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HOUSE BILL 140

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Patricia A. Lundstrom

AN ACT

RELATING TO MOTOR VEHICLES; PROVIDING A HIGHWAY SPEED LIMIT OF SIXTY-FIVE MILES PER HOUR FOR VEHICLES HAVING A GROSS WEIGHT IN EXCESS OF TWENTY-SIX THOUSAND POUNDS.

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

Section 1. Section 66-7-301 NMSA 1978 (being Laws 1978, Chapter 35, Section 405, as amended) is amended to read:

"66-7-301. SPEED REGULATION. --

A. No person shall drive a vehicle on a highway at a speed greater than:

(1) fifteen miles per hour on all highways when passing a school while children are going to or leaving school and when the school zone is properly posted;

(2) thirty miles per hour in a business or residence district;

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- 1 (3) seventy-five miles per hour; and
- 2 (4) the posted speed limit in construction
- 3 zones posted as double fine zones or other safety zones posted
- 4 as double fine zones as designated by the [~~highway and~~
- 5 department of transportation [~~department~~], provided that the
- 6 posted speed limit shall be determined by an engineering study
- 7 performed by the [~~state highway and~~ department of
- 8 transportation [~~department~~].

9 B. In every event, speed shall be so controlled by
10 the driver as may be necessary:

11 (1) to avoid colliding with a person, vehicle
12 or other conveyance on or entering the highway;

13 (2) to comply with legal requirements as may
14 be established by the [~~state highway and~~ department of
15 transportation [~~department~~] or the New Mexico state police
16 division of the department of public safety and the duty of all
17 persons to use due care; and

18 (3) to protect workers in construction zones
19 posted as double fine zones or other safety zones posted as
20 double fine zones as designated by the [~~highway and~~ department
21 of transportation [~~department~~].

22 C. No person shall drive a vehicle having a
23 declared gross weight or gross vehicle weight in excess of
24 twenty-six thousand pounds on a highway at a speed greater than
25 sixty-five miles per hour.

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[~~C.~~] D. The speed limits set forth in [~~Subsection A~~
of] this section may be altered as authorized in Section
66-7-303 NMSA 1978. "

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