

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2009-11

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5 AN ORDINANCE

6 AMENDING SECTION 12-6-5.8 REGARDING TURNING AND STOPPING  
7 MOVEMENTS AND REQUIRED SIGNALS; SECTION 12-6-12.18 REGARDING  
8 PROHIBITED ACTIVITIES WHILE DRIVING; SECTION 12-6-13.15 REGARDING  
9 INJURIOUS MATERIALS ON CITY STREETS; SECTION 12-9-9 REGARDING  
10 DESIGNATED DISABLED PARKING SPACES; SECTION 12-12-20 REGARDING THE  
11 VEHICLE IMMOBILIZATION (BOOT) PROGRAM; THE TRAFFIC VIOLATION  
12 PENALTY ASSESSMENT SCHEDULE; AND THE PARKING VIOLATION PENALTY  
13 ASSESSMENT SCHEDULE ALL OF THE CITY OF SANTA FE UNIFORM TRAFFIC  
14 CODE.

15  
16 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

17 Section 1. Section 12-6-5.8 of the City of Santa Fe Uniform Traffic Code (being  
18 Ord. #2006-34) is amended to read:

19 12-6-5.8 TURNING AND STOPPING MOVEMENTS AND REQUIRED SIGNALS.

20 A. No person shall turn a vehicle at an intersection unless the vehicle is in proper  
21 position upon the street as required in Section 12-6-5.1 or turn a vehicle to enter a private road or  
22 driveway or otherwise turn a vehicle from a direct course or move right or left upon a street  
23 unless and until such movement can be made with reasonable safety. No person shall so turn any  
24 vehicle without giving an appropriate signal in the manner hereinafter provided.

25 B. A signal of intention to turn right or left when required shall be given

1 continuously during not less than the last one hundred feet traveled by the vehicle before turning.

2 C. No person shall stop or suddenly decrease the speed of a vehicle without first  
3 giving an appropriate signal in the manner provided herein to the driver of any vehicle  
4 immediately to the rear when there is opportunity to give such signal. (66-7-325 NMSA 1978)

5 D. The signals provided for in this section shall be used to indicate an intention to  
6 turn, change lanes or start from a parked position and shall not be flashed on one side only on a  
7 parked or disabled car or flashed as a courtesy or "do pass" signal to operators of other vehicles  
8 approaching from the rear. (\*)

9 (Ord. No. 2009-11)

10 **Section 2. Section 12-6-12.18 of the City of Santa Fe Uniform Traffic Code**  
11 **(being Ord. #2006-34) is amended to read:**

12 **12-6-12.18 PROHIBITED ACTIVITIES WHILE DRIVING.**

13 A. No person shall:

14 (1) drive a vehicle while engaged in any activity which interferes with the  
15 safe operation of the vehicle;

16 (2) drive while having in his lap any adult person, adult or minor, or any  
17 animal;

18 (3) drive while seated in the lap of another person while the vehicle is in  
19 motion;

20 (4) drive a vehicle while having either arm around another person;

21 (5) operate a motor vehicle's equipment, including but not limited to the  
22 vehicle horn or lights, in such a manner as to distract other motorists on the public way or in such  
23 a manner as to disturb the peace; or

24 (6) except as provided in subsection D. below, operate a vehicle upon a  
25 public street or highway while using a mobile telephone to engage in a call or create, send or read

1 text messages.

2 B. For the purposes of Section 12-6-12.18, the following definitions apply:

3 (1) ENGAGE IN A CALL. Talking into, dialing or listening on a hand-held  
4 mobile telephone.

5 (2) HAND-HELD MOBILE TELEPHONE. A mobile telephone with which  
6 a user engages in a call using at least one hand (or prosthetic device or aid in the case of a  
7 physically disabled person).

8 (3) HANDS-FREE MOBILE TELEPHONE. A mobile telephone that has an  
9 internal feature or function, or that is equipped with an attachment or addition, whether or not  
10 permanently part of such mobile telephone, by which a user engages in a call without the use of  
11 either hand (or prosthetic device or aid in the case of a physically disabled person), whether or not  
12 the use of either hand (or prosthetic device) is necessary to activate, deactivate or initiate a  
13 function of such telephone.

