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SENATE BILL 611

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

INTRODUCED BY

Joseph J. Carraro

AN ACT

RELATING TO HIGHWAYS; PROHIBITING THE STATE HIGHWAY AND
TRANSPORTATION DEPARTMENT FROM USING STATE OR FEDERAL FUNDS TO
MAINTAIN A SAFETY REST AREA; REQUIRING THE STATE HIGHWAY AND
TRANSPORTATION DEPARTMENT TO CONTRACT WITH PRIVATE FOOD
PROVIDERS TO MAINTAIN AND OPERATE A RESTAURANT IN A SAFETY REST
AREA.

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

Section 1. Section 67-12-1 NMSA 1978 (being Laws 1966,
Chapter 65, Section 1) is amended to read:

"67-12-1. SHORT TITLE. -- ~~[This act]~~ Chapter 67, Article 12
NMSA 1978 may be cited as the "Highway Beautification Act". "

Section 2. Section 67-12-2 NMSA 1978 (being Laws 1966,
Chapter 65, Section 2, as amended) is amended to read:

"67-12-2. DEFINITIONS. -- As used in the Highway

underscored material = new
[bracketed material] = delete

1 Beautification Act:

2 A. "interstate system" means that portion of the
3 national system of interstate and defense highways located
4 within this state as [~~may now or hereafter be officially so~~]
5 designated by the commission and approved pursuant to Title 23,
6 United States Code;

7 B. "primary system" means that portion of connected
8 main highways located within this state as [~~may now or~~
9 ~~hereafter be officially so~~] designated by the commission and
10 approved pursuant to Title 23, United States Code;

11 C. "commission" means the state [~~highway~~]
12 transportation commission;

13 D. "outdoor advertising" means any outdoor sign,
14 display, light, device, figure, painting, drawing, message,
15 plaque, poster, billboard or other object which is designed,
16 intended or used to advertise or inform, any part of which is
17 located within six hundred sixty feet of the nearest edge of
18 the right of way and is visible from the main-traveled way of
19 the interstate or primary systems or those located beyond six
20 hundred sixty feet of the right of way, located outside of
21 urban areas, visible from the main-traveled way of the system
22 and erected with the purpose of their message being read from
23 such main-traveled way;

24 E. "safety rest area" means a site established and
25 maintained by or under [~~public~~] private supervision or control

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[bracketed material] = delete

1 for the convenience of the traveling public within or adjacent
2 to the right of way of the interstate or primary systems;

3 F. "information center" means a site established
4 and maintained at a safety rest area for the purpose of
5 informing the public of places of interest within the state and
6 providing other information the commission considers desirable;

7 G. "junk" means old or scrap copper, brass, rope,
8 rags, batteries, paper, trash, rubber, debris, waste or junked,
9 dismantled or wrecked automobiles or parts thereof, iron, steel
10 and other old or scrap ferrous or nonferrous material;

11 H. "automobile graveyard" means any establishment
12 or place of business maintained, used or operated for storing,
13 keeping, buying or selling wrecked, scrapped, ruined or
14 dismantled motor vehicles or motor vehicle parts;

15 I. "junkyard" means any establishment or place of
16 business maintained, used or operated for storing, keeping,
17 buying or selling junk or for the maintenance or operation of
18 an automobile graveyard, any portion of which is located within
19 one thousand feet of the nearest edge of the right of way of
20 the interstate or primary systems, and it includes garbage
21 dumps and sanitary fills; and

22 J. "urban area" means an area including and
23 adjacent to a municipality or other urban place having a
24 population of five thousand or more, as determined by the
25 latest available federal census, within boundaries to be fixed

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[bracketed material] = delete

1 by the [~~state highway~~] commission, subject to any necessary
2 approval by any federal agency, department or personnel."

3 Section 3. A new section of the Highway Beautification
4 Act is enact to read:

5 "[NEW MATERIAL] SAFETY REST AREAS--PROHIBITING USE OF
6 STATE AND FEDERAL FUNDS.--The state highway and transportation
7 department shall not use state or federal funds to supervise,
8 maintain or operate a safety rest area."

9 Section 4. A new section of the Highway Beautification
10 Act is enacted to read:

11 "[NEW MATERIAL] SAFETY REST AREA MAINTAINED BY PRIVATE
12 FOOD PROVIDERS--OPERATION OF PRIVATE RESTAURANTS REQUIRED.--The
13 state highway and transportation department shall contract with
14 private food providers to:

15 A. supervise, maintain or operate a safety rest
16 area; and

17 B. operate a private restaurant at the safety rest
18 area."

19 Section 5. EFFECTIVE DATE.--The effective date of the
20 provisions of this act is July 1, 2003.

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