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HOUSE BILL 270

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

Harry Garcia

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 66-7-401 NMSA 1978
(BEING LAWS 1978, CHAPTER 35, SECTION 472) TO AUTHORIZE THE
SECRETARY OF TRANSPORTATION TO ISSUE ORDERS SUSPENDING OR
MODIFYING THE REQUIREMENTS FOR VEHICULAR SIZE, WEIGHT AND LOAD
PURSUANT TO CHAPTER 66, ARTICLE 7 NMSA 1978 FOR THE DURATION OF
A NATIONAL EMERGENCY DECLARED PURSUANT TO FEDERAL LAW OR AN
EMERGENCY DECLARED BY THE GOVERNOR PURSUANT TO THE EMERGENCY
POWERS CODE; PROVIDING THAT THE ORDERS ARE REQUIRED TO BE
PUBLISHED ON THE DEPARTMENT OF TRANSPORTATION'S WEBSITE.

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

SECTION 1. Section 66-7-401 NMSA 1978 (being Laws 1978,
Chapter 35, Section 472) is amended to read:

"66-7-401. SCOPE AND EFFECT [~~OF ARTICLE~~].--

A. It is a misdemeanor for any person to drive or

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1 move or for the owner, lessee or other person directing the
2 operation to cause or permit to be driven or moved on any
3 highway any vehicle [~~or vehicles~~] of a size or weight exceeding
4 the limitations stated in Sections [~~64-7-401 through 64-7-416~~
5 ~~NMSA 1953~~] 66-7-401 through 66-7-416 NMSA 1978 or otherwise in
6 violation of [~~said~~] those sections, and the maximum size and
7 weight of vehicles herein specified shall be lawful
8 [~~throughout~~] throughout this state, and local authorities
9 shall have no power or authority to alter [~~said~~] the
10 limitations except as express authority may be granted in
11 [~~said~~] Sections 66-7-401 through 66-7-416 NMSA 1978.

12 B. The provisions of Sections [~~64-7-401 through~~
13 ~~64-7-416 NMSA 1953~~] 66-7-401 through 66-7-416 NMSA 1978
14 governing size, weight and load shall not apply to fire
15 apparatus, road machinery engaged in highway construction or
16 maintenance or to implements of husbandry, including farm
17 tractors, temporarily moved upon a highway or to a vehicle
18 operated under the terms of a special permit issued as herein
19 provided.

20 C. Upon the declaration of a national emergency
21 pursuant to federal law or a declaration by the governor of an
22 emergency pursuant to the Emergency Powers Code, the secretary
23 of transportation may issue an order suspending or modifying
24 the requirements for vehicular size, weight and load pursuant
25 to Sections 66-7-401 through 66-7-416 NMSA 1978 for the

.224217.1

1 duration of the emergency; provided that the order shall be
2 published on the department of transportation's website."

3 SECTION 2. EFFECTIVE DATE.--The effective date of the
4 provisions of this act is July 1, 2023.

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