

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 309

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Joe Nestor Chavez

AN ACT

RELATING TO MOTOR VEHICLES; PROVIDING MUNICIPALITIES WITH
AUTHORITY TO DOUBLE THE AMOUNT OF PENALTY ASSESSMENTS FOR
CERTAIN VIOLATIONS OF THE MOTOR VEHICLE CODE; AMENDING A
SECTION OF THE MOTOR VEHICLE CODE.

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

Section 1. Section 66-8-130 NMSA 1978 (being Laws 1978,
Chapter 35, Section 538, as amended) is amended to read:

"66-8-130. ALL TRAFFIC CITATIONS TO CONFORM -
MUNICIPALITIES MAY PASS ORDINANCE TO ESTABLISH SIMILAR
PROGRAM - MUNICIPALITIES MAY DOUBLE THE AMOUNT OF PENALTY
ASSESSMENTS. - -

A. The uniform traffic citation shall be used by
all state and local agencies enforcing laws and ordinances
relating to motor vehicles. Any municipality may, by passage

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 of an ordinance, establish a municipal penalty assessment
2 program similar to that established in Sections 66-8-116
3 through 66-8-117 NMSA 1978 for violations of provisions of the
4 Motor Vehicle Code; provided that a municipal ordinance may
5 establish a municipal penalty assessment program that doubles
6 the amount of the penalty assessment for any violation of the
7 Motor Vehicle Code set forth in Sections 66-8-116, 66-8-116.1
8 and 66-8-116.2.

9 B. Every municipality that has adopted an
10 ordinance to establish a penalty assessment program shall
11 assess on all penalty assessment misdemeanors after January 1,
12 1984, in addition to the penalty assessment, a penalty
13 assessment fee of ten dollars (\$10.00) to be deposited in a
14 special fund in the municipal treasury for use by the
15 municipality only for municipal jailer training; for the
16 construction planning, construction, operation and maintenance
17 of the municipal jail; for paying the costs of housing that
18 municipality's prisoners in other detention facilities in the
19 state; or for complying with match or contribution
20 requirements for the receipt of federal funds relating to
21 jails. Such a municipal program shall be limited to
22 violations of municipal traffic ordinances.

23 [~~B.~~] C. All penalty assessments under a municipal
24 program authorized by this section shall be processed by the
25 municipal court, and all fines and fees collected shall be

underscored material = new
[bracketed material] = delete

1 deposited in the treasury of the municipality. A copy of each
2 penalty assessment processed shall be forwarded to the
3 division within ten days of completion of local processing for
4 posting to the driver's record. With the prior approval of
5 the director, the required information may be submitted to the
6 division by electronic means in lieu of forwarding copies of
7 the penalty assessments.

8 [C-] D. Each agency shall provide itself with
9 copies conforming exactly in size and format with the uniform
10 traffic citation prescribed by the director, and any
11 alterations to conform with local conditions must be approved
12 by the director. "

13 Section 2. EFFECTIVE DATE. --The effective date of the
14 provisions of this act is July 1, 1999.

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

3
4
5
6 February 16, 1999

7
8 Mr. Speaker:

9
10 Your GOVERNMENT AND URBAN AFFAIRS COMMITTEE, to
11 whom has been referred

12
13 HOUSE BILL 309

14
15 has had it under consideration and reports same with
16 recommendation that it DO PASS, and thence referred to the
17 JUDICIARY COMMITTEE.

18 Respectfully submitted,

19
20
21
22 _____
23 James G. Taylor, Chairman
24
25

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

HGUAC/HB 309

Page 5

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 4 For 2 Against

Yes: 4

No: Mallory, Sandel

Excused: Abeyta

Absent: None

J:\99BillsWP\H0309

underscored material = new
[bracketed material] = delete

1 FORTY- FOURTH LEGISLATURE
2 FIRST SESSION, 1999
3

4 February 27, 1999
5

6
7 Mr. Speaker:
8

9 Your JUDICIARY COMMITTEE, to whom has been referred
10

11 HOUSE BILL 309
12

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

15 1. On page 2, line 7 strike "Sections 66-8-116, 66-8-
16 116.1, and on line 8, strike "and 66-8-116.2" and insert in lieu
17 thereof "Section 66.7.301 NMSA 1978".
18

19 Respectfully submitted,
20
21

22 _____
23
24 R. David Pederson, Chairman
25

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

HJC/HB 309

Page 7

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 9 For 1 Against

Yes: 9

No: Mallory

Excused: Luna, Sanchez

Absent: None

J:\99BillsWP\H0309

underscored material = new
[bracketed material] = delete