

SENATE BILL 174

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

George K. Munoz

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO MOTOR VEHICLES; REQUIRING TRUCK TRACTORS ATTACHED TO A FREIGHT TRAILER TO DRIVE IN THE RIGHT-HAND LANE ON INTERSTATE HIGHWAYS; PROVIDING A PENALTY.

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

SECTION 1. A new section of the Motor Vehicle Code is enacted to read:

"[NEW MATERIAL] TRUCK TRACTOR--RIGHT-HAND LANE TRAVEL

.222169.2AIC February 10, 2022 (2:54pm)

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REQUIRED.--A truck tractor attached to a freight trailer being operated on the interstate highway system and outside the boundaries of a municipality shall drive in the right-hand lane except when overtaking another vehicle or Sf11→~~approaching a stationary authorized emergency vehicle or a recovery or repair vehicle displaying flashing emergency or hazard lights~~←Sf11 Sf11→when otherwise required by law←Sf11."

SECTION 2. Section 66-8-116 NMSA 1978 (being Laws 1978, Chapter 35, Section 524, as amended) is amended to read:

"66-8-116. PENALTY ASSESSMENT MISDEMEANORS--DEFINITION--SCHEDULE OF ASSESSMENTS.--

A. As used in the Motor Vehicle Code and the Boat Act, "penalty assessment misdemeanor" means violation of any of the following listed sections of the NMSA 1978 for which, except as provided in Subsections D through F of this section, the listed penalty assessment is established:

COMMON NAME OF OFFENSE	SECTION VIOLATED	PENALTY ASSESSMENT
Vehicles subject to registration	66-3-1	\$ 50.00
Improper display of registration plate	66-3-18	25.00
Failure to notify of change of name or address	66-3-23	25.00

Lost or damaged registration,

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plate or title	66-3-24	25.00
Horseless carriage		
registration	66-3-27	25.00
Transfer of registration		
and title	66-3-103	25.00
Expiration of dealer		
plates	66-3-403	25.00
Special registration		
plates	66-3-409, 66-3-412.1, 66-3-413, 66-3-415, 66-3-417, 66-3-419, 66-3-421, 66-3-422, 66-3-424.4, 66-3-424.5, 66-3-424.7, 66-3-424.9, 66-3-424.13, 66-3-424.16 and 66-3-424.28	75.00
Bicycle laws	66-3-701	
through		
	66-3-707	50.00
No license display	66-5-16	25.00
Failure to change		
address or name on		
license	66-5-22	25.00
Permitting unauthorized		
minor to drive	66-5-40	50.00

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Permitting unauthorized		
person to drive	66-5-41	25.00
Failure to obey sign	66-7-104	25.00
Failure to obey signal	66-7-105	25.00
Pedestrian signs and		
signals	66-7-106	
	through	
	66-7-108	25.00
Speeding	66-7-301	
(1) up to and including		
ten miles an hour		
over the speed limit		25.00
(2) from eleven up to		
and including fifteen		
miles an hour		
over the speed limit		30.00
(3) from sixteen up to		
and including twenty		
miles an hour over the		
speed limit		65.00
(4) from twenty-one up to		
and including twenty-five		
miles an hour		
over the speed limit		100.00
(5) from twenty-six up to		

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and including thirty miles an hour over the speed limit		125.00
(6) from thirty-one up to and including thirty-five miles an hour over the speed limit		150.00
(7) more than thirty-five miles an hour over the speed limit		200.00
Unfastened safety belt	66-7-372	25.00
Child not in restraint device or seat belt	66-7-369	25.00
Minimum speed	66-7-305	25.00
Speeding	66-7-306	25.00
Improper starting	66-7-324	25.00
Improper backing	66-7-354	25.00
Improper lane	66-7-308	25.00
Improper lane	66-7-313	25.00
Improper lane	66-7-316	25.00
Improper lane	66-7-317	25.00
Improper lane	66-7-319	25.00
Improper passing	66-7-309 through 66-7-312	25.00
Improper passing	66-7-315	25.00
Controlled access		

