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1 SENATE BILL

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

3 INTRODUCED BY

4 Heather Berghmans

10 AN ACT

11 RELATING TO DRIVER EDUCATION; REQUIRING DRIVER EDUCATION  
12 COURSES AND SCHOOLS TO INCLUDE AT LEAST THREE HOURS OF  
13 EDUCATION AND TRAINING ON DRIVING WITH VULNERABLE ROAD USERS.

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

16 SECTION 1. Section 22-13-12 NMSA 1978 (being Laws 1967,  
17 Chapter 16, Section 186, as amended) is amended to read:

18 "22-13-12. APPROVED DRIVER-EDUCATION COURSES.--

19 A. The [~~state board~~] department or its designated  
20 representative shall adopt and promulgate minimum standards for  
21 approved driver-education and motorcycle driver-education  
22 courses taught in any school in the state, which shall include  
23 at least three hours of education and training on driving with  
24 vulnerable road users.

25 B. A driver-education or motorcycle driver-

.232632.1

1 education course shall provide to students legally entitled to  
2 operate the type of motor vehicle involved classroom  
3 instruction and behind-the-wheel or on-the-motorcycle training  
4 in the safe operation of the motor vehicle.

5 C. An approved driver-education or motorcycle  
6 driver-education course is a course of instruction certified by  
7 the ~~[state superintendent]~~ secretary as meeting the minimum  
8 standards for ~~[such]~~ a driver-education course adopted by the  
9 ~~[state board]~~ department or its designated representative.

10 D. As used in this section, "vulnerable road user"  
11 includes:

12 (a) a pedestrian, including a person engaged  
13 in work or in the provision of emergency services upon or along  
14 a roadway;

15 (b) a person riding or leading an animal; or

16 (c) a person lawfully operating or riding a  
17 bicycle, tricycle or other pedal-powered vehicle, a farm  
18 tractor or similar vehicle designed primarily for farm use, a  
19 skateboard, a scooter, a moped, a motorcycle, roller skates,  
20 inline skates, an animal-drawn wheeled vehicle, an electric  
21 personal assistive mobility device, a wheelchair or another  
22 similar means of transportation in which the person is not  
23 surrounded by a shell of protection such as that which a car or  
24 truck provides."

25 SECTION 2. Section 66-1-4.19 NMSA 1978 (being Laws 1990,

.232632.1

Chapter 120, Section 20, as amended) is amended to read:

"66-1-4.19. DEFINITIONS.--As used in the Motor Vehicle Code:

A. "validating sticker" means the tab or sticker issued by the division to signify, upon a registration plate, renewed registration;

B. "vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including any frame, chassis, body or unitized frame and body of any vehicle or motor vehicle, except devices moved exclusively by human power or used exclusively upon stationary rails or tracks;

C. "vehicle-business number" means the distinctive registration number given by the division to any manufacturer, auto recycler or dealer;

D. "vehicle plate" means a plate, marker, sticker or tag similar to a registration plate, but that is issued by the department for vehicles that are exempted from registration under the Motor Vehicle Code; ~~[and]~~

E. "verification process" means a method of authenticating an electronic credential through the use of secure and encrypted communication; and

F. "vulnerable road user" includes:

(a) a pedestrian, including a person engaged in work or in the provision of emergency services upon or along

1 a roadway;

2 (b) a person riding or leading an animal; or

3 (c) a person lawfully operating or riding a  
4 bicycle, tricycle or other pedal-powered vehicle, a farm  
5 tractor or similar vehicle designed primarily for farm use, a  
6 skateboard, a scooter, a moped, a motorcycle, roller skates,  
7 inline skates, an animal-drawn wheeled vehicle, an electric  
8 personal assistive mobility device, a wheelchair or another  
9 similar means of transportation in which the person is not  
10 surrounded by a shell of protection such as that which a car or  
11 truck provides."

