

SENATE BILL 226

INTRODUCED BY

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AN ACT

RELATING TO MOTOR VEHICLES; ESTABLISHING A MAXIMUM SPEED LIMIT  
FOR TRUCK TRACTORS; PROVIDING A PENALTY.

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

SECTION 1. Section 66-7-301 NMSA 1978 (being Laws 1978,  
Chapter 35, Section 405, as amended) is amended to read:

"66-7-301. SPEED REGULATION.--

A. No person shall drive a vehicle on a highway at  
a speed greater than:

(1) fifteen miles per hour on all highways  
when passing a school while children are going to or leaving  
school and when the school zone is properly posted;

(2) thirty miles per hour in a business or  
residence district;

(3) fifty-five miles per hour on a county

1 road, as defined in Section 66-7-304 NMSA 1978, without a  
2 posted speed limit;

3 (4) seventy-five miles per hour; and

4 (5) the posted speed limit in construction  
5 zones posted as double fine zones or other safety zones posted  
6 as double fine zones as designated by the department of  
7 transportation; provided that the posted speed limit shall be  
8 determined by an engineering study performed by the department  
9 of transportation.

10 B. In every event, speed shall be so controlled by  
11 the driver as may be necessary:

12 (1) to avoid colliding with a person, vehicle  
13 or other conveyance on or entering the highway;

14 (2) to comply with legal requirements as may  
15 be established by the department of transportation or the New  
16 Mexico state police division of the department of public safety  
17 and the duty of all persons to use due care; and

18 (3) to protect workers in construction zones  
19 posted as double fine zones or other safety zones posted as  
20 double fine zones as designated by the department of  
21 transportation.

22 C. No person shall drive a truck tractor on a  
23 highway at a speed greater than sixty-five miles per hour.

24 [~~C.~~] D. The speed limits set forth in Subsection A  
25 of this section may be altered as authorized in Section

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66-7-303 NMSA 1978."

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<br>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, |                  |                       |
| 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          |                  |                       |

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|----|-------------------------|--------------------------|-------|
| 1  | plates                  | 66-3-403                 | 25.00 |
| 2  | Special registration    |                          |       |
| 3  | plates                  | 66-3-409, 66-3-412.1,    |       |
| 4  |                         | 66-3-413, 66-3-415,      |       |
| 5  |                         | 66-3-417, 66-3-419,      |       |
| 6  |                         | 66-3-421, 66-3-422,      |       |
| 7  |                         | 66-3-424.4, 66-3-424.5,  |       |
| 8  |                         | 66-3-424.7, 66-3-424.9,  |       |
| 9  |                         | 66-3-424.13, 66-3-424.16 |       |
| 10 |                         | and 66-3-424.28          | 75.00 |
| 11 | Bicycle laws            | 66-3-701                 |       |
| 12 |                         | through                  |       |
| 13 |                         | 66-3-707                 | 50.00 |
| 14 | No license display      | 66-5-16                  | 25.00 |
| 15 | Failure to change       |                          |       |
| 16 | address or name on      |                          |       |
| 17 | license                 | 66-5-22                  | 25.00 |
| 18 | Permitting unauthorized |                          |       |
| 19 | minor to drive          | 66-5-40                  | 50.00 |
| 20 | Permitting unauthorized |                          |       |
| 21 | person to drive         | 66-5-41                  | 25.00 |
| 22 | Failure to obey sign    | 66-7-104                 | 25.00 |
| 23 | Failure to obey signal  | 66-7-105                 | 25.00 |
| 24 | Pedestrian signs and    |                          |       |
| 25 | signals                 | 66-7-106                 |       |

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| 1  | through                   |        |
| 2  | 66-7-108                  | 25.00  |
| 3  | Speeding 66-7-301         |        |
| 4  | (1) up to and including   |        |
| 5  | ten miles an hour         |        |
| 6  | over the speed limit      | 25.00  |
| 7  | (2) from eleven up to     |        |
| 8  | and including fifteen     |        |
| 9  | miles an hour             |        |
| 10 | over the speed limit      | 30.00  |
| 11 | (3) from sixteen up to    |        |
| 12 | and including twenty      |        |
| 13 | miles an hour over the    |        |
| 14 | speed limit               | 65.00  |
| 15 | (4) from twenty-one up to |        |
| 16 | and including twenty-five |        |
| 17 | miles an hour             |        |
| 18 | over the speed limit      | 100.00 |
| 19 | (5) from twenty-six up to |        |
| 20 | and including thirty      |        |
| 21 | miles an hour over the    |        |
| 22 | speed limit               | 125.00 |
| 23 | (6) from thirty-one up to |        |
| 24 | and including thirty-five |        |
| 25 | miles an hour over the    |        |

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|----|------------------------------------|----------|---------------|
| 1  | speed limit                        |          | 150.00        |
| 2  | (7) more than thirty-five          |          |               |
| 3  | miles an hour over the             |          |               |
| 4  | speed limit                        |          | 200.00        |
| 5  | <u>(8) truck tractor more than</u> |          |               |
| 6  | <u>sixty-five miles per hour</u>   |          | <u>250.00</u> |
| 7  | Unfastened safety belt             | 66-7-372 | 25.00         |
| 8  | Child not in restraint device      |          |               |
| 9  | or seat belt                       | 66-7-369 | 25.00         |
| 10 | Minimum speed                      | 66-7-305 | 25.00         |
| 11 | Speeding                           | 66-7-306 | 25.00         |
| 12 | Improper starting                  | 66-7-324 | 25.00         |
| 13 | Improper backing                   | 66-7-354 | 25.00         |
| 14 | Improper lane                      | 66-7-308 | 25.00         |
| 15 | Improper lane                      | 66-7-313 | 25.00         |
| 16 | Improper lane                      | 66-7-316 | 25.00         |
| 17 | Improper lane                      | 66-7-317 | 25.00         |
| 18 | Improper lane                      | 66-7-319 | 25.00         |
| 19 | Improper passing                   | 66-7-309 |               |
| 20 | through                            |          |               |
| 21 |                                    | 66-7-312 | 25.00         |
| 22 | Improper passing                   | 66-7-315 | 25.00         |
| 23 | Controlled access                  |          |               |
| 24 | violation                          | 66-7-320 | 25.00         |
| 25 | Controlled access                  |          |               |

