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HOUSE BILL 440

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

EARLENE ROBERTS

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING THE ELEMENTS OF RECKLESS
DRIVING; PROVIDING PENALTIES; AMENDING A SECTION OF THE MOTOR
VEHICLE CODE.

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

Section 1. Section 66-8-113 NMSA 1978 (being Laws 1978,
Chapter 35, Section 521, as amended) is amended to read:

"66-8-113. RECKLESS DRIVING. - -

A. Any person who drives any vehicle carelessly
and heedlessly in willful or wanton disregard of the rights or
safety of others and without due caution and circumspection
and at a speed or in a manner so as to endanger or be likely
to endanger any person or property is guilty of reckless
driving.

B. A person who commits three or more violations

Underscored material = new
[bracketed material] = delete

Underscored material = new
[bracketed material] = delete

1 of the Motor Vehicle Code during a single episode of driving
2 is guilty of reckless driving.

3 ~~[B.]~~ C. Every person convicted of reckless driving
4 shall be punished, notwithstanding the provisions of Section
5 31-18-13 NMSA 1978, upon a first conviction by imprisonment
6 for not less than five days ~~[nor]~~ or more than ninety days or
7 by a fine of not less than twenty-five dollars (\$25.00) ~~[nor]~~
8 or more than one hundred dollars (\$100), or both and on a
9 second or subsequent conviction by imprisonment for not less
10 than ten days ~~[nor]~~ or more than six months or by a fine of
11 not less than fifty dollars (\$50.00) ~~[nor]~~ or more than one
12 thousand dollars (\$1,000), or both.

13 ~~[C.]~~ D. Upon conviction of violation of this
14 section, the director may suspend the license or permit to
15 drive and any nonresident operating privilege for not to
16 exceed ninety days. "

17 Section 2. EFFECTIVE DATE. --The effective date of the
18 provisions of this act is July 1, 1998.