12 SECTION 3. Section 66-7-506 NMSA 1978 (being Laws 1978,  
13 Chapter 35, Section 493, as amended) is amended to read:

14 "66-7-506. BUREAU--FUNCTIONS--POWERS--DUTIES.--The bureau  
15 shall have the following powers and duties:

16 A. organize, plan and conduct a statewide program  
17 of activities designed to prevent accidents and to reduce the  
18 incidence of DWI in New Mexico;

19 B. coordinate activities and programs of the  
20 departments, divisions and agencies of this state now engaged  
21 in promoting traffic safety;

22 C. provide accident prevention information and  
23 publicity to all appropriate media of information and develop  
24 other means of public information;

25 D. cooperate with all public and private agencies

.232632.1

1 and organizations interested in the promotion of traffic safety  
2 and accident prevention;

3 E. serve as a clearinghouse for all traffic safety  
4 materials and information used throughout this state;

5 F. cooperate in promoting research, special studies  
6 and analysis of problems concerning the safety and welfare of  
7 the citizens of New Mexico;

8 G. cooperate fully with national safety  
9 organizations in bringing about greater effectiveness in  
10 nationwide accident prevention activities and programs;

11 H. make studies and suitable recommendations,  
12 through the chief and the secretary of transportation, to the  
13 legislature concerning safety regulations and laws;

14 I. prepare and submit each year a written report to  
15 the governor concerning the activities of the bureau and  
16 activities concerning assistance to local organizations and  
17 officials;

18 J. institute and administer a statewide motorcycle  
19 training program funded as provided for in Section 66-10-10  
20 NMSA 1978;

21 K. institute and administer an accident prevention  
22 course for elderly drivers as provided for in Section  
23 59A-32-14 NMSA 1978;

24 L. cooperate with the public education department  
25 to develop a regulatory framework for instructional and

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1 administrative processes, including licensure requirements for  
2 instructors, and a curriculum for instruction in defensive  
3 driving with a DWI education and prevention component to be  
4 offered statewide in secondary schools as an elective;

5 M. institute and administer a DWI prevention and  
6 education program for elementary and secondary school students,  
7 funded as provided for in Section 66-5-35 NMSA 1978;

8 N. ~~[include at least two hours of DWI prevention~~  
9 ~~and education training in all driver education courses approved~~  
10 ~~by the bureau]~~ prescribe minimum driver education and training  
11 program standards pursuant to the Driving School Licensing Act;  
12 and

13 O. include a DWI recidivism prevention component in  
14 all driver rehabilitation programs for alcohol or drugs  
15 approved by the bureau."

16 SECTION 4. Section 66-10-5 NMSA 1978 (being Laws 1967,  
17 Chapter 185, Section 5, as amended) is amended to read:

18 "66-10-5. ISSUANCE OF LICENSES TO DRIVER EDUCATION  
19 SCHOOLS AND TO DRIVER EDUCATION INSTRUCTORS.--

20 A. The bureau shall issue a license certificate to  
21 each applicant to conduct a driver education school or to each  
22 driver education instructor when it is satisfied that the  
23 person has met the qualifications required under the Driving  
24 School Licensing Act and if a school complies with the minimum  
25 driver education program standards established by the bureau.

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1           B. The bureau shall prescribe minimum driver  
2 training program standards, which shall include:

3                   (1) at least two hours of DWI prevention and  
4 education training; and

5                   (2) at least three hours of education and  
6 training on driving with vulnerable road users.

7           C. All licenses issued pursuant to the provisions  
8 of the Driving School Licensing Act shall expire annually,  
9 unless canceled, suspended or revoked sooner. The bureau shall  
10 establish annual expiration dates for the licenses by rule, and  
11 each category of driving school may have a different license  
12 expiration date. Licenses shall be renewed subject to  
13 application and payment of the required fee."

14           SECTION 5. EFFECTIVE DATE.--The effective date of the  
15 provisions of this act is January 1, 2027.

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