicles under the Motor Vehicle Code.

E. By ordinance or resolution, a local [authority or state transportation commission] or county elected authority may establish separate speed limits and operating restrictions for off-highway vehicles where they are authorized to operate on paved streets or highways pursuant to Subsection C of this section.

F. A person shall not operate an off-highway motor vehicle on state game commission-owned, -controlled or -administered land except as specifically allowed pursuant to Chapter 17, Article 6 NMSA 1978.

G. A person shall not operate an off-highway motor vehicle on land owned, controlled or administered by the state

1 parks division of the energy, minerals and natural resources
2 department, pursuant to Chapter 16, Article 2 NMSA 1978, except
3 in areas designated by and permitted by rules adopted by the
4 secretary of energy, minerals and natural resources.

5 H. Unless authorized, a person shall not:

6 (1) remove, deface or destroy any official
7 sign installed by a state, federal, local or private land
8 management agency; or

9 (2) install any off-highway motor vehicle-
10 related sign."

11 - 4 -
12
13
14
15
16
17
18
19
20
21
22
23
24
25

underscored material = new
[bracketed material] = delete