

AVs Will Drive New Mexico Forward

HB 148 Would Roll AVs Back

OPPOSE HB 148

What is an autonomous vehicle (AV)?

An autonomous vehicle (AV) is a vehicle equipped with a comprehensive suite of sensors and computing systems to perform the entire driving task without a human driver (defined as a Level 4 or 5 system under Society of Automotive Engineers (SAE) standard J3016). AVs undergo rigorous development and testing in computer simulations, on test tracks, and with trained safety drivers before driving autonomously on public roads.

New Mexico passed a statutory framework for autonomous vehicles just four years ago, with significant stakeholder engagement. Following multiple rulemaking hearings, the New Mexico Department of Transportation (NMDOT) issued regulations governing AV operation. This multi-year process was thorough and enacted through a formal rulemaking process that provided an opportunity for all stakeholders to contribute. As a result, industry activity in the state has increased steadily, making New Mexico a leading state in transportation innovation.

How would HB 148 impact AV operations and innovation?

New Mexico has been a leader in autonomous vehicle deployment and is strategically positioned to benefit as leading developers expand operations in the coming years. Unfortunately, HB 148 would prevent New Mexico from reaping the benefits of AVs provided under the state's current framework.

Notably, the bill would:

- ❖ Prohibit fully autonomous operations by requiring a human observer to be physically present in all AVs until at least 2036;
- ❖ Prohibit autonomous trucking deployment in perpetuity by limiting such operations to testing only, unless and until other purposes are “approved” by the U.S. National Highway Traffic Safety Administration;
- ❖ Severely restrict all AV operations by imposing arbitrary limitations on where AVs can operate;
- ❖ Impose prescriptive vehicle equipment requirements on AVs, risking conflict with other obligations;
- ❖ Establish onerous data reporting requirements that far exceed existing collision and other reporting requirements applicable to AVs and other vehicles; and
- ❖ Conflict with existing New Mexico law establishing a comprehensive framework for AVs.



How will New Mexico benefit from its AV framework?

AV technology is being deployed in locations that support AV operation, including in New Mexico under its existing statutory and regulatory framework expressly authorizing AV deployment. Specifically, under existing law in New Mexico, AVs will:

- ❖ Support New Mexico's competitiveness as surrounding states enact AV laws, especially along I-10.
- ❖ Provide for safer roads. One study involving 3.8 million miles driven without a human in the driver's seat showed that there were zero deaths and 76% fewer accidents compared to human-driven cars.
- ❖ Bridge geographic gaps, which can in turn help improve the movement of goods across state lines.
- ❖ Ensure U.S. leadership in the global AV industry, preventing countries like China from leapfrogging domestic innovation.
- ❖ Alleviate a workforce crisis in the trucking industry:
 - The American Trucking Associations (ATA) identifies a current shortage of 78,000 truck drivers, which is estimated to expand to 160,000 by 2031.
 - The long-haul market is particularly hard on drivers, with long hours and time away from home prompting quitting or never entering the field.
 - Autonomous trucks can supplement the existing workforce and increase driver satisfaction, such as by taking on routes and schedules drivers don't want. Over time, AVs can help fill the demand for immediate package and input delivery.

State role in AV deployment

The majority of states already have existing statutory and regulatory motor vehicle frameworks that permit the testing and deployment of AVs. 25 states, including New Mexico, have laws explicitly enabling AV deployment, while additional states have signaled through legislation, executive order, policies, or other actions that AV testing is permitted. If HB 148 were enacted, it would make New Mexico an outlier.

