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SENATE BILL 332

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Linda M Lopez

AN ACT

RELATING TO PARKS AND RECREATION; PROVIDING FOR EXEMPTION FROM
LIABILITY TO GOVERNMENTAL ENTITIES THAT GRANT A RIGHT OF WAY OR
EASEMENT FOR USE IN THE STATE TRAILS SYSTEM

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

Section 1. Section 16-3-9 NMSA 1978 (being Laws 1973,
Chapter 372, Section 10, as amended) is amended to read:

"16-3-9. LIMITATION OF LIABILITY OF OWNERS OF LAND USED
FOR RECREATIONAL PURPOSES. -- No person or corporation, or their
successors in interest, [~~who~~] or governmental entity that has
granted a right of way or easement across [~~his~~] its land to the
energy, minerals and natural resources department for use in
the state trails system shall be liable to any user of the
trail for injuries suffered on the right of way or easement
unless the injuries are caused by the willful or wanton

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misconduct of the grantor. "