14 (4) MOBILE TELEPHONE. The device used by subscribers and other users  
15 of wireless telephone service to access such service and shall include personal digital assistants.

16 (5) NON-TRAVEL LANE. The berm or shoulder of a street or highway.

17 (6) PERSONAL DIGITAL ASSISTANT. A device operated using a  
18 wireless telecommunications service that provides for data communication other than by voice.

19 (7) WIRELESS TELEPHONE SERVICE. Two-way real time voice  
20 telecommunications service that is interconnected to a public switched telephone network and  
21 commonly referred to as cellular service or personal communication service.

22 C. An operator of a motor vehicle who holds a mobile telephone to, or in the  
23 immediate proximity of, his or her ear is presumed to be engaging in a call within the meaning of  
24 this Section. The presumption established by this Section is rebuttable by evidence tending to  
25 show that the operator was not engaged in a call. Immediate proximity shall mean that distance as

1 permits the operator of a mobile telephone to hear telecommunications transmitted over such  
2 mobile telephone, but shall not require physical contact with such operator's ear.

3 D. Subsection A.(6) above shall not apply to:

4 (1) The use of a mobile telephone for the sole purpose of communicating  
5 with any of the following regarding an emergency situation: an emergency response operator; a  
6 hospital, physician's office or health clinic; an ambulance company or corps; a fire department,  
7 district or company; or a police department;

8 (2) The use of a hands-free mobile telephone when being used in a hands  
9 free manner; or

10 (3) The use of a hands-free mobile telephone when being used in a non-  
11 travel lane.

12 (Ord. No. 2009-11)

13 **Section 3. [REPEAL.] Section 12-6-13.15 of the City of Santa Fe Uniform**  
14 **Traffic Code (being Ord. #2006-34) is repealed.**

15 **Section 4. [NEW MATERIAL.] A new Section 12-6-13.15 of the City of Santa**  
16 **Fe Uniform Traffic Code is ordained to read:**

17 **12-6-13.15. PUTTING INJURIOUS MATERIAL OR TRASH ON A CITY STREET.**

18 A. No person shall throw or deposit from a motor vehicle upon a city street any  
19 trash, glass bottles, glass, nails, tacks, wire or cans.

20 B. No person shall throw a lighted match, cigar, cigarette, matches, or other flaming  
21 or glowing substance from a motor vehicle where it can start a fire.\*

22 C. A person who drops or permits to be dropped or thrown from a motor vehicle  
23 upon any city street any destructive or injurious material or trash shall immediately remove the  
24 same or cause it to be removed.

25 D. A person removing a wrecked or damaged vehicle from a city street shall remove

1 any glass or other injurious substance dropped upon the city street from the vehicle.

2 E. As used in this section, "trash" means any article or substance that when  
3 discarded creates or contributes to an unsanitary, offensive or unsightly condition. "Trash"  
4 includes waste food; paper products; cans, bottles and other containers; household furnishings  
5 and equipment; parts or bodies of vehicles and other metallic junk or scrap; and collections of  
6 ashes, dirt, yard trimmings and other rubbish.

7 (Ord. No. 2009-11)

8 **Section 5. Section 12-9-9 of the City of Santa Fe Uniform Traffic Code (being**  
9 **Ord. #2006-34 as amended) is amended to read:**

10 **12-9-9 PARKING IN DESIGNATED DISABLED PARKING SPACES.**

11 A. It is unlawful for any person to park a motor vehicle not carrying registration  
12 plates or a placard indicating disability in accordance with Section 66-3-16 NMSA 1978 in a  
13 designated accessible parking space for persons with significant mobility limitation or in such a  
14 manner as to block access to any part of a curb cut designed for access by persons with significant  
15 mobility limitations. Any person who violates this section shall be subject to a mandatory court  
16 appearance and a fine, of not less than two hundred fifty dollars (\$250) or more than five hundred  
17 dollars (500). Failure to properly display a parking placard or special registration plate issued  
18 pursuant to Section 66-3-16 NMSA 1978 is not a defense against a charge of violation of  
19 Subsection A of this section (66-7-352.5 NMSA 1978)

