

NOTICE OF PROPOSED RULEMAKING

The New Mexico Department of Transportation (NMDOT) proposes to repeal and replace Rule 18.3.4 NMAC, Safety Requirements, pursuant to Sections 65-2A-4, 65-2A-19 and 65-6-4 NMSA 1978.

Approval of the initial rulemaking action for the proposed repeal and replacement of above referenced rule was granted to NMDOT by the New Mexico State Transportation Commission (STC) on January 14, 2025, pursuant to Sections 67-3-8 and 67-3-11, NMSA 1978, and STC Policy No. 4.

Summary of Full Text: The proposed repeal and replace rule replaces existing Rule 18.3.4 NMAC is accomplished pursuant to NMDOT's authority under Sections 65-2A-4, 65-2A-19 and 65-6-4 NMSA 1978. The proposed replacement rule revises and makes permanent the emergency amendment to Rule 18.3.4 NMAC, promulgated December 23, 2024. The replacement rule further revises the existing rule with respect to safety requirements for drivers and vehicles covered by the rule.

Purpose: The purpose for the above-listed proposed repeal and replacement of Rule 18.3.4 NMAC is to revise and make permanent the December 23, 2024 emergency amendment to Rule 18.3.4 NMAC, as well as to revise sections regulating drivers and vehicles covered by the rule.

Full Text of the Proposed Rule: A copy of the full text of the proposed replacement rules may be found on the NMDOT website at the following Internet link, under the *Public Notices* tab: <https://dot.state.nm.us/content/nmdot/en/public-notices.html>. To obtain a printed copy of the proposed replacement rule, contact **Alicia Ortiz by phone at 505-660-3304 or by email at Alicia.Ortiz@dot.nm.gov**. A reasonable fee may be charged for printed copies.

Rulemaking Hearing: NMDOT will hold one statewide public hearing for the purpose of receiving oral and written public comment from interested parties on the proposed replacement Rule 18.3.4 NMAC. The hearing is scheduled on **Thursday, April 24, 2025, from 9:00 AM to 11:00 AM** at the NMDOT General Office, Training rooms #1 and #2, 1120 Cerrillos Rd., Santa Fe, New Mexico 87504.

Written Comments: To submit written comments on or before date of hearing, please send to: **Alicia Ortiz, New Mexico Department of Transportation, P.O. Box 1149, Santa Fe, New Mexico 87504, at Telephone: 505-660-3304 or Email: Alicia.Ortiz@dot.nm.gov**. Written comments will be accepted from the date this notice is published in the New Mexico Register, March 25, 2025, until the close of the public hearing scheduled for this rulemaking. If you plan to submit written comments, argument or data, please make sure any documentation contains your name, phone number and email address. If submitting written comments by email, please indicate the rule number in the subject line. Oral comments will only be accepted at the public hearing and may be subject to time limitations. After the close of the final hearing scheduled in this rulemaking, the rulemaking record will be closed, and no other comments will be accepted. All written comments will be posted on the department's website within three days of receipt.

Accommodations: Any individual with a disability who is in need of an auxiliary aid or service to attend or participate in the hearing, or who needs copies of the proposed rule revisions in an accessible form may contact **Alicia Ortiz by phone at 505-660-3304 or by email at Alicia.Ortiz@dot.nm.gov** at least ten days before the hearing.