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HOUSE BILL 435

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

Yvette Herrell

AN ACT

RELATING TO OFF-HIGHWAY MOTOR VEHICLES; AMENDING THE OFF-HIGHWAY MOTOR VEHICLE ACT; CLARIFYING AND REDISTRIBUTING USE OF THE TRAIL SAFETY FUND; REQUIRING A PORTION OF THE TRAIL SAFETY FUND TO BE USED FOR MOTORIZED VEHICLE TRAIL DEVELOPMENT AND IMPROVEMENT; MAKING AN APPROPRIATION.

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

SECTION 1. Section 66-3-1019 NMSA 1978 (being Laws 2005, Chapter 325, Section 21, as amended) is amended to read:

"66-3-1019. FUND CREATED--DISPOSITION.--

A. The "trail safety fund" is created in the state treasury. The fund is a nonreverting fund and consists of revenues from off-highway motor vehicle registration and user fees, grants and donations. No more than thirty percent of the fund may be used annually for administrative overhead, and [at

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underscoring material = new  
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1 ~~least]~~ no more than fifty percent of the fund shall be devoted  
2 annually to law enforcement and education. At least twenty-  
3 five percent of the fund shall be devoted annually to motorized  
4 vehicle trail development and improvement. Income from  
5 investment of the fund shall be credited to the fund. The fund  
6 shall be administered by the department, and money in the fund  
7 is appropriated to the department to carry out the purposes of  
8 the Off-Highway Motor Vehicle Act. Expenditures from the fund  
9 shall be by warrant of the secretary of finance and  
10 administration upon vouchers signed by the director of the  
11 department of game and fish or the director's authorized  
12 representative.

13 B. The department shall make annual distributions  
14 from the fund for the following purposes:

- 15 (1) administrative;
- 16 (2) law enforcement;
- 17 (3) education and training;
- 18 (4) information system development and  
19 management;
- 20 (5) resource monitoring and protection and  
21 trail building, maintenance and restoration; and
- 22 (6) implementation of other provisions of the  
23 Off-Highway Motor Vehicle Act."

24 SECTION 2. EFFECTIVE DATE.--The effective date of the  
25 provisions of this act is July 1, 2011.

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