20 B. It is unlawful for any person to stand or stop a motor vehicle not carrying  
21 registration plates or a placard indicating disability in accordance with Section 66-3-16 NMSA  
22 1978 in a designated accessible parking space for persons with significant mobility limitation.  
23 Any person who violates this section shall be subject to a mandatory court appearance and a fine,  
24 of not less than two hundred fifty dollars (\$250) or more than five hundred dollars (500). Failure  
25 to properly display a parking placard or special registration plate issued pursuant to Section 66-3-

1 16 NMSA 1978 is not a defense against a charge of violation of Subsection A of this section (66-  
2 7-352.5 NMSA 1978).

3 C. It is unlawful for any person to use a designated accessible parking space for  
4 persons with significant mobility limitation for the purpose of receiving or discharging passengers  
5 or for loading or unloading if the vehicle receiving or discharging the passengers or loading or  
6 unloading does not carry registration plates or a placard indicating disability in accordance with  
7 Section 66-3-16 NMSA 1978. Any person who violates this section shall be subject to a  
8 mandatory court appearance and a fine, of not less than two hundred fifty dollars (\$250) or more  
9 than five hundred dollars (500). Failure to properly display a parking placard or special  
10 registration plate issued pursuant to Section 66-3-16 NMSA 1978 is not a defense against a  
11 charge of violation of Subsection A of this section (66-7-352.5 NMSA 1978).

12 D. As used in this section, "designated accessible parking space" means any space  
13 including an access aisle, marked and reserved for the parking of a vehicle that carries registration  
14 plates or a parking placard indicating disability in accordance with Section 66-3-16 NMSA 1978,  
15 and designated by a conspicuously posted sign bearing the international symbol of accessibility  
16 and if paved, by a clearly visible depiction of this symbol painted white on blue on the pavement  
17 of the space. Temporary accessible parking spaces may be designated by a blue hood labeled as  
18 accessible parking or in such other manner as to clearly indicate the space is for accessible  
19 parking only. "Curb cut" means a short ramp through a curb or built up to the curb designed for  
20 access by persons with disabilities. (66-7-352.5 NMSA 1978).

21 E. Any vehicle parked in violation of Subsections A., B. or C. of this section is  
22 subject to being towed at the expense of the vehicle owner upon authorization by law  
23 enforcement personnel or by the property owner or manager of a parking lot.

24 F. State, county and municipal law enforcement personnel have the authority to  
25 issue citations for violations of §12-9-9 in their respective jurisdictions, whether the violation

1 occurs on public property or private property.

2 (Ord. No. 2006-34, Ord. No. 2007-49, Ord. No. 2009-11)

3           **Section 6.       Section 12-12-20 of the City of Santa Fe Uniform Traffic Code (being**  
4 **Ord. #2006-34) is amended to read:**

5 **12-12-20       VEHICLE IMMOBILIZATION (BOOT) PROGRAM**

6           A.     Purpose. The purpose of the vehicle immobilization (boot) program is to  
7 encourage compliance with the city of Santa Fe parking ordinances.

8           B.     Definitions. The following definitions shall apply:

9                   (1)     vehicle immobilization, also known as a “boot” means the use of a  
10 locking wheel boot that, when attached to the wheel of a vehicle, prevents the vehicle from  
11 moving without damage to the tire to which the locking wheel boot is attached.

12                   (2)     parking citation means a written notice of a parking violation placed in  
13 an envelope affixed to the windshield of the vehicle by a city of Santa Fe parking enforcement  
14 officer, or police officer or other person authorized by the city of Santa Fe. Each parking citation  
15 shall contain the following: vehicle information, date of violation, location of the violation, type  
16 of violation, amount of fine owed, payment instructions, and instructions to contest the violation  
17 as well as notice that three or more unpaid parking citations with the city of Santa Fe or three or  
18 more unpaid municipal parking lot fee notices will result in the vehicle being eligible for booting.