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| 1  | violation              | 66-7-321     | 25.00  |
| 2  | Improper turning       | 66-7-322     | 25.00  |
| 3  | Improper turning       | 66-7-323     | 25.00  |
| 4  | Improper turning       | 66-7-325     | 25.00  |
| 5  | Following too closely  | 66-7-318     | 25.00  |
| 6  | Failure to yield       | 66-7-328     |        |
| 7  |                        | through      |        |
| 8  |                        | 66-7-331     | 25.00  |
| 9  | Failure to yield       | 66-7-332     | 50.00  |
| 10 | Failure to yield       | 66-7-332.1   | 25.00  |
| 11 | Pedestrian violation   | 66-7-333     |        |
| 12 |                        | through      |        |
| 13 |                        | 66-7-340     | 25.00  |
| 14 | Failure to stop        | 66-7-342     |        |
| 15 |                        | and 66-7-344 |        |
| 16 |                        | through      |        |
| 17 |                        | 66-7-346     | 25.00  |
| 18 | Railroad-highway grade |              |        |
| 19 | crossing violation     | 66-7-341     |        |
| 20 |                        | and 66-7-343 | 150.00 |
| 21 | Passing school bus     | 66-7-347     | 100.00 |
| 22 | Failure to signal      | 66-7-325     |        |
| 23 |                        | through      |        |
| 24 |                        | 66-7-327     | 25.00  |
| 25 | Riding on motorcycles  | 66-7-355     | 100.00 |

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| 1  | Video screens in            |              |        |
| 2  | automobiles                 | 66-7-358     | 25.00  |
| 3  | Driving on mountain         |              |        |
| 4  | highways                    | 66-7-359     | 25.00  |
| 5  | Coasting prohibited         | 66-7-360     | 25.00  |
| 6  | Animals on highway at       |              |        |
| 7  | night                       | 66-7-363     | 50.00  |
| 8  | Failure to secure load      | 66-7-407     | 100.00 |
| 9  | Operation without oversize- |              |        |
| 10 | overweight permit           | 66-7-413     | 50.00  |
| 11 | Transport of reducible      |              |        |
| 12 | load with special           |              |        |
| 13 | permit more than six miles  |              |        |
| 14 | from a border crossing      | 66-7-413     | 100.00 |
| 15 | Driving while license       |              |        |
| 16 | administratively            |              |        |
| 17 | suspended                   | 66-5-39.2    | 25.00  |
| 18 | Improper equipment          | 66-3-801     |        |
| 19 | through                     |              |        |
| 20 |                             | 66-3-840     |        |
| 21 |                             | and 66-3-842 |        |
| 22 | through                     |              |        |
| 23 |                             | 66-3-851     | 50.00  |
| 24 | Improper equipment          | 66-3-901     | 50.00  |
| 25 | Improper emergency          |              |        |

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| 1  | signal                    | 66-3-853     |        |
| 2  |                           | through      |        |
| 3  |                           | 66-3-857     | 25.00  |
| 4  | Minor on motorcycle       |              |        |
| 5  | without helmet            | 66-7-356     | 300.00 |
| 6  | Operation interference    | 66-7-357     | 50.00  |
| 7  | Littering                 | 66-7-364     | 300.00 |
| 8  | Improper parking          | 66-7-349     |        |
| 9  |                           | through      |        |
| 10 |                           | 66-7-352     |        |
| 11 |                           | and 66-7-353 | 25.00  |
| 12 | Improper parking          | 66-3-852     | 25.00  |
| 13 | Riding in or towing       |              |        |
| 14 | occupied house trailer    | 66-7-366     | 25.00  |
| 15 | Improper opening of doors | 66-7-367     | 25.00  |
| 16 | No slow-moving vehicle    |              |        |
| 17 | emblem or flashing        |              |        |
| 18 | amber light               | 66-3-887     | 25.00  |
| 19 | Open container-first      |              |        |
| 20 | violation                 | 66-8-138     | 25.00  |
| 21 | Texting while driving-    |              |        |
| 22 | (1) first violation       | 66-7-374     | 25.00  |
| 23 | (2) second and subsequent |              |        |
| 24 | violation                 |              | 50.00  |
| 25 | Using a handheld mobile   |              |        |

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| 1 | communication device                 |        |
| 2 | while driving a                      |        |
| 3 | commercial motor vehicle 66-7-375    |        |
| 4 | (1) first violation                  | 25.00  |
| 5 | (2) second and subsequent            |        |
| 6 | violation                            | 50.00  |
| 7 | Improper use of travel lane 66-7-376 | 250.00 |

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 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

1 fifty dollars (\$250). Upon a third or subsequent conviction,  
2 the penalty assessment shall be five hundred dollars (\$500).

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

10 SECTION 3. EFFECTIVE DATE.--The effective date of the  
11 provisions of this act is July 1, 2025.

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