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violation	66-7-320	25.00
Controlled access		
violation	66-7-321	25.00
Improper turning	66-7-322	25.00
Improper turning	66-7-323	25.00
Improper turning	66-7-325	25.00
Following too closely	66-7-318	25.00
Failure to yield	66-7-328 through 66-7-331	25.00
Failure to yield	66-7-332	50.00
Failure to yield	66-7-332.1	25.00
Pedestrian violation	66-7-333	
	through	
	66-7-340	25.00
Failure to stop	66-7-342 and 66-7-344	
	through 66-7-346	25.00
Railroad-highway grade		
crossing violation	66-7-341 and 66-7-343	150.00
Passing school bus	66-7-347	100.00
Failure to signal	66-7-325 through 66-7-327	25.00
Riding on motorcycles	66-7-355	100.00
Video screens in		
automobiles	66-7-358	25.00
Driving on mountain		
highways	66-7-359	25.00
Coasting prohibited	66-7-360	25.00

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Animals on highway at night	66-7-363	50.00
Failure to secure load	66-7-407	100.00
Operation without oversize- overweight permit	66-7-413	50.00
Transport of reducible load with special permit more than six miles from a border crossing	66-7-413	100.00
Driving while license administratively suspended	66-5-39.2	25.00
Improper equipment	66-3-801 through 66-3-840 and 66-3-842 through 66-3-851	50.00
Improper equipment	66-3-901	50.00
Improper emergency signal	66-3-853 through 66-3-857	25.00
Minor on motorcycle without helmet	66-7-356	300.00
Operation interference	66-7-357	50.00
Littering	66-7-364	300.00
Improper parking	66-7-349 through 66-7-352 and 66-7-353	25.00
Improper parking	66-3-852	25.00

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Riding in or towing		
occupied house trailer	66-7-366	25.00
Improper opening of doors	66-7-367	25.00
No slow-moving vehicle		
emblem or flashing		
amber light	66-3-887	25.00
Open container-first		
violation	66-8-138	25.00
Texting while driving-		
(1) first violation	66-7-374	25.00
(2) second and subsequent		
violation		50.00
Using a handheld mobile		
communication device		
while driving a		
commercial motor vehicle	66-7-375	
(1) first violation		25.00
(2) second and subsequent		
violation		50.00
<u>Failure to drive in</u>	<u>Section 1 of</u>	
<u>the right-hand lane</u>	<u>this 2022 act</u>	<u>200.00.</u>

B. The term "penalty assessment misdemeanor" does not include a violation that has caused or contributed to the cause of an accident resulting in injury or death to a person.

C. When an alleged violator of a penalty assessment

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misdemeanor elects to accept a notice to appear in lieu of a notice of penalty assessment, a fine imposed upon later conviction shall not exceed the penalty assessment established for the particular penalty assessment misdemeanor and probation imposed upon a suspended or deferred sentence shall not exceed ninety days.

D. The penalty assessment for speeding in violation of Paragraph (5) of Subsection A of Section 66-7-301 NMSA 1978 is twice the penalty assessment established in Subsection A of this section for the equivalent miles per hour over the speed limit.

E. Upon a second conviction for operation without a permit for excessive size or weight pursuant to Section 66-7-413 NMSA 1978, the penalty assessment shall be two hundred fifty dollars (\$250). Upon a third or subsequent conviction, the penalty assessment shall be five hundred dollars (\$500).

F. Upon a second conviction for transport of a reducible load with a permit for excessive size or weight pursuant to Subsection N of Section 66-7-413 NMSA 1978 more than six miles from a port-of-entry facility on the border with Mexico, the penalty assessment shall be five hundred dollars (\$500). Upon a third or subsequent conviction, the penalty assessment shall be one thousand dollars (\$1,000)."

SECTION 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2022.

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