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HOUSE BILL 414

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Ron Godbey

AN ACT

**RELATING TO MOTOR VEHICLES; INCREASING FINES FOR SPEEDING BY
VEHICLES WEIGHING OVER TWENTY-SIX THOUSAND POUNDS GROSS
VEHICLE WEIGHT.**

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

**Section 1. Section 66-8-116 NMSA 1978 (being Laws 1978,
Chapter 35, Section 524, as amended) is amended to read:**

**"66-8-116. PENALTY ASSESSMENT MISDEMEANORS--
DEFINITION--SCHEDULE OF ASSESSMENTS.--**

**A. As used in the Motor Vehicle Code, "penalty
assessment misdemeanor" means violation of any of the
following listed sections of the NMSA 1978 for which the
listed penalty assessment is established:**

COMMON NAME OF OFFENSE	SECTION VIOLATED	PENALTY ASSESSMENT
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1	Permitting unlicensed		
2	minor to drive	66- 5- 40	\$ 10. 00
3	Failure to obey sign	66- 7- 104	10. 00
4	Failure to obey signal	66- 7- 105	10. 00
5	Speeding	66- 7- 301	
6	(1) up to		
7	and including ten		
8	miles an hour		
9	over speed limit <u>for</u> :		[15.00]
10	<u>(a) vehicles twenty-six thousand</u>		
11	<u>pounds gross vehicle weight</u>		
12	<u>and under</u>		<u>15. 00</u>
13	<u>(b) vehicles over twenty-six thousand</u>		
14	<u>pounds gross vehicle weight</u>		<u>500. 00</u>
15	(2) from eleven up to		
16	and including fifteen		
17	miles an hour		
18	over speed limit <u>for</u> :		[30.00]
19	<u>(a) vehicles twenty-six thousand</u>		
20	<u>pounds gross vehicle weight</u>		
21	<u>and under</u>		<u>30. 00</u>
22	<u>(b) vehicles over twenty-six thousand</u>		
23	<u>pounds gross vehicle weight</u>		<u>650. 00</u>
24	(3) from sixteen up to		
25	and including twenty		

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1	miles an hour over	
2	speed limit <u>for</u> :	[65.00]
3	<u>(a) vehicles twenty-six thousand</u>	
4	<u>pounds gross vehicle weight</u>	
5	<u>and under</u>	<u>65.00</u>
6	<u>(b) vehicles over twenty-six thousand</u>	
7	<u>pounds gross vehicle weight</u>	<u>1,000.00</u>
8	(4) from twenty-one up to	
9	and including twenty-five	
10	miles an hour	
11	over speed limit <u>for</u> :	[100.00]
12	<u>(a) vehicles twenty-six thousand</u>	
13	<u>pounds gross vehicle weight</u>	
14	<u>and under</u>	<u>100.00</u>
15	<u>(b) vehicles over twenty-six thousand</u>	
16	<u>pounds gross vehicle weight</u>	<u>1,350.00</u>
17	(5) from twenty-six up to	
18	and including thirty	
19	miles an hour over the	
20	speed limit <u>for</u> :	[125.00]
21	<u>(a) vehicles twenty-six thousand</u>	
22	<u>pounds gross vehicle weight</u>	
23	<u>and under</u>	<u>125.00</u>
24	<u>(b) vehicles over twenty-six thousand</u>	
25	<u>pounds gross vehicle weight</u>	<u>1,600.00</u>

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1	(6) from thirty-one up to		
2	and including thirty-five		
3	miles an hour over the		
4	speed limit <u>for:</u>		[150.00]
5	<u>(a) vehicles twenty-six thousand</u>		
6	<u>pounds gross vehicle weight</u>		
7	<u>and under</u>		<u>150.00</u>
8	<u>(b) vehicles over twenty-six thousand</u>		
9	<u>pounds gross vehicle weight</u>		<u>1,800.00</u>
10	(7) more than thirty-five		
11	miles an hour over the		
12	speed limit <u>for:</u>		[200.00]
13	<u>(a) vehicles twenty-six thousand</u>		
14	<u>pounds gross vehicle weight</u>		
15	<u>and under</u>		<u>200.00</u>
16	<u>(b) vehicles over twenty-six thousand</u>		
17	<u>pounds gross vehicle weight</u>		<u>2,300.00</u>
18	Unfastened safety belt	66-7-372	25.00
19	Child not in restraint device		
20	or seat belt	66-7-369	25.00
21	Minimum speed	66-7-305	10.00
22	Speeding	66-7-306	15.00
23	Improper starting	66-7-324	10.00
24	Improper backing	66-7-354	10.00
25	Improper lane	66-7-308	10.00

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1	Improper lane	66- 7- 313	10. 00
2	Improper lane	66- 7- 316	10. 00
3	Improper lane	66- 7- 317	10. 00
4	Improper lane	66- 7- 319	10. 00
5	Improper passing	66- 7- 309 through 66- 7- 312	10. 00
6	Improper passing	66- 7- 315	10. 00
7	Controlled access		
8	violation	66- 7- 320	10. 00
9	Controlled access		
10	violation	66- 7- 321	10. 00
11	Improper turning	66- 7- 322	10. 00
12	Improper turning	66- 7- 323	10. 00
13	Improper turning	66- 7- 325	10. 00
14	Following too closely	66- 7- 318	10. 00
15	Failure to yield	66- 7- 328 through 66- 7- 332	10. 00
16	Failure to yield	66- 7- 332. 1	25. 00
17	Pedestrian violation	66- 7- 333	10. 00
18	Pedestrian violation	66- 7- 340	10. 00
19	Failure to stop	66- 7- 341 through 66- 7- 346	10. 00
20	Passing school bus	66- 7- 347	100. 00
21	Failure to signal	66- 7- 325 through 66- 7- 327	10. 00
22	Failure to secure load	66- 7- 407	100. 00
23	Operation without oversize-		
24	overweight permit	66- 7- 413	50. 00
25	Improper equipment	66- 3- 801	10. 00

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1	Improper equipment	66-3-901	20.00
2	Improper emergency		
3	signal	66-3-853 through 66-3-857	10.00
4	Operation interference	66-7-357	5.00
5	Littering	66-7-364	300.00
6	Improper parking	66-7-349 through	
7		66-7-352 and 66-7-353	5.00
8	Improper parking	66-7-352.5	50.00
9	Improper parking	66-3-852	5.00
10	Failure to dim lights	66-3-831	10.00
11	Riding in or towing		
12	occupied house trailer	66-7-366	5.00
13	Improper opening of doors	66-7-367	5.00
14	No slow-moving vehicle		
15	emblem or flashing		
16	amber light	66-3-887	5.00
17	Open container - first		
18	violation	66-8-138	25.00.

19 B. The term "penalty assessment misdemeanor" does
20 not include any violation that has caused or contributed to
21 the cause of an accident resulting in injury or death to any
22 person.

23 C. When an alleged violator of a penalty assessment
24 misdemeanor elects to accept a notice to appear in lieu of a
25 notice of penalty assessment, no fine imposed upon later

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1 conviction shall exceed the penalty assessment established for
2 the particular penalty assessment misdemeanor and no probation
3 imposed upon a suspended or deferred sentence shall exceed
4 ninety days. "

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