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HOUSE BILL 430

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Joni Marie Gutierrez

AN ACT

RELATING TO PARKS AND RECREATION; PROVIDING FOR EXEMPTION FROM LIABILITY TO GOVERNMENTAL ENTITIES THAT GRANT A RIGHT OF WAY OR EASEMENT FOR USE IN THE STATE TRAILS SYSTEM.

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

Section 1. Section 16-3-9 NMSA 1978 (being Laws 1973, Chapter 372, Section 10, as amended) is amended to read:

"16-3-9. LIMITATION OF LIABILITY OF OWNERS OF LAND USED FOR RECREATIONAL PURPOSES.--No person or corporation, or their successors in interest, [~~who~~] or governmental entity that has granted a right of way or easement across [~~his~~] its land to the energy, minerals and natural resources department for use in the state trails system shall be liable to any user of the trail for injuries suffered on the right of way or easement unless the injuries are caused by the willful or wanton

underscored material = new
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1 misconduct of the grantor."

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