

FIFTY-THIRD LEGISLATURE
SECOND SESSION, 2018

HB 19/a

February 13, 2018

Mr. President:

Your **JUDICIARY COMMITTEE**, to whom has been referred

**HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 19, as amended**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 8, line 25, strike "with" and insert in lieu thereof "that on January 1, 2018 had".
2. On pages 20 and 21, strike Section 12 in its entirety.
3. On page 45, line 25, after the period, insert "A person who fails to remove and return a plate as required in this subsection is guilty of a penalty assessment misdemeanor."
4. On pages 46 and 47, strike Section 26 in its entirety.
5. On page 64, line 24, after "circumvent", insert ", remove".
6. On page 65, line 2, after "two", strike the remainder of the line and strike line 3 up to the semicolon and insert in lieu thereof "vehicle lockouts".
7. On page 65, line 20, strike the closing quotation mark.
8. On page 65, between lines 20 and 21, insert the following new subsection:

"E. For the purposes of this section, "vehicle lockout" means a driver has failed:

(1) a breath test six times within a period of three hours; or

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(2) initial breath tests or random breath re-tests ten times within a period of thirty days."".

9. On page 65, between lines 20 and 21, insert the following new section:

"SECTION 39. Section 66-5-38 NMSA 1978 (being Laws 1978, Chapter 35, Section 260) is amended to read:

"66-5-38. MAKING FALSE AFFIDAVIT PERJURY.--~~[Any]~~ Except as otherwise provided in the Motor Vehicle Code, a person who makes [any] a false affidavit or knowingly swears or affirms falsely to [any] a matter or thing required by the terms of the Motor Vehicle Code to be sworn to or affirmed is guilty of perjury [and upon conviction shall be punishable by fine or imprisonment as other persons committing perjury are punishable] as provided in Section 30-25-1 NMSA 1978."".

10. On page 75, strike lines 19 and 20 in their entirety.

11. On page 75, line 22, remove the brackets and line-through.

12. On page 76, line 10, strike "66-3-411,".

13. On page 76, line 12, strike "through", strike line 13 and on line 14, strike "through" and insert in lieu thereof ", 66-3-417, 66-3-419, 66-3-421, 66-3-422, 66-3-424.4, 66-3-424.5, 66-3-424.7, 66-3-424.9, 66-3-424.13, 66-3-424.16 and".

14. Renumber sections to correspond with these amendments.,

and thence referred to the **FINANCE COMMITTEE**.

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Respectfully submitted,

Richard C. Martinez, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 11 For 0 Against

Yes: 11

No: 0

Excused: None

Absent: None

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