

1 SENATE BILL 94

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

4 William E. Sharer

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10 AN ACT

11 RELATING TO BOATING; SETTING A PENALTY FOR FAILURE TO WEAR A  
12 PERSONAL FLOTATION DEVICE.

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

15 SECTION 1. Section 66-12-23 NMSA 1978 (being Laws 1963,  
16 Chapter 45, Section 9, as amended) is amended to read:

17 "66-12-23. PENALTIES--EXCEPTION--

18 A. A person who violates a provision of the Boat  
19 Act or a regulation of the state parks division of the energy,  
20 minerals and natural resources department promulgated pursuant  
21 to that act is guilty of a petty misdemeanor and shall be  
22 sentenced pursuant to the provisions of Section 31-19-1 NMSA  
23 1978, except as indicated in Subsection B of this section.

24 B. A person who is found guilty of failure to wear  
25 a flotation device, whether by statute or regulation, is guilty

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1 of a penalty assessment misdemeanor and shall be assessed a  
2 penalty of twenty-five dollars (\$25.00).

3 C. The provisions of Subsection B of this section  
4 do not affect the penalty required for a violation of Section  
5 66-12-7.1 NMSA 1978."

6 SECTION 2. EFFECTIVE DATE.--The effective date of the  
7 provisions of this act is July 1, 2013.