

1 SENATE BILL 174

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022**

3 INTRODUCED BY

4 George K. Munoz

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10 AN ACT

11 RELATING TO MOTOR VEHICLES; REQUIRING TRUCK TRACTORS ATTACHED
12 TO A FREIGHT TRAILER TO DRIVE IN THE RIGHT-HAND LANE ON
13 INTERSTATE HIGHWAYS; PROVIDING A PENALTY.

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. A new section of the Motor Vehicle Code is
17 enacted to read:

18 "[NEW MATERIAL] TRUCK TRACTOR--RIGHT-HAND LANE TRAVEL
19 REQUIRED.--A truck tractor attached to a freight trailer being
20 operated on the interstate highway system and outside the
21 boundaries of a municipality shall drive in the right-hand lane
22 except when overtaking another vehicle or approaching a
23 stationary authorized emergency vehicle or a recovery or repair
24 vehicle displaying flashing emergency or hazard lights."

25 SECTION 2. Section 66-8-116 NMSA 1978 (being Laws 1978,
.222169.2

underscoring material = new
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1 Chapter 35, Section 524, as amended) is amended to read:

2 "66-8-116. PENALTY ASSESSMENT MISDEMEANORS--DEFINITION--
3 SCHEDULE OF ASSESSMENTS.--

4 A. As used in the Motor Vehicle Code and the Boat
5 Act, "penalty assessment misdemeanor" means violation of any of
6 the following listed sections of the NMSA 1978 for which,
7 except as provided in Subsections D through F of this section,
8 the listed penalty assessment is established:

9	COMMON NAME OF OFFENSE	SECTION VIOLATED	PENALTY
10			ASSESSMENT
11	Vehicles subject to		
12	registration	66-3-1	\$ 50.00
13	Improper display of		
14	registration plate	66-3-18	25.00
15	Failure to notify of		
16	change of name or address	66-3-23	25.00
17	Lost or damaged registration,		
18	plate or title	66-3-24	25.00
19	Horseless carriage		
20	registration	66-3-27	25.00
21	Transfer of registration		
22	and title	66-3-103	25.00
23	Expiration of dealer		
24	plates	66-3-403	25.00
25	Special registration		

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1	plates	66-3-409, 66-3-412.1,	
2		66-3-413, 66-3-415,	
3		66-3-417, 66-3-419,	
4		66-3-421, 66-3-422,	
5		66-3-424.4, 66-3-424.5,	
6		66-3-424.7, 66-3-424.9,	
7		66-3-424.13, 66-3-424.16	
8		and 66-3-424.28	75.00
9	Bicycle laws	66-3-701	
10		through	
11		66-3-707	50.00
12	No license display	66-5-16	25.00
13	Failure to change		
14	address or name on		
15	license	66-5-22	25.00
16	Permitting unauthorized		
17	minor to drive	66-5-40	50.00
18	Permitting unauthorized		
19	person to drive	66-5-41	25.00
20	Failure to obey sign	66-7-104	25.00
21	Failure to obey signal	66-7-105	25.00
22	Pedestrian signs and		
23	signals	66-7-106	
24		through	
25		66-7-108	25.00

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underscored material = new
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1	Speeding	66-7-301	
2	(1) up to and including		
3	ten miles an hour		
4	over the speed limit		25.00
5	(2) from eleven up to		
6	and including fifteen		
7	miles an hour		
8	over the speed limit		30.00
9	(3) from sixteen up to		
10	and including twenty		
11	miles an hour over the		
12	speed limit		65.00
13	(4) from twenty-one up to		
14	and including twenty-five		
15	miles an hour		
16	over the speed limit		100.00
17	(5) from twenty-six up to		
18	and including thirty		
19	miles an hour over the		
20	speed limit		125.00
21	(6) from thirty-one up to		
22	and including thirty-five		
23	miles an hour over the		
24	speed limit		150.00
25	(7) more than thirty-five		

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underscored material = new
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1	miles an hour over the	
2	speed limit	200.00
3	Unfastened safety belt	66-7-372 25.00
4	Child not in restraint device	
5	or seat belt	66-7-369 25.00
6	Minimum speed	66-7-305 25.00
7	Speeding	66-7-306 25.00
8	Improper starting	66-7-324 25.00
9	Improper backing	66-7-354 25.00
10	Improper lane	66-7-308 25.00
11	Improper lane	66-7-313 25.00
12	Improper lane	66-7-316 25.00
13	Improper lane	66-7-317 25.00
14	Improper lane	66-7-319 25.00
15	Improper passing	66-7-309 through 66-7-312 25.00
16	Improper passing	66-7-315 25.00
17	Controlled access	
18	violation	66-7-320 25.00
19	Controlled access	
20	violation	66-7-321 25.00
21	Improper turning	66-7-322 25.00
22	Improper turning	66-7-323 25.00
23	Improper turning	66-7-325 25.00
24	Following too closely	66-7-318 25.00
25	Failure to yield	66-7-328 through 66-7-331 25.00

