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HOUSE BILL 611

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

David M. Gallegos and Patricio Ruiloba

AN ACT

RELATING TO MOTOR VEHICLES; DEFINING THE PENALTIES FOR
OPERATION OF A VEHICLE WITHOUT INSURANCE.

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

SECTION 1. Section 66-5-205 NMSA 1978 (being Laws 1983,
Chapter 318, Section 6, as amended) is amended to read:

"66-5-205. VEHICLE MUST BE INSURED OR OWNER MUST HAVE
EVIDENCE OF FINANCIAL RESPONSIBILITY--PENALTIES.--

A. No owner shall permit the operation of an
uninsured motor vehicle, or a motor vehicle for which evidence
of financial responsibility as was affirmed to the department
is not currently valid, upon the streets or highways of New
Mexico unless the vehicle is specifically exempted from the
provisions of the Mandatory Financial Responsibility Act.

B. No person shall drive an uninsured motor

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1 vehicle, or a motor vehicle for which evidence of financial
2 responsibility as was affirmed to the department is not
3 currently valid, upon the streets or highways of New Mexico
4 unless the person is specifically exempted from the provisions
5 of the Mandatory Financial Responsibility Act.

6 C. For the purposes of the Mandatory Financial
7 Responsibility Act, "uninsured motor vehicle" means a motor
8 vehicle for which a motor vehicle insurance policy meeting the
9 requirements of the laws of New Mexico and of the secretary, or
10 a surety bond or evidence of a sufficient cash deposit with the
11 state treasurer, is not in effect.

12 D. The provisions of the Mandatory Financial
13 Responsibility Act requiring the deposit of evidence of
14 financial responsibility as provided in Section 66-5-218 NMSA
15 1978, subject to certain exemptions, may apply with respect to
16 persons who have been convicted of or forfeited bail for
17 certain offenses under motor vehicle laws or who have failed to
18 pay judgments or written settlement agreements upon causes of
19 action arising out of ownership, maintenance or use of vehicles
20 of a type subject to registration under the laws of New Mexico.

21 E. Any person who violates the provisions of this
22 section is guilty of a misdemeanor as provided in Section
23 66-8-7 NMSA 1978 and shall be subject to the following fines:

24 (1) two hundred fifty dollars (\$250) for a
25 first offense;

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1 (2) three hundred fifty dollars (\$350) for a
2 second offense or a first offense involving an accident
3 resulting in property damage or bodily injury; and

4 (3) five hundred dollars (\$500) for a third or
5 subsequent offense.

6 F. A person charged with violating the provisions
7 of this section shall not be convicted if the person produces,
8 in court, evidence of financial responsibility valid at the
9 time of issuance of the citation."

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