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HOUSE BILL 176

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Nathan P. Cote

AN ACT

RELATING TO MOTOR VEHICLES; REQUIRING CERTAIN MOTOR VEHICLES TO
BE EQUIPPED WITH MUD GUARD FLAPS; PROVIDING A PENALTY.

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

Section 1. A new section of the Motor Vehicle Code is
enacted to read:

"~~[NEW MATERIAL]~~ MOTOR VEHICLES TO BE EQUIPPED WITH MUD
GUARD FLAPS--MISDEMEANOR PENALTY.--

A. On and after July 1, 2007, every new motor
vehicle sold by a dealer in New Mexico for operation on its
streets and highways that has rear tires larger than a tire
with a section width of two hundred sixty-five millimeters, a
sidewall aspect ratio of seventy percent of the section width
and a wheel diameter rating of seventeen inches shall be
equipped with mud guard flaps protecting the rear tires from

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 ejecting material to the rear of the motor vehicle.

2 B. The mud guard flaps required in Subsection A of
3 this section shall be:

4 (1) wide enough to cover the full tread width
5 of the tires being protected;

6 (2) installed as far to the rear of the motor
7 vehicle as practicable and so that they extend from the
8 underside of the motor vehicle body in a vertical plane behind
9 the rear wheels to within eight inches of the ground; and

10 (3) constructed of a rigid material or a
11 flexible material that is of a sufficiently rigid character to
12 provide adequate protection when the motor vehicle is in
13 motion.

14 C. A dealer who sells a motor vehicle in violation
15 of this section is guilty of a misdemeanor and shall be
16 punished by a fine of not less than five hundred dollars (\$500)
17 but not to exceed one thousand dollars (\$1,000)."

18 Section 2. EFFECTIVE DATE.--The effective date of the
19 provisions of this act is July 1, 2007.