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1	Failure to yield	66-7-332	50.00
2	Failure to yield	66-7-332.1	25.00
3	Pedestrian violation	66-7-333	
4		through	
5		66-7-340	25.00
6	Failure to stop	66-7-342 and 66-7-344	
7		through 66-7-346	25.00
8	Railroad-highway grade		
9	crossing violation	66-7-341 and 66-7-343	150.00
10	Passing school bus	66-7-347	100.00
11	Failure to signal	66-7-325 through 66-7-327	25.00
12	Riding on motorcycles	66-7-355	100.00
13	Video screens in		
14	automobiles	66-7-358	25.00
15	Driving on mountain		
16	highways	66-7-359	25.00
17	Coasting prohibited	66-7-360	25.00
18	Animals on highway at		
19	night	66-7-363	50.00
20	Failure to secure load	66-7-407	100.00
21	Operation without oversize-		
22	overweight permit	66-7-413	50.00
23	Transport of reducible		
24	load with special		
25	permit more than six miles		

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1	from a border crossing	66-7-413	100.00
2	Driving while license		
3	administratively		
4	suspended	66-5-39.2	25.00
5	Improper equipment	66-3-801 through	
6		66-3-840 and 66-3-842	
7		through 66-3-851	50.00
8	Improper equipment	66-3-901	50.00
9	Improper emergency		
10	signal	66-3-853 through 66-3-857	25.00
11	Minor on motorcycle		
12	without helmet	66-7-356	300.00
13	Operation interference	66-7-357	50.00
14	Littering	66-7-364	300.00
15	Improper parking	66-7-349 through 66-7-352	
16		and 66-7-353	25.00
17	Improper parking	66-3-852	25.00
18	Riding in or towing		
19	occupied house trailer	66-7-366	25.00
20	Improper opening of doors	66-7-367	25.00
21	No slow-moving vehicle		
22	emblem or flashing		
23	amber light	66-3-887	25.00
24	Open container-first		
25	violation	66-8-138	25.00

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[bracketed material] = delete

1 Texting while driving-
2 (1) first violation 66-7-374 25.00
3 (2) second and subsequent
4 violation 50.00

5 Using a handheld mobile
6 communication device
7 while driving a
8 commercial motor vehicle 66-7-375
9 (1) first violation 25.00
10 (2) second and subsequent
11 violation 50.00

12 Failure to drive in Section 1 of
13 the right-hand lane this 2022 act 200.00.

14 B. The term "penalty assessment misdemeanor" does
15 not include a violation that has caused or contributed to the
16 cause of an accident resulting in injury or death to a person.

17 C. When an alleged violator of a penalty assessment
18 misdemeanor elects to accept a notice to appear in lieu of a
19 notice of penalty assessment, a fine imposed upon later
20 conviction shall not exceed the penalty assessment established
21 for the particular penalty assessment misdemeanor and probation
22 imposed upon a suspended or deferred sentence shall not exceed
23 ninety days.

24 D. The penalty assessment for speeding in violation
25 of Paragraph (5) of Subsection A of Section 66-7-301 NMSA 1978
.222169.2

underscoring material = new
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1 is twice the penalty assessment established in Subsection A of
2 this section for the equivalent miles per hour over the speed
3 limit.

4 E. Upon a second conviction for operation without a
5 permit for excessive size or weight pursuant to Section
6 66-7-413 NMSA 1978, the penalty assessment shall be two hundred
7 fifty dollars (\$250). Upon a third or subsequent conviction,
8 the penalty assessment shall be five hundred dollars (\$500).

9 F. Upon a second conviction for transport of a
10 reducible load with a permit for excessive size or weight
11 pursuant to Subsection N of Section 66-7-413 NMSA 1978 more
12 than six miles from a port-of-entry facility on the border with
13 Mexico, the penalty assessment shall be five hundred dollars
14 (\$500). Upon a third or subsequent conviction, the penalty
15 assessment shall be one thousand dollars (\$1,000)."

16 SECTION 3. EFFECTIVE DATE.--The effective date of the
17 provisions of this act is July 1, 2022.