

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website (www.nmlegis.gov) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

ORIGINAL DATE 3/4/19

SPONSOR Campos LAST UPDATED _____ HB _____

SHORT TITLE Slow Or Move for Waste & Recycle Collection SB 601

ANALYST Woods

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		No Fiscal Implications				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Attorney General (NMAG)

No Responses Received From

Taxation and Revenue Department (TRD)
 New Mexico Environment Department (NMED)
 Department of Public Safety (DPS)
 Association of Counties

SUMMARY

Synopsis of Bill

Senate Bill 601 amends Section 66-7-332 NMSA 1978 to require drivers to slow down or pull over for waste and recycling collection vehicles as well as adding language to provide a penalty assessment misdemeanor for the violation of the section.

FISCAL IMPLICATIONS

No fiscal impact.

SIGNIFICANT ISSUES

This section as it is written applies to emergency vehicles flashing their emergency lights or sirens and repair or recovery vehicles utilizing their hazard lights, which indicates they are

actively involved in an emergency situation. The proposed amendment would apply generally to all waste or recycling collection vehicles that are stationary even if they do not have their emergency or hazard lights activated. The NMAG worries this ambiguity could create confusion in the application of this law as waste or recycling vehicles are typically on residential streets without designated lanes while collecting waste or recycling. These vehicles are typically stationary momentarily before moving to the next waste or recycling collection site. NMAG also notes it is unclear if this amendment only applies when the vehicle is momentarily stationary or if it is meant to apply while the vehicle is actively engaged in collecting waste or recycling i.e. while moving short distances between collection sites.

CONFLICT, RELATIONSHIP

HB 24 discusses increased penalties for improper passing of a school bus.

HB 133 conflicts with this bill as it seeks to amend the language of 66-7-332 contrary to amendments in this bill.

HB 631 seeks to limit times repair or recovery vehicles can utilize their emergency/hazard lights.

TECHNICAL ISSUES

AGO worries adding the language “recovery or repair vehicle” to 66-7-332(B)(1) and 66-7-332(B)(2) is unnecessary as 66-7-332(B) already includes recovery or repair vehicles for which 66-7-332(B)(1) and 66-7-332(B)(2) apply.

Additionally, AGO states if the proposed language of 66-7-332(B) were adopted to include waste or recycling collection vehicles it would be unnecessary to include that language in 66-7-332(B)(1) and 66-7-332(B) for the same reason.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The employees who use the vehicles described in the bill may be put in more danger without a law to act as a deterrent for driving quickly around a vehicle described in the bill.

CW/sb