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SENATE BILL 172

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

INTRODUCED BY

Kent L. Cravens

AN ACT

PROHIBITING INTOXICATION BY PERSONS UNDER TWENTY-ONE YEARS OF AGE; PROVIDING CIVIL PENALTIES.

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

Section 1. A new section of the Liquor Control Act is enacted to read:

"[NEW MATERIAL] INTOXICATION BY MINORS--CIVIL PENALTIES.--

A. A minor shall not be intoxicated by alcoholic beverages.

B. A minor who violates the provisions of Subsection A of this section shall be ordered to attend an alcohol prevention or early intervention program approved by the department of health that is at least twelve hours in length. In addition:

(1) for a first violation, the minor's

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1 driver's license shall be suspended for a period of thirty
2 days. If the minor is too young to be eligible for a driver's
3 license at the time of the violation, then thirty days shall be
4 added to the date the minor would otherwise become eligible for
5 a driver's license;

6 (2) for a second violation:

7 (a) the minor's driver's license shall
8 be suspended for a period of ninety days. If the minor is too
9 young to be eligible for a driver's license at the time of the
10 violation, then ninety days shall be added to the date the
11 minor would otherwise become eligible for a driver's license;
12 and

13 (b) the minor shall be fined an amount
14 not to exceed one thousand dollars (\$1,000) or ordered to
15 perform forty hours of community service related to reducing
16 the incidence of driving under the influence of intoxicating
17 liquor or both; or

18 (3) for a third or subsequent violation:

19 (a) the minor's driver's license shall
20 be suspended for a period of two years or until the minor
21 reaches twenty-one years of age, whichever period of time is
22 greater; and

23 (b) the minor shall be fined an amount
24 not to exceed one thousand dollars (\$1,000) or ordered to
25 perform sixty hours of community service related to reducing

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1 the incidence of driving under the influence of intoxicating
2 liquor or both.

3 C. The provisions of Section 60-7A-25 NMSA 1978
4 shall not apply to a minor who violates this section."

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

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