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SENATE BILL 651

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

INTRODUCED BY

Lisa A. Torraco

AN ACT

RELATING TO MOTOR VEHICLES; INCREASING THE PENALTY FOR A PERSON WHO COMMITS CARELESS DRIVING THAT RESULTS IN DEATH OR GREAT BODILY HARM.

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

SECTION 1. Section 66-8-114 NMSA 1978 (being Laws 1969, Chapter 169, Section 12) is amended to read:

"66-8-114. CARELESS DRIVING.--

A. ~~[Any]~~ A person operating a vehicle on the highway shall give ~~[his]~~ the person's full time and entire attention to the operation of the vehicle.

B. ~~[Any person who operates]~~ Careless driving consists of operating a vehicle in a careless, inattentive or imprudent manner without due regard for the width, grade, curves, corners, traffic, weather and road conditions and all

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1 other attendant circumstances. Whoever commits careless  
2 driving is guilty of a misdemeanor as provided in Section  
3 66-8-7 NMSA 1978.

4 C. Whoever commits careless driving that results in  
5 death or great bodily harm to another person is guilty of a  
6 misdemeanor and shall be punished in accordance with the  
7 provisions of Section 31-19-1 NMSA 1978; provided that,  
8 notwithstanding Section 31-19-1 NMSA 1978, if the sentence is  
9 suspended in whole or deferred, the period of probation shall  
10 be two years. If the sentence includes a period of probation,  
11 the conditions of probation shall include driver improvement  
12 measures. For the purpose of this subsection, commission of a  
13 traffic offense pursuant to the Motor Vehicle Code shall  
14 constitute a violation of the conditions of probation.

15 D. As used in this section, "great bodily harm"  
16 means an injury to a person that creates a high probability of  
17 death; that causes serious disfigurement; or that results in  
18 permanent or protracted loss or permanent impairment of the  
19 function of any member or organ of the body."

20 **SECTION 2. EFFECTIVE DATE.**--The effective date of the  
21 provisions of this act is July 1, 2015.

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