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SENATE BILL 694

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

INTRODUCED BY

Allen V. Hurt

AN ACT

RELATING TO HUMAN RIGHTS; PROVIDING THAT A PLACE OF PUBLIC  
ACCOMMODATION MAY NOT DENY ACCESS TO A PERSON WHO OPERATES A  
MOTORCYCLE; PRESCRIBING CIVIL DAMAGES.

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

Section 1. PLACE OF PUBLIC ACCOMMODATION--RESTRICTION ON  
DENIAL OF ACCESS TO A PERSON WHO OPERATES A MOTORCYCLE--CIVIL  
DAMAGES. --

A. A place of public accommodation may not restrict  
access, admission or usage to a person solely because the  
person:

- (1) operates a motorcycle;
- (2) is a member of a motorcycle organization  
or association; or
- (3) is wearing clothing that displays the name

underscored material = new  
[bracketed material] = delete

1 of a motorcycle organization or association.

2 B. Notwithstanding the provisions of Subsection A  
3 of this section, a place of public accommodation may restrict  
4 access, admission or usage to a person because the person's:

5 (1) conduct poses a risk to the health or  
6 safety of another person or to the property of another person;  
7 or

8 (2) clothing does not conform to an  
9 established and posted dress code.

10 C. A person who is denied access to, admission to  
11 or usage of a place of public accommodation pursuant to  
12 Subsection A of this section may bring an action for:

13 (1) civil damages in an amount not to exceed  
14 five hundred dollars (\$500);

15 (2) injunctive relief; and

16 (3) recovery of attorney fees in an amount not  
17 to exceed five hundred dollars (\$500).

18 D. As used in this section, "place of public  
19 accommodation" means a business, refreshment, entertainment,  
20 recreation or transportation facility of any kind, whether  
21 licensed or not, whose goods, services, privileges or  
22 accommodations are extended, offered, sold or otherwise made  
23 available to the public.

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

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