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**HOUSE BILL 772**

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

**INTRODUCED BY**

**Rick Mi era**

**AN ACT**

**RELATING TO MOTOR VEHICLES; PROVIDING PENALTIES FOR FAILURE TO  
YIELD THE RIGHT OF WAY.**

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

**Section 1. FAILURE TO YIELD THE RIGHT OF WAY--FAILURE TO  
YIELD THE RIGHT OF WAY CAUSING GREAT BODILY INJURY--FAILURE TO  
YIELD THE RIGHT OF WAY CAUSING DEATH--PENALTY. --**

**A. It is unlawful for a person to fail to yield the  
right of way as described in Chapter 66, Article 7 NMSA 1978.**

**B. As used in this section:**

**(1) "conviction" means an adjudication of  
guilt and does not include imposition of a sentence; and**

**(2) "great bodily injury" means an injury to a  
person that creates a high probability of death, causes serious  
disfigurement or results in permanent or protracted loss or**

underscored material = new  
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1 impairment of the function of a member or organ of the body.

2 C. A person convicted of failure to yield the right  
3 of way causing no great bodily injury or death shall be  
4 punished, in addition to other penalties imposed for the  
5 violation, by a fine of two hundred dollars (\$200) and a  
6 thirty-day suspension of the person's New Mexico driver's  
7 license, commercial driver's license or nonresident operating  
8 privilege.

9 D. A person convicted of failure to yield the right  
10 of way causing great bodily injury shall be punished, in  
11 addition to other penalties imposed for the violation, by a  
12 fine of five hundred dollars (\$500) and a ninety-day suspension  
13 of the person's New Mexico driver's license, commercial  
14 driver's license or nonresident operating privilege.

15 E. A person convicted of failure to yield the right  
16 of way causing death shall be punished, in addition to other  
17 penalties imposed for the violation, by a fine of one thousand  
18 dollars (\$1,000) and a six-month suspension of the person's New  
19 Mexico driver's license, commercial driver's license or  
20 nonresident operating privilege.