19                   (3)     municipal parking lot fee notices means a written notice affixed to the  
20 windshield of the vehicle by a city of Santa Fe parking enforcement officer, parking attendant, or  
21 police officer or other person authorized by the city of Santa Fe, for failure to pay the mandatory  
22 parking fees. Each notice shall contain the following: vehicle information, date of violation,  
23 location of the violation, type of violation, amount of fine owed, payment instructions, and  
24 instructions to contest the violation as well as notice that three or more unpaid parking citations  
25 with the city of Santa Fe or three or more unpaid municipal parking lot fee notices will result in

1 the vehicle being eligible for booting.

2 (4) boot eligible vehicle means a vehicle that has received three or more  
3 unpaid parking citations, or three or more unpaid municipal parking lot fee notices with the city  
4 of Santa Fe.

5 C. Booting List. Owners or operators of vehicles that have three or more unpaid  
6 parking citations with the city of Santa Fe or three or more unpaid municipal parking lot fee  
7 notices shall be placed on an eligible list for vehicle “booting” maintained by the city of Santa Fe  
8 parking division.

9 D. Booting Procedures.

10 (1) When a boot eligible vehicle has been located on the public streets of the  
11 city of Santa Fe, or city owned parking lot, the parking enforcement officer, police officer or  
12 parking attendant, shall first contact the city of Santa Fe parking division to determine if the  
13 unpaid fines, fees and penalties have been paid.

14 (2) If payments have not been made, the parking enforcement officer, police  
15 officer or parking attendant, will contact the parking division to verify ownership of the vehicle  
16 with the New Mexico motor vehicle department.

17 (3) If no payments have been made and ownership has been verified, a  
18 “boot” shall be placed on the vehicle.

19 (4) A notice of immobilization (booting) shall be placed on the windshield  
20 and on the driver’s side window of the vehicle. The notice warns the operator of the vehicle not  
21 to move the vehicle or tamper with the boot and instructs the operator how to proceed on having  
22 the boot removed.

23 (5) The booted vehicle shall be towed by the city or its designee at the owner  
24 or operator’s expense if the unpaid fines, fees or penalties have not been paid within 72 hours of  
25 the immobilization.



1           (6)     If a vehicle meeting the above specifications cannot be booted because of  
2 possible damage to the vehicle, or if the wheels are protected in a manner in which the boot  
3 cannot be applied, the vehicle may be towed at the owner's or operator's expense.

4           (7)     The unauthorized removal of a boot from a "booted vehicle" shall  
5 constitute a violation of this ordinance, and shall be prosecuted in municipal court, and  
6 punishable by a fine of \$500, and/or ninety days in jail, pursuant to §1-3 of the Santa Fe City  
7 Code 1978.

8           E.     Release Procedures

9           (1)     All outstanding fines, penalties and fees shall be paid to the parking  
10 division prior to the removal of the boot.

11          (2)     A booting fee of \$50.00 shall be assessed by the parking division prior to  
12 removal of the boot from the vehicle.

13          (3)     The owner or operator of the vehicle may contest the "booting" and  
14 request a hearing before the municipal judge.

15          (4)     Upon proof of ownership, a bond shall be posted with the municipal  
16 court, releasing the vehicle until a hearing in the matter has been conducted.

17          (5)     The amount of the bond shall equal the amount of unpaid fines, penalties,  
18 fees, and the booting fee as set forth in Exhibit C of Chapter 24 SFCC 1987.

19          (6)     The owner or operator of the booted vehicle shall forfeit the bond if they  
20 fail to appear at the municipal court hearing as scheduled.

21          (7)     At the hearing, if it is determined that the owner or operator of the  
22 vehicle has been improperly booted, the bond shall be released.

