

1 AN ACT

2 RELATING TO DRIVER EDUCATION; REQUIRING DRIVER EDUCATION
3 COURSES AND SCHOOLS TO INCLUDE AT LEAST THREE HOURS OF
4 EDUCATION AND TRAINING ON DRIVING WITH VULNERABLE ROAD USERS.

5
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

7 SECTION 1. Section 22-13-12 NMSA 1978 (being Laws 1967,
8 Chapter 16, Section 186, as amended) is amended to read:

9 "22-13-12. APPROVED DRIVER-EDUCATION COURSES.--

10 A. The department or its designated representative
11 shall adopt and promulgate minimum standards for approved
12 driver-education and motorcycle driver-education courses
13 taught in any school in the state, which shall include at
14 least three hours of education and training on driving with
15 vulnerable road users.

16 B. A driver-education or motorcycle
17 driver-education course shall provide to students legally
18 entitled to operate the type of motor vehicle involved
19 classroom instruction and behind-the-wheel or on-the-
20 motorcycle training in the safe operation of the motor
21 vehicle.

22 C. An approved driver-education or motorcycle
23 driver-education course is a course of instruction certified
24 by the secretary as meeting the minimum standards for a
25 driver-education course adopted by the department or its

1 designated representative.

2 D. As used in this section, "vulnerable road user"
3 includes:

4 (a) a pedestrian, including a person engaged
5 in work or in the provision of emergency services upon or
6 along a roadway;

7 (b) a person riding or leading an animal; or

8 (c) a person lawfully operating or riding a
9 bicycle, tricycle or other pedal-powered vehicle, a farm
10 tractor or similar vehicle designed primarily for farm use, a
11 skateboard, a scooter, a moped, a motorcycle, roller skates,
12 inline skates, an animal-drawn wheeled vehicle, an electric
13 personal assistive mobility device, a wheelchair or another
14 similar means of transportation in which the person is not
15 surrounded by a shell of protection such as that which a car
16 or truck provides."

17 SECTION 2. Section 66-1-4.19 NMSA 1978 (being Laws
18 1990, Chapter 120, Section 20, as amended) is amended to
19 read:

20 "66-1-4.19. DEFINITIONS.--As used in the Motor Vehicle
21 Code:

22 A. "validating sticker" means the tab or sticker
23 issued by the division to signify, upon a registration plate,
24 renewed registration;

25 B. "vehicle" means every device in, upon or by

1 which any person or property is or may be transported or
2 drawn upon a highway, including any frame, chassis, body or
3 unitized frame and body of any vehicle or motor vehicle,
4 except devices moved exclusively by human power or used
5 exclusively upon stationary rails or tracks;

6 C. "vehicle-business number" means the distinctive
7 registration number given by the division to any
8 manufacturer, auto recycler or dealer;

9 D. "vehicle plate" means a plate, marker, sticker
10 or tag similar to a registration plate, but that is issued by
11 the department for vehicles that are exempted from
12 registration under the Motor Vehicle Code;

13 E. "verification process" means a method of
14 authenticating an electronic credential through the use of
15 secure and encrypted communication; and

16 F. "vulnerable road user" includes:

17 (a) a pedestrian, including a person engaged
18 in work or in the provision of emergency services upon or
19 along a roadway;

20 (b) a person riding or leading an animal; or

21 (c) a person lawfully operating or riding a
22 bicycle, tricycle or other pedal-powered vehicle, a farm
23 tractor or similar vehicle designed primarily for farm use, a
24 skateboard, a scooter, a moped, a motorcycle, roller skates,
25 inline skates, an animal-drawn wheeled vehicle, an electric

1 personal assistive mobility device, a wheelchair or another
2 similar means of transportation in which the person is not
3 surrounded by a shell of protection such as that which a car
4 or truck provides."

5 SECTION 3. Section 66-7-506 NMSA 1978 (being Laws 1978,
6 Chapter 35, Section 493, as amended) is amended to read:

7 "66-7-506. BUREAU--FUNCTIONS--POWERS--DUTIES.--The
8 bureau shall have the following powers and duties:

9 A. organize, plan and conduct a statewide program
10 of activities designed to prevent accidents and to reduce the
11 incidence of DWI in New Mexico;

12 B. coordinate activities and programs of the
13 departments, divisions and agencies of this state now engaged
14 in promoting traffic safety;

15 C. provide accident prevention information and
16 publicity to all appropriate media of information and develop
17 other means of public information;

18 D. cooperate with all public and private agencies
19 and organizations interested in the promotion of traffic
20 safety and accident prevention;

21 E. serve as a clearinghouse for all traffic safety
22 materials and information used throughout this state;

23 F. cooperate in promoting research, special
24 studies and analysis of problems concerning the safety and
25 welfare of the citizens of New Mexico;

1 G. cooperate fully with national safety
2 organizations in bringing about greater effectiveness in
3 nationwide accident prevention activities and programs;

4 H. make studies and suitable recommendations,
5 through the chief and the secretary of transportation, to the
6 legislature concerning safety regulations and laws;

7 I. prepare and submit each year a written report
8 to the governor concerning the activities of the bureau and
9 activities concerning assistance to local organizations and
10 officials;

11 J. institute and administer a statewide motorcycle
12 training program funded as provided for in Section 66-10-10
13 NMSA 1978;

14 K. institute and administer an accident prevention
15 course for elderly drivers as provided for in Section
16 59A-32-14 NMSA 1978;

17 L. cooperate with the public education department
18 to develop a regulatory framework for instructional and
19 administrative processes, including licensure requirements
20 for instructors, and a curriculum for instruction in
21 defensive driving with a DWI education and prevention
22 component to be offered statewide in secondary schools as an
23 elective;

24 M. institute and administer a DWI prevention and
25 education program for elementary and secondary school

1 students, funded as provided for in Section 66-5-35 NMSA
2 1978;

3 N. prescribe minimum driver education and training
4 program standards pursuant to the Driving School Licensing
5 Act; and

6 O. include a DWI recidivism prevention component
7 in all driver rehabilitation programs for alcohol or drugs
8 approved by the bureau."

9 SECTION 4. Section 66-10-5 NMSA 1978 (being Laws 1967,
10 Chapter 185, Section 5, as amended) is amended to read:

11 "66-10-5. ISSUANCE OF LICENSES TO DRIVER EDUCATION
12 SCHOOLS AND TO DRIVER EDUCATION INSTRUCTORS.--

13 A. The bureau shall issue a license certificate to
14 each applicant to conduct a driver education school or to
15 each driver education instructor when it is satisfied that
16 the person has met the qualifications required under the
17 Driving School Licensing Act and if a school complies with
18 the minimum driver education program standards established by
19 the bureau.

20 B. The bureau shall prescribe minimum driver
21 training program standards, which shall include:

22 (1) at least two hours of DWI prevention and
23 education training; and

24 (2) at least three hours of education and
25 training on driving with vulnerable road users.

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C. All licenses issued pursuant to the provisions of the Driving School Licensing Act shall expire annually, unless canceled, suspended or revoked sooner. The bureau shall establish annual expiration dates for the licenses by rule, and each category of driving school may have a different license expiration date. Licenses shall be renewed subject to application and payment of the required fee."

SECTION 5. EFFECTIVE DATE.--The effective date of the provisions of this act is January 1, 2027. _____