

FIFTY-FOURTH LEGISLATURE  
FIRST SESSION

February 28, 2019

HOUSE FLOOR AMENDMENT number   1   to HOUSE JUDICIARY COMMITTEE  
SUBSTITUTE FOR HOUSE BILL  
356

Amendment sponsored by Representative Javier Martínez

1. On page 1, line 19, before "REVISING", insert "CREATING THE ROAD SAFETY FUND;".

2. On page 2, line 1, strike "45" and insert in lieu thereof "46".

3. On page 71, between lines 2 and 3, insert the following new section:

"SECTION 45. [NEW MATERIAL] ROAD SAFETY FUND.--

A. The "road safety fund" is created in the state treasury. The fund consists of money transferred from the cannabis excise tax, appropriations, other money deposited in the fund and money otherwise accruing to the fund. The department of public safety shall administer the fund, and money in the fund is subject to appropriation to the department of public safety for the purposes described in this section. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund. Money in the fund shall be disbursed on warrants signed by the secretary of finance and administration pursuant to vouchers signed by the secretary of public safety or the secretary's authorized representative.

B. Money in the fund is appropriated to the department of public safety for:

- (1) research to determine whether a driver is

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operating a vehicle while impaired, including impairment by the use of cannabis items;

(2) implementing best practices in law enforcement agencies regarding impairment by the use of cannabis items; and

(3) drug recognition expert field certification training for law enforcement officers and for purchasing roadside impairment tests that are validated for testing cannabis impairment.".

4. Renumber the succeeding sections accordingly.

5. On page 71, lines 14 and 15, strike "46 through 53" and insert in lieu thereof "47 through 54".

6. On page 77, line 8, strike the closing quotation mark.

7. On page 77, between lines 8 and 9, insert the following new subsection:

"E. A distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the road safety fund in an amount equal to two percent of the net receipts attributable to the cannabis excise tax.".

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Javier Martínez

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_