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SENATE MEMORIAL 21

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Peter Wirth

A MEMORIAL

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

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

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

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

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

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

3 WHEREAS, families who become concerned about the driving
4 ability of a loved one may have difficulty signaling
5 authorities that the driving skills of that loved one may have
6 diminished; and

7 WHEREAS, as the baby boomer generation begins to age, a
8 large population of elderly drivers may need closer observation
9 and testing; and

10 WHEREAS, as New Mexico highways are improved and as speeds
11 on New Mexico highways increase, drivers with diminished
12 capacity because of age or other circumstances can threaten the
13 lives of more people who share the highways; and

14 WHEREAS, the loss of the driving privilege in a state with
15 little public transportation is a major barrier to independence
16 and social mobility; and

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

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

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

25 WHEREAS, young persons who begin driver education training

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1 may be allowed to drive prior to any training whatsoever; and

2 WHEREAS, the effectiveness of regulations governing
3 standards, curriculum and credentials of driver education
4 classes deserves careful examination;

5 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
6 OF NEW MEXICO that the attorney general be requested to appoint
7 a driver and highway safety task force to study changes needed
8 in the Motor Vehicle Code to address driver and highway safety
9 and to propose legislation for making those changes and for
10 addressing the problems raised by the loss of driving
11 privileges; and

12 BE IT FURTHER RESOLVED that the attorney general be
13 requested to convene the driver and highway safety task force
14 by August 2009 and report its solutions in the form of proposed
15 legislation to the appropriate legislative interim committee by
16 September 2010; and

17 BE IT FURTHER RESOLVED that the attorney general be
18 requested to include representatives of the medical community,
19 advocacy groups for retirees, young persons and persons with
20 disabilities, as well as the malpractice bar and the director
21 of the motor vehicle division of the taxation and revenue
22 department, in the membership of the driver and highway safety
23 task force; and

24 BE IT FURTHER RESOLVED that copies of this memorial be
25 transmitted to the attorney general; the American association

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1 of retired persons; the protection and advocacy system in
2 Albuquerque; youth development, incorporated, in Albuquerque;
3 the secretary of public education; the director of the motor
4 vehicle division of the taxation and revenue department; and
5 the New Mexico medical association.

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