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HOUSE BILL 39

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Al Park

AN ACT

RELATING TO STATE EMPLOYEES; PROHIBITING A STATE EMPLOYEE FROM
DRIVING A STATE VEHICLE WHEN THE EMPLOYEE HAS PREVIOUS
CONVICTIONS FOR DRIVING WHILE UNDER THE INFLUENCE OF
INTOXICATING LIQUOR OR DRUGS.

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

Section 1. A new section of the Transportation Services
Act is enacted to read:

" [NEW MATERIAL] PROHIBITIONS. --

A. A state employee shall not operate a state motor
vehicle if the employee has been convicted two or more times
for driving while under the influence of intoxicating liquor or
drugs or once for aggravated driving while under the influence
of intoxicating liquor or drugs.

B. A conviction pursuant to a municipal or county

1 ordinance in New Mexico or a law of any other jurisdiction,
2 territory or possession of the United States that is equivalent
3 to New Mexico law for driving while under the influence of
4 intoxicating liquor or drugs or for aggravated driving while
5 under the influence of intoxicating liquor or drugs is a
6 conviction for purposes of determining whether a conviction is
7 a second or subsequent conviction.

8 C. As used in this section, "conviction" means the
9 alleged violator has entered a plea of guilty or nolo
10 contendere or has been found guilty in a trial court and has
11 waived or exhausted all rights to an appeal."

12 Section 2. EFFECTIVE DATE.--The effective date of the
13 provisions of this act is July 1, 2003.

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