23 (Ord. No. 2006-34, Ord. No. 2009-11)

24           **Section 7.     Exhibit A Traffic Violation Penalty Assessment Schedule of the City**  
25 **of Santa Fe Uniform Traffic Code (being Ord. #2006-34) is amended to read:**

1 **EXHIBIT A**

2 **TRAFFIC VIOLATION PENALTY ASSESSMENT SCHEDULE**

3 ADOPTED: July 12, 2006

4 AMENDED: March 25, 2009 (Ord. No. 2009-11)

5 **SECTION 1.**

6 This Exhibit may be cited as the city of Santa Fe traffic violation penalty assessment schedule for  
7 violations of the city of Santa Fe Uniform Traffic Code except those violations relating to parking  
8 which are set forth in Exhibit C of Chapter 24 SFCC 1987.

9 **SECTION 2.**

10 "Penalty assessment misdemeanor" means violation of the following listed sections of the city of  
11 Santa Fe Uniform Traffic Code for which the listed penalty assessment is established. The term  
12 "penalty assessment misdemeanor" does not include any violation which has caused or  
13 contributed to the cause of an accident resulting in injury or death to any person. When an alleged  
14 violator of a penalty assessment misdemeanor elects to accept a notice to appear in lieu of a  
15 notice of penalty assessment, the fine imposed upon later conviction shall not exceed the penalty  
16 assessment established for the particular penalty assessment misdemeanor and probation imposed  
17 upon a suspended or deferred sentence shall not exceed ninety days.

		<b>PENALTY</b>
<b>COMMON NAME OF OFFENSE</b>	<b>SECTION VIOLATED</b>	<b>ASSESSMENT</b>
Obedience To Traffic-Control Devices	12-5-3	\$25.00
Flashing Signals	12-5-8	\$25.00
Basic (Speeding) Rule	12-6-1.1	\$25.00
Speed Limits	12-6-1.2	
A. <i>The following apply outside a school zone:</i>		
Up to and including 10 miles an hour over speed limit		\$15.00

1	From 11 up to and including 15 miles an hour over speed limit		\$30.00
2	From 16 up to and including 20 miles an hour over speed limit		\$65.00
3	From 21 up to and including 25 miles an hour over speed limit		\$100.00
4	From 26 up to and including 30 miles an hour over the speed limit		\$125.00
5	From 31 up to and including 35 miles an hour over the speed limit		\$150.00
6	More than 35 miles an hour over the speed limit		\$200.00
7	B. <i>In a school zone</i>	12-6-1.2A.(1)	\$171.00
8	C. <i>In a construction zone:</i> The penalty assessment for speeding in violation of		
9	Section 12-6-1.2 (4) of the city of Santa Fe traffic ordinance is twice the penalty		
10	assessment established in subsection A above for the equivalent miles per hour		
11	over the speed limit.		
12	D. <i>In a pedestrian zone.</i> The penalty assessment for speeding in violation of the		
13	posted speed limit in a designated pedestrian zone is twice the penalty assessment		
14	established in subsection A. above for the equivalent miles per hour over the		
15	speed limit.		
16	Minimum Speed Regulations	12-6-1.5	\$25.00
17	Overtaking A Vehicle On The Left	12-6-2.3	\$25.00
18	Limitations On Overtaking On The Left	12-6-2.4	\$25.00
19	No Passing Zones/Restrictions On Passing	12-6-2.7	\$25.00
20	Following Too Closely	12-6-2.13	\$25.00
21	Driving On Divided Streets	12-6-2.14	\$25.00
22	Approaching/Entering Intersection	12-6-4.1	\$25.00
23	Turning Left At Intersection	12-6-4.2	\$25.00
24	Entering Stop/Yield Intersection	12-6-4.3	\$25.00
25	Turning And Starting And Signals On Stopping & Turning	12-6-5	\$25.00

