

1 A MEMORIAL

2 REQUESTING THAT THE ATTORNEY GENERAL CREATE A DRIVER AND
3 HIGHWAY SAFETY TASK FORCE TO ASSESS THE NEED FOR BETTER
4 TESTING OF DRIVER ABILITY, TO STUDY SOLUTIONS TO IMPROVING
5 DRIVER AND HIGHWAY SAFETY AND TO ADDRESS THE PROBLEMS POSED
6 BY LOSS OF THE DRIVING PRIVILEGE.

7
8 WHEREAS, New Mexico law currently requires vision checks
9 annually only for a driver age seventy-five years or older;
10 and

11 WHEREAS, other tests of sensory ability, motor skills,
12 perception and reflexes are not required at any age; and

13 WHEREAS, under New Mexico law, a person could drive for
14 decades without ever having to demonstrate the ability to
15 drive safely; and

16 WHEREAS, driving ability may diminish with age or with
17 changes in response to other circumstances; and

18 WHEREAS, a person originally issued a license does not
19 have to retest upon becoming incapacitated; and

20 WHEREAS, families who become concerned about the driving
21 ability of a loved one may have difficulty signaling
22 authorities that the driving skills of that loved one may
23 have diminished; and

24 WHEREAS, as the baby boomer generation begins to age, a
25 large population of elderly drivers may need closer

1 observation and testing; and

2 WHEREAS, as New Mexico highways are improved and as
3 speeds on New Mexico highways increase, drivers with
4 diminished capacity because of age or other circumstances can
5 threaten the lives of more people who share the highways; and

6 WHEREAS, the loss of the driving privilege in a state
7 with little public transportation is a major barrier to
8 independence and social mobility; and

9 WHEREAS, other states employ a wide variety of checks on
10 the privilege of driving, including annual requirements for
11 driver testing for persons beyond a certain age; and

12 WHEREAS, other states provide reporting mechanisms that
13 protect people who report a potentially dangerous driver; and

14 WHEREAS, in other states, public transportation
15 solutions exist to address the problems of independent living
16 without a car and declining driving ability; and

17 WHEREAS, young persons who begin driver education
18 training may be allowed to drive prior to any training
19 whatsoever; and

20 WHEREAS, the effectiveness of regulations governing
21 standards, curriculum and credentials of driver education
22 classes deserves careful examination;

23 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE
24 STATE OF NEW MEXICO that the attorney general be requested to
25 appoint a driver and highway safety task force to study

1 changes needed in the Motor Vehicle Code to address driver
2 and highway safety and to propose legislation for making
3 those changes and for addressing the problems raised by the
4 loss of driving privileges; and

5 BE IT FURTHER RESOLVED that the attorney general be
6 requested to convene the driver and highway safety task force
7 by August 2009 and report its solutions in the form of
8 proposed legislation to the appropriate legislative interim
9 committee by September 2010; and

10 BE IT FURTHER RESOLVED that the attorney general be
11 requested to include representatives of the medical
12 community, advocacy groups for retirees, young persons and
13 persons with disabilities, as well as the malpractice bar and
14 the director of the motor vehicle division of the taxation
15 and revenue department, in the membership of the driver and
16 highway safety task force; and

17 BE IT FURTHER RESOLVED that copies of this memorial be
18 transmitted to the attorney general; the American association
19 of retired persons; the protection and advocacy system in
20 Albuquerque; youth development, incorporated, in Albuquerque;
21 the secretary of public education; the director of the motor
22 vehicle division of the taxation and revenue department; and
23 the New Mexico medical association. _____