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HOUSE BILL 549

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Al Park

AN ACT

RELATING TO REGIONAL TRANSIT DISTRICTS; AUTHORIZING REGIONAL TRANSIT DISTRICTS TO EMPLOY LAW ENFORCEMENT OFFICERS; PROVIDING POWERS AND DUTIES OF COMMUTER RAIL SERVICE LAW ENFORCEMENT OFFICERS.

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

Section 1. Section 73-25-1 NMSA 1978 (being Laws 2003, Chapter 65, Section 1) is amended to read:

"73-25-1. SHORT TITLE.--~~[This act]~~ Chapter 73, Article 25 NMSA 1978 may be cited as the "Regional Transit District Act"."

Section 2. A new section of the Regional Transit District Act is enacted to read:

"[NEW MATERIAL] AUTHORIZATION TO EMPLOY COMMUTER RAIL SERVICE LAW ENFORCEMENT OFFICERS--POWERS AND DUTIES OF OFFICERS.--"

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1           A. A district that operates a commuter rail service  
2 may employ commuter rail service law enforcement officers for  
3 the district and assign duties to the officers.

4           B. At all times while on duty, commuter rail  
5 service law enforcement officers shall carry commissions of  
6 office issued by the district. Commuter rail service law  
7 enforcement officers shall have the powers of peace officers on  
8 all property, tracks, rights of way, easements, vehicles,  
9 buses, vans, railcars, locomotives and facilities owned,  
10 leased, licensed, maintained or operated by the district.  
11 Within this territory, a commuter rail service law enforcement  
12 officer may enforce all applicable laws, ordinances and  
13 regulations, but no arrest for violation of any law, ordinance  
14 or regulation is valid unless, at the time of arrest, the  
15 commuter rail service law enforcement officer is wearing:

16                   (1) a distinctive badge bearing the name of  
17 the district issued by the district; or

18                   (2) a distinctive uniform prescribed and  
19 issued by the district.

20           C. A person employed by the district as a commuter  
21 rail service law enforcement officer shall fulfill the  
22 requirements for certification in Subsection A of Section  
23 29-7-6 NMSA 1978 within one year of the date of first  
24 employment.

25           D. A district may contract with other law

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1 enforcement agencies to provide law enforcement services for  
2 the district."

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