1	Stopping, Standing & Parking	12-6-6	See Exhibit B
2	Special Stops Required	12-6-7	\$25.00
3	(Excluding 12-6-7.3 and 12-6-7.4)		
4	Stopping For School Bus	12-6-7.3	\$100.00
5	Unattended Motor Vehicle	12-6-12.8	\$25.00
6	Limitations On Backing	12-6-12.9	\$25.00
7	Prohibited Activities While Driving		
8	(including hand held mobile telephone)	12-6-12.18	\$100.00
9	Unauthorized Persons Driving	12-6-12.23	\$25.00
10	Destructive Material On Roadway	12-6-13.5	\$100.00
11	Improper Opening Of Doors	12-6-13.8	\$25.00
12	Child Restraint Device Or Safety Belt	12-6-13.12	\$100.00
13	Mandatory Use Of Seat Belts	12-6-13.13	\$100.00
14	Possession/Consumption of Alcoholic Beverages in Open Containers	12-6-13.14	
15	first offense	\$100.00	
16	for subsequent violations	mandatory court appearance	
17	Littering	12-6-13.15	\$300.00
18	Exercise Due Care For Pedestrians	12-6-14.8	\$25.00
19	When Lighted Lamps Are Required	12-10-1.3	\$25.00
20	Headlamps On Vehicles	12-10-1.5	\$25.00
21	Dimming Of Lights	12-10-1.6	\$25.00
22	Tail Lamps	12-10-1.7	\$25.00
23	Stop Lamps, Signal Lamps, Signal Devices	12-10-1.9	\$25.00
24	Mufflers, Prevention Of Noise	12-10-1.10	\$25.00
25	Lamp Or Flag On Projecting Load	12-10-1.11	\$25.00

1 Brakes 12-10-1.16 \$25.00

2 **SECTION 3. MANDATORY COURT APPEARANCES**

3 Violations of the following listed sections of the city of Santa Fe Uniform Traffic Code require a  
4 mandatory court appearance:

5 Leaving the Scene of an Accident 12-4-2

6 Duty to Give Information and Render Aid 12-4-3

7 Immediate Notice of Accident 12-4-6

8 Yield to Emergency Vehicle 12-6-7.4

9 Reckless Driving 12-6-12.3

10 Careless Driving 12-6-12.4

11 Operator/Chauffeur Licenses Required 12-6-12.5

12 Unlawful Use of License (Revoked) 12-6-12.6

13 Unlawful Use of License (Suspended) 12-6-12.6

14 Fleeing or Attempting to Elude An Officer 12-6-12.7

15 Racing on Streets 12-6-12.19

16 Consumption/Possession of Alcohol in Open Container 12-6-13.14 (second and  
17 subsequent offenses)

18 Pedestrian Related Violations 12-6-14 (except 12-6-14.8)

19 Display of Current Registration 12-10-4

20 Evidence of Registration 12-10-5

21 Mandatory Financial Responsibility (Insurance) 12-10-6

22 **SECTION 4. TRAFFIC CALMING FEES**

23 A. Persons violating speed limits within the city have created a need for traffic  
24 calming. The governing body has determined that those persons violating the speed limits should  
25 pay additional fees. The purpose of the additional fees is to discourage speeding within the city

1 and to provide funds for the city's traffic calming program.

2 B. The city hereby imposes a traffic calming fee equal to the maximum fine  
3 (excluding court fees) to be paid by any person convicted of a speeding violation as set forth in  
4 the Uniform Traffic Ordinance as adopted by the city, the total of which shall not exceed the  
5 jurisdictional limits of the court. The traffic calming fee applies to all violations of Section 12-6-  
6 1.2, but the traffic calming fee is not doubled.

7 C. The traffic calming fee shall be collected by the municipal court for funding the  
8 city's traffic calming program. The amount of fees collected shall not decrease the amount of  
9 money allocated to the traffic calming program through the current fiscal year Capital  
10 Improvement Program bonding process.

11 D. The governing body shall review the results of this subsection including the  
12 amount of fees which have been collected and the amount of police overtime because of this  
13 subsection. The municipal court shall provide the governing body with the appropriate statistics  
14 to review this subsection.

15 **SECTION 5. MUNICIPAL COURT FEES**

16 In addition to the penalty assessment established pursuant to this Exhibit, there shall be assessed  
17 the municipal court fees for each penalty assessment misdemeanor as set forth in Section 1-3.2  
18 Section SFCC 1987.

19 **SECTION 6. PENALTY ASSESSMENT MISDEMEANORS; OPTION; EFFECT**

20 A. Unless a warning notice is