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SENATE BILL 509

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Kent L. Cravens

AN ACT

RELATING TO IGNITION INTERLOCK; REMOVING THE PROHIBITION
AGAINST ISSUING AN IGNITION INTERLOCK LICENSE TO A PERSON
CONVICTED OF HOMICIDE BY VEHICLE WHILE UNDER THE INFLUENCE OF
INTOXICATING LIQUOR OR DRUGS; DECLARING AN EMERGENCY.

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

SECTION 1. Section 66-5-503 NMSA 1978 (being Laws 2003,
Chapter 239, Section 3, as amended) is amended to read:

"66-5-503. IGNITION INTERLOCK LICENSE--REQUIREMENTS--
EXCLUSIONS.--

A. A person whose driving privilege or driver's
license has been revoked or denied or who has not met the
ignition interlock license requirement as a condition of
reinstatement pursuant to Section 66-5-33.1 NMSA 1978 may apply
for an ignition interlock license from the division.

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1 B. An applicant for an ignition interlock license
2 shall:

3 (1) provide proof of installation of the
4 ignition interlock device by a traffic safety bureau-approved
5 ignition interlock installer on any vehicle the applicant
6 drives; and

7 (2) sign an affidavit acknowledging that:

8 (a) operation by the applicant of any
9 vehicle that is not equipped with an ignition interlock device
10 is subject to penalties for driving with a revoked license;

11 (b) tampering or interfering with the
12 proper and intended operation of an ignition interlock device
13 may subject the applicant to penalties for driving with a
14 license that was revoked for driving under the influence of
15 intoxicating liquor or drugs or a violation of the Implied
16 Consent Act; and

17 (c) the applicant shall maintain the
18 ignition interlock device and keep up-to-date records in the
19 motor vehicle showing required service and calibrations and be
20 able to provide the records upon request.

21 ~~[G. A person who has been convicted of homicide by~~
22 ~~vehicle or great bodily injury by vehicle while under the~~
23 ~~influence of intoxicating liquor or drugs, as provided in~~
24 ~~Section 66-8-101 NMSA 1978, shall not be issued an ignition~~
25 ~~interlock license.]"~~

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SECTION 2. EMERGENCY.--It is necessary for the public
peace, health and safety that this act take effect immediately.