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HOUSE BILL 433

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

INTRODUCED BY

Joe Thompson

AN ACT

RELATING TO HIGHWAYS; ALLOWING POLICE AND THE STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT TO CLEAR HIGHWAY OBSTRUCTIONS.

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

Section 1. Section 66-7-349 NMSA 1978 (being Laws 1978,
Chapter 35, Section 453) is amended to read:

"66-7-349. STOPPING, STANDING OR PARKING OUTSIDE OF
BUSINESS OR RESIDENCE DISTRICTS. --

A. Upon any highway outside of a business or
residence district, no person shall stop, park or leave
standing [~~any~~] a vehicle, whether attended or unattended, upon
the paved or main-traveled part of the highway when it is
practicable to stop, park or leave [~~such~~] the vehicle off such
part of [~~said~~] the highway, but in every event an unobstructed
width of the highway opposite a standing vehicle shall be left

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1 for the free [~~passage~~] passage of other vehicles and a clear
2 view of such stopped vehicles shall be available from a
3 distance of two hundred feet in each direction upon [~~such~~] the
4 highway.

5 B. Subsection A of this section [~~shall~~] does not
6 apply to the driver of [~~any~~] a vehicle [~~which~~] that is
7 disabled while on the paved or main-traveled portion of a
8 highway in such manner and to such extent that it is
9 impossible to avoid stopping and temporarily leaving [~~such~~]
10 the disabled vehicle in [~~such~~] that position.

11 C. The state highway and transportation
12 department, unless otherwise directed by an investigating
13 police officer, or a police officer may remove or cause to be
14 removed a vehicle or other obstruction from the paved or main-
15 traveled part of a highway to the nearest place of safety if
16 the vehicle or other obstruction obstructs traffic or poses a
17 traffic hazard. "

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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6 February 23, 1999

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8 Mr. Speaker:

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10 Your TRANSPORTATION COMMITTEE, to whom has been
11 referred

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13 HOUSE BILL 433

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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,

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22 _____
23 Daniel P. Silva, Chairman
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FORTY-FOURTH LEGISLATURE
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3 HB 433

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4 Adopted _____ Not Adopted _____

6 (Chief Clerk)

(Chief Clerk)

8 Date _____

10 The roll call vote was 9 For 1 Against

11 Yes: 9

12 No: Rodella

13 Excused: Mhorovic, Russell, Whitaker

14 Absent: None

16 J:\99BillsWP\H0433

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