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SENATE BILL 648

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Manny M Aragon

AN ACT

RELATING TO SALES OF MOTOR VEHICLES; PROHIBITING SALES OF OR
OFFERS TO SELL MOTOR VEHICLES ON SUNDAY; PRESCRIBING
PENALTIES.

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

Section 1. SALES OR OFFERS TO SELL MOTOR VEHICLES ON
SUNDAY PROHIBITED-- EXCEPTION-- CIVIL PENALTIES-- ENFORCEMENT. --

A. As used in this section:

(1) "employer" means a person who:

(a) owns a business that sells or
offers to sell motor vehicles; or

(b) has the authority to determine the
hours of operation of a business that sells or offers to sell
motor vehicles; and

(2) "motor vehicle" means a self-propelled

underscored material = new
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1 vehicle that has two or more wheels and that is designed to
2 transport a person or property.

3 B. An employer shall not:

4 (1) sell or offer to sell a motor vehicle on
5 Sunday; or

6 (2) compel an employee to sell or offer to
7 sell a motor vehicle on Sunday.

8 C. The provisions of Subsection B of this section
9 do not prohibit the occasional sale of a motor vehicle by a
10 person who is not an owner of a business that sells or offers
11 to sell motor vehicles.

12 D. Each instance when an employer sells or offers
13 to sell a motor vehicle on Sunday is a separate violation of
14 the provisions of this section.

15 E. An employer who violates the provisions of this
16 section is subject to a civil penalty of:

17 (1) not more than five hundred dollars (\$500)
18 for a first violation;

19 (2) not less than five hundred dollars (\$500)
20 and not more than one thousand dollars (\$1,000) for a second
21 violation; and

22 (3) not less than one thousand dollars
23 (\$1,000) and not more than five thousand dollars (\$5,000) for
24 a third or subsequent violation.

25 F. In order to promote the uniform administration

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1 of the provisions of this section, the attorney general is
2 responsible for its enforcement. The attorney general may in
3 appropriate cases delegate his enforcement authority to the
4 district attorneys of the state and when this is done, the
5 district attorneys may enforce the provisions of this section.
6 An action to enforce the provisions of this section shall be
7 brought in the county where the violation is alleged to have
8 occurred.

9 Section 2. EFFECTIVE DATE. --The effective date of the
10 provisions of this act is July 1, 1999.