

This rule was filed as: 18 NMAC 21.2.

**TITLE 18           TRANSPORTATION AND HIGHWAYS**  
**CHAPTER 21       TRAFFIC CONTROL SIGNAGE**  
**PART 2            TEMPORARY CLOSING OF STATE HIGHWAYS FOR SPECIAL PUBLIC EVENTS OR CIVIC FUNCTIONS**

18.21.2.1           ISSUING AGENCY: New Mexico State Highway and Transportation Department  
P. O. Box 1149 Santa Fe, New Mexico 87504-1149 (505) 827-5525.  
[10/31/98; 18.21.2.1 NMAC – Rn, 18 NMAC 21.2.1, Recompiled 11/16/01]

18.21.2.2           SCOPE: All local governments and general public.  
[10/31/98; 18.21.2.2 NMAC – Rn, 18 NMAC 21.2.2, Recompiled 11/16/01]

18.21.2.3           STATUTORY AUTHORITY: This rule is adopted pursuant to NMSA 1978 Sections 66-3-702; 66-7-7; 66-7-320; 66-7-321; 66-7-339; 66-7-363; 66-8-115; 66-9-8; 67-3-14; and 67-3-40. [10/31/98; 18.21.2.3 NMAC – Rn, 18 NMAC 21.2.3, Recompiled 11/16/01]

18.21.2.4           DURATION: Permanent.  
[10/31/98; 18.21.2.4 NMAC – Rn, 18 NMAC 21.2.4, Recompiled 11/16/01]

18.21.2.5           EFFECTIVE DATE: October 31, 1998, unless a later date is cited at the end of a section or paragraph.  
[10/31/98; 18.21.2.5 NMAC – Rn, 18 NMAC 21.2.5, Recompiled 11/16/01]

18.21.2.6           OBJECTIVE: The purpose of this rule is to prohibit the temporary closing of state highways unless prior approval of said closing is obtained as provided herein. This rule sets forth the requirements for obtaining this approval for the temporary closing of all or a portion of a state highway in order to conduct thereon a special public event or civic function, including but not limited to, a bicycle, foot, or vehicle race, use of a highway by snowmobiles (where it is in accordance with the law), horses, motorized bicycles, etc., parade or celebration, and to minimize the inconvenience to the traveling public caused by the occurrence of such events on state highways.  
[10/31/98; 18.21.2.6 NMAC – Rn, 18 NMAC 21.2.6, Recompiled 11/16/01]

18.21.2.7           DEFINITIONS:  
A.       "Temporary closing of a highway" means any shutting off blocking, re-routing, or other restrictions of the normal use of a state highway.  
B.       "Sponsor" means the governmental entity, association or other organization requesting the temporary closing.  
[10/31/98; 18.21.2.7 NMAC – Rn, 18 NMAC 21.2.7, Recompiled 11/16/01]

18.21.2.8           APPLICABILITY: This rule is applicable to allow temporary closings only for public events or civic functions.  
[10/31/98; 18.21.2.8 NMAC – Rn, 18 NMAC 21.2.8, Recompiled 11/16/01]

18.21.2.9           PROCEDURE:  
A.       Application by Sponsor: The sponsor of an activity described herein, shall, at least 30 days prior to the event, make written application to the Secretary of the Department on an application form to be obtained at any District Office or at the State Maintenance Bureau at the General Office. The Department will normally require at least thirty (30) days to review the application and consult with the sponsors, where necessary, prior to any decision making.  
B.       Review of Application: The Secretary of the Department or his designee shall review the application and, when necessary, coordinate with the New State Police Uniformed Bureau Commander and the local authorities within whose jurisdiction the event is to take place.

C. Notice of action taken by the Department: The Secretary of the Department or his designee shall inform the sponsor in writing of the action taken on the notice, including all conditions imposed if approval is granted. Such conditions include without limitations:

(1) The requirement that the sponsor make adequate provisions for traffic control (i.e., law enforcement, traffic control devices and/or signing).

(2) The requirement that the sponsor and/or the participants in the special event or civic function execute releases of liability, indemnity and hold harmless agreements and also submit proof of insurance coverage for any liability arising out of the special event or civic function, in forms satisfactory to the Department.

(3) The requirement that the sponsor participate in preparation and execution of an agreement between the sponsor, the Department, local government authorities and state or local police for the establishment, signing and marking of appropriate detours and alternative routes jointly affecting state and local road systems.

[10/31/98; 18.21.2.9 NMAC – Rn, 18 NMAC 21.2.9, Recompiled 11/16/01]

**HISTORY OF 18.21.2 NMAC:**

Pre-NMAC History: The material in this Part derived from that previously filed with the Commission of Public Records - State Records and Archives.

SHD Rule 81-4, Rule for Temporarily Closing of State for Special Public Events of Civic Functions, filed August 14, 1981.

History of Repealed Material : [RESERVED]