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SENATE BILL 359

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

INTRODUCED BY

Phil A. Griego

AN ACT

**RELATING TO MOTOR VEHICLES; INCREASING THE FINES FOR PARKING IN
A DESIGNATED DISABLED PARKING SPACE; PROVIDING FOR SUSPENSION
OR REVOCATION OF SPECIAL REGISTRATION PLATES OR PARKING
PLACARDS.**

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

**Section 1. Section 66-3-16.1 NMSA 1978 (being Laws 1995,
Chapter 129, Section 2, as amended) is amended to read:**

"66-3-16.1. PROHIBITED ACTS--PENALTIES. --

**A. Any person who provides false information in
order to acquire, or who assists an unqualified person to
acquire, a special registration plate or parking placard as
provided in Section 66-3-16 NMSA 1978 is guilty of a
misdemeanor and shall be sentenced pursuant to the provisions
of Section 31-19-1 NMSA 1978.**

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1 B. Any person, other than the person to whom a
2 special registration plate or a parking placard was issued, who
3 in the absence of the holder of the plate or placard, parks in
4 a designated disabled parking space while displaying the plate
5 or placard, is guilty of a misdemeanor and upon conviction
6 shall be sentenced pursuant to the provisions of Section
7 31-19-1 NMSA 1978.

8 C. The holder of a special registration plate or
9 parking placard shall not give or lend his plate or placard to
10 another person for use when the holder is not in the motor
11 vehicle. For a first offense pursuant to this subsection, the
12 department shall suspend the holder's privilege to have a
13 special registration place or parking placard for six months.
14 For a second offense, the department shall permanently revoke
15 the holder's privilege to have a special registration plate or
16 parking placard.

17 ~~[C.]~~ D. A special registration plate or parking
18 placard displayed on a vehicle parked in a designated disabled
19 parking space in the absence of the holder of that plate or
20 placard, is subject to immediate seizure by a law enforcement
21 official and if seized shall be delivered to the division
22 within seventy-two hours.

23 E. Failure to surrender the parking placard on
24 demand of a law enforcement officer or the department is a
25 petty misdemeanor and punishable by a fine not to exceed one
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1 hundred dollars (\$100). "

2 Section 2. Section 66-7-352.5 NMSA 1978 (being Laws 1983,
3 Chapter 45, Section 5, as amended) is amended to read:

4 "66-7-352.5. UNAUTHORIZED USE--PENALTIES. --

5 A. It is unlawful for any person to park a motor
6 vehicle not displaying a special registration plate or a
7 parking placard issued pursuant to Section 66-3-16 NMSA 1978 in
8 a designated disabled parking space.

9 B. It is unlawful for any person to park a motor
10 vehicle in such a manner so as to block access to any part of a
11 curb cut designed for access by persons with severe mobility
12 impairment.

13 C. Any person convicted of violating Subsection A
14 or B of this section is subject to a fine of not less than [~~one~~
15 ~~hundred dollars (\$100)~~] two hundred fifty dollars (\$250) or
16 more than [~~three hundred dollars (\$300)~~] four hundred fifty
17 dollars (\$450). Failure to properly display a parking placard
18 or special registration plate issued pursuant to Section
19 66-3-16 NMSA 1978 is not a defense against a charge of
20 violation of Subsection A or B of this section.

21 D. A vehicle parked in violation of Subsection A or
22 B of this section is subject to being towed at the expense of
23 the vehicle owner upon authorization by law enforcement
24 personnel or by the property owner or manager of a parking
25 lot. "

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