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HOUSE BILL 46

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

William "Bill" R. Rehm

AN ACT

RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR
OR DRUGS; INCREASING THE FEE CHARGED TO DEFRAY THE COSTS OF
CHEMICAL AND OTHER TESTS.

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

Section 1. Section 31-12-7 NMSA 1978 (being Laws 1981,
Chapter 367, Section 1, as amended) is amended to read:

"31-12-7. MOTOR VEHICLES--INFLUENCE OF INTOXICATING
LIQUOR OR DRUGS--FEE UPON CONVICTION.--Notwithstanding the
provisions of Section 66-8-102 NMSA 1978 or any municipal
ordinance that prohibits driving while under the influence of
intoxicating liquor or drugs, a person convicted of a violation
of Section 66-8-102 NMSA 1978 or a violation of a municipal
ordinance that prohibits driving while under the influence of
intoxicating liquor or drugs shall be assessed by the court, in

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1 addition to any other fee or fine:

2 A. a fee of [~~sixty-five dollars (\$65.00)~~] eighty-
3 five dollars (\$85.00) to defray the costs of chemical and other
4 tests used to determine the influence of liquor or drugs; and

5 B. a fee of seventy-five dollars (\$75.00) to fund
6 comprehensive community programs for the prevention of driving
7 while under the influence of intoxicating liquor or drugs and
8 for other traffic safety purposes."

9 Section 2. EFFECTIVE DATE.--The effective date of the
10 provisions of this act is July 1, 2010.

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