

HOUSE BILL 215

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

INTRODUCED BY

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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

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

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

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

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

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

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

24 G. A person shall not operate an off-highway motor
25 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."

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