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SENATE BILL 448

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

L. Skip Vernon

AN ACT

RELATING TO MOTOR VEHICLES; INCREASING THE PENALTY FOR  
SPEEDING IN A CONSTRUCTION ZONE; PROVIDING FOR PENALTIES.

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

Section 1. Section 66-8-116 NMSA 1978 (being Laws 1978,  
Chapter 35, Section 524, as amended) is amended to read:

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

A. As used in the Motor Vehicle Code, "penalty  
assessment misdemeanor" means violation of any of the  
following listed sections of the NMSA 1978 for which the  
listed penalty assessment is established:

COMMON NAME OF OFFENSE	SECTION VIOLATED	PENALTY ASSESSMENT
Permitting unlicensed minor to drive	66-5-40	\$ 10.00

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1	Failure to obey sign	66- 7- 104	10. 00
2	Failure to obey signal	66- 7- 105	10. 00
3	Speeding	66- 7- 301	
4	(1) up to		
5	and including ten		
6	miles an hour		
7	over speed limit		15. 00
8	(2) from eleven up to		
9	and including fifteen		
10	miles an hour		
11	over speed limit		30. 00
12	(3) from sixteen up to		
13	and including twenty		
14	miles an hour over		
15	speed limit		65. 00
16	(4) from twenty-one up to		
17	and including twenty-five		
18	miles an hour		
19	over speed limit		100. 00
20	(5) from twenty-six up to		
21	and including thirty		
22	miles an hour over the		
23	speed limit		125. 00
24	(6) from thirty-one up to		
25	and including thirty-five		

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1 miles an hour over the  
2 speed limit 150.00

3 (7) more than thirty-five  
4 miles an hour over the  
5 speed limit 200.00

6 (8) The penalty assessment provided in the offenses listed  
7 in (1) through (7) of this subsection shall be doubled if a  
8 person is found to be speeding in a construction zone as  
9 defined in Section 66-7-303.1 NMSA 1978.

10 Unfastened safety belt 66-7-372 25.00

11 Child not in restraint device  
12 or seat belt 66-7-369 25.00

13 Minimum speed 66-7-305 10.00

14 Speeding 66-7-306 15.00

15 Improper starting 66-7-324 10.00

16 Improper backing 66-7-354 10.00

17 Improper lane 66-7-308 10.00

18 Improper lane 66-7-313 10.00

19 Improper lane 66-7-316 10.00

20 Improper lane 66-7-317 10.00

21 Improper lane 66-7-319 10.00

22 Improper passing 66-7-309 through 66-7-312 10.00

23 Improper passing 66-7-315 10.00

24 Controlled access  
25 violation 66-7-320 10.00

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1	Controlled access		
2	violation	66- 7- 321	10. 00
3	Improper turning	66- 7- 322	10. 00
4	Improper turning	66- 7- 323	10. 00
5	Improper turning	66- 7- 325	10. 00
6	Following too closely	66- 7- 318	10. 00
7	Failure to yield	66- 7- 328 through 66- 7- 332	10. 00
8	Failure to yield	66- 7- 332. 1	25. 00
9	Pedestrian violation	66- 7- 333	10. 00
10	Pedestrian violation	66- 7- 340	10. 00
11	Failure to stop	66- 7- 341 through 66- 7- 346	10. 00
12	Passing school bus	66- 7- 347	100. 00
13	Failure to signal	66- 7- 325 through 66- 7- 327	10. 00
14	Failure to secure load	66- 7- 407	100. 00
15	Operation without oversize-		
16	overweight permit	66- 7- 413	50. 00
17	Improper equipment	66- 3- 801	10. 00
18	Improper equipment	66- 3- 901	20. 00
19	Improper emergency		
20	signal	66- 3- 853 through 66- 3- 857	10. 00
21	Operation interference	66- 7- 357	5. 00
22	Litterbugging	30- 8- 4	50. 00
23	Litterbugging	30- 8- 10	100. 00
24	Litterbugging	66- 7- 364	100. 00
25	Improper parking	66- 7- 349 through	

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1		66-7-352 and 66-7-353	5.00
2	Improper parking	66-7-352.5	50.00
3	Improper parking	66-3-852	5.00
4	Failure to dim lights	66-3-831	10.00
5	Riding in or towing		
6	occupied house trailer	66-7-366	5.00
7	Improper opening of doors	66-7-367	5.00
8	No slow-moving vehicle		
9	emblem or flashing		
10	amber light	66-3-887	5.00
11	Open container - first		
12	violation	66-8-138	25.00.

13 B. The term "penalty assessment misdemeanor" does  
14 not include any violation that has caused or contributed to  
15 the cause of an accident resulting in injury or death to any  
16 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, no fine imposed upon later  
20 conviction shall exceed the penalty assessment established for  
21 the particular penalty assessment misdemeanor and no probation  
22 imposed upon a suspended or deferred sentence shall exceed  
23 ninety days. "

1 FORTY-FOURTH LEGISLATURE  
2 FIRST SESSION, 1999  
3  
4

5  
6 March 6, 1999

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8 Mr. President:

9  
10 Your JUDICIARY COMMITTEE, to whom has been referred

11  
12 SENATE BILL 448

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14 has had it under consideration and reports same with  
15 recommendation that it DO PASS, and thence referred to the  
16 PUBLIC AFFAIRS COMMITTEE.

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18 Respectfully submitted,  
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25 Michael S. Sanchez, Chairman

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1 Adopted \_\_\_\_\_ Not

2 Adopted \_\_\_\_\_

3 (Chief Clerk)

(Chief Clerk)

4

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6 Date \_\_\_\_\_

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9 The roll call vote was 7 For 0 Against

10 Yes: 7

11 No: None

12 Excused: Payne

13 Absent: None

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