

SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE BILL 275

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
CREATING A MOTOR VEHICLE CODE WARNING NOTICE FEE; CREDITING
WARNING NOTICE FEES TO THE STATE POLICE RECRUITING FUND;
PROVIDING FOR SUSPENSION OF DRIVER'S LICENSES FOR FAILURE TO
PAY A WARNING NOTICE FEE; CREATING THE STATE POLICE RECRUITING
FUND; PROVIDING A PURPOSE FOR THE STATE POLICE RECRUITING FUND;
MAKING AN APPROPRIATION.

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]~~ WARNING FEE--PAYMENT--SUSPENSION OF
DRIVER'S LICENSE FOR NONPAYMENT--STATE POLICE RECRUITING FUND
CREATED--APPROPRIATION.--

A. A person receiving a warning notice on a uniform

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underscoring material = new
[bracketed material] = delete

1 traffic citation used by any law enforcement agency shall be
2 assessed a warning notice fee of twenty-five dollars (\$25.00),
3 which shall be credited to the state police recruiting fund.

4 B. Except as provided in Subsection D of this
5 section, receipt of a warning notice pursuant to this section
6 shall not subject the recipient to the provisions of Section
7 66-5-30 NMSA 1978 or rules promulgated pursuant to that
8 section.

9 C. A person's signed acknowledgment of receipt of a
10 warning notice shall be a promise to pay the warning notice fee
11 in the same manner and time frame as for payment of a penalty
12 assessment pursuant to Section 66-8-117 NMSA 1978.

13 D. A person's failure to timely pay the warning
14 notice fee shall subject the person to:

15 (1) suspension of the person's permit or
16 license pursuant to Section 66-5-30 NMSA 1978 as if the person
17 had failed to pay a penalty assessment; or

18 (2) a magistrate or municipal court sanction
19 for failure to pay a fee of similar monetary value.

20 E. The "state police recruiting fund" is created in
21 the state treasury. The fund shall consist of appropriations,
22 gifts, grants, donations and bequests made to the fund. The
23 fund shall be invested in accordance with the provisions of
24 Section 6-10-10 NMSA 1978, and all income earned on the fund
25 shall be credited to the fund. Expenditures from the fund

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1 shall be made on warrant of the secretary of finance and
2 administration pursuant to vouchers signed by the secretary of
3 public safety.

4 F. The state police recruiting fund shall be used
5 by the training and recruiting division of the department of
6 public safety to recruit personnel for the New Mexico state
7 police division of that department.

8 G. All money credited to the state police
9 recruiting fund is appropriated to the department of public
10 safety for the purpose of carrying out the provisions of
11 Subsection F of this section and shall not revert to the
12 general fund."

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