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SENATE BILL 338

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Lidi o Rainaldi

AN ACT

RELATING TO MOTOR VEHICLES; PLACING SPEED AND DRIVING  
RESTRICTIONS ON CERTAIN VEHICLES WITH A GROSS VEHICLE WEIGHT  
OF FORTY-EIGHT THOUSAND POUNDS OR MORE; AMENDING SECTIONS OF  
THE MOTOR VEHICLE CODE.

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

Section 1. Section 66-7-301 NMSA 1978 (being Laws 1978,  
Chapter 35, Section 405, as amended) is amended to read:

"66-7-301. SPEED REGULATION. - -

A. No person shall drive a vehicle on a highway at  
a speed greater than:

(1) fifteen miles per hour on all highways  
when passing a school while children are going to or leaving  
school and when the school zone is properly posted;

(2) thirty miles per hour in any business or

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1 residence district;

2 (3) seventy-five miles per hour, provided  
3 that a truck tractor or road tractor with a gross vehicle  
4 weight of forty-eight thousand pounds or more shall not be  
5 driven at a speed greater than sixty-five miles per hour; and

6 (4) the posted speed limit in construction  
7 zones, provided that the posted speed limit shall be  
8 determined by an engineering study performed by the state  
9 highway and transportation department.

10 B. In every event, speed shall be so controlled by  
11 the driver as may be necessary:

12 (1) to avoid colliding with any person,  
13 vehicle or other conveyance on or entering the highway;

14 (2) to comply with legal requirements as may  
15 be established by the state highway and transportation  
16 department or the New Mexico state police division of the  
17 department of public safety and the duty of all persons to use  
18 due care; and

19 (3) to protect workers in a construction  
20 zone.

21 C. The speed limits set forth in Subsection A of  
22 this section may be altered as authorized in Section 66-7-303  
23 NMSA 1978. "

24 Section 2. Section 66-7-317 NMSA 1978 (being Laws 1978,  
25 Chapter 35, Section 421, as amended) is amended to read:

. 134388. 1

1 "66-7-317. DRIVING ON ROADWAYS LANED FOR TRAFFIC. --

2 Whenever any roadway has been divided into two or more clearly  
3 marked lanes for traffic, the following rules, in addition to  
4 all others consistent ~~herewith~~ with this section, shall  
5 apply:

6 A. a vehicle shall be driven as nearly as  
7 practicable entirely within a single lane and shall not be  
8 moved from ~~such~~ that lane until the driver has first  
9 ascertained that ~~such~~ the movement can be made with safety;

10 B. upon a roadway ~~which~~ that is divided into  
11 three lanes, a vehicle shall not be driven in the center lane  
12 except when overtaking ~~a~~ and passing another vehicle where  
13 the roadway is clearly visible and ~~such~~ the center lane is  
14 clear of traffic within a safe distance or in preparation for  
15 a left turn or where ~~such~~ the center lane is at the time  
16 allocated exclusively to traffic moving in the direction the  
17 vehicle is proceeding and is signposted to ~~given~~ give notice  
18 of such allocation; ~~and~~

19 C. official signs may be erected directing slow-  
20 moving traffic to use a designated lane or designating those  
21 lanes to be used by traffic moving in a particular direction  
22 regardless of the center of the roadway, and drivers of  
23 vehicles shall obey the directions of every such sign; and

24 D. a truck tractor or road tractor with a gross  
25 vehicle weight of forty-eight thousand pounds or more shall be

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1 driven only in the right lane, except for the purpose of  
2 passing another motor vehicle without impeding traffic."

3 Section 3. EFFECTIVE DATE. -- The effective date of the  
4 provisions of this act is July 1, 2001.

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