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## FISCAL IMPACT REPORT

**SPONSOR** HJC **ORIGINAL DATE** 02/21/11  
**LAST UPDATED** 03/07/11 **HB** 259/HJCCS

**SHORT TITLE** Bicyclist Regulations At Intersections **SB** \_\_\_\_\_

\_\_\_\_\_  
**ANALYST** Haug

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY11	FY12	FY13	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
<b>Total</b>		NFI				

(Parenthesis ( ) Indicate Expenditure Decreases)

Conflicts with SB 382

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Taxation and Revenue Department (TRD)

Department of Transportation (DOT)

### SUMMARY

#### Synopsis of Bill

House Judiciary Committee's Substitute for House Bill 259 would add an exception to the motor vehicle code with respect to bicycles stopping at stop signs or red lights.

The purpose of the HJC substitute was to reconcile to (and adopt) the formulation of SB 382.

### FISCAL IMPLICATIONS

House Bill 259 contains no appropriation and has no fiscal implications.

### SIGNIFICANT ISSUES

Under current statute, bicyclists must observe the motor vehicle requirement to come to a complete stop at stop signs or red lights before proceeding into the intersection.

66-7-345C NMSA 1978 states:

Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before

entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway before entering the intersection.

Senate Bill 382 would permit bicyclists at stop signs to “slow down and, if required for safety, stop before entering the intersection. After slowing to a reasonable speed or stopping, the person shall yield the right of way to any vehicle in the intersection or approaching the intersection on another highway so closely as to constitute an immediate hazard during the time the person would be moving across or within the intersection. A person after slowing to a reasonable speed and yielding the right of way if required may cautiously make a turn or proceed through the intersection without stopping.”

A similar provision is made in the bill for a bicyclist making a right hand turn onto a two way highway or a left hand turn onto a one way highway at a red traffic control signal.

### **CONFLICT**

The HJC substitute for HB 259 adopted the language of SB 382 to resolve a conflict identified earlier in the session.

GH/mew