

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-

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

2 "66-1-4.19. DEFINITIONS.--As used in the Motor Vehicle

3 Code:

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

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

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

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

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

23 F. "vulnerable road user" includes:

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

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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

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

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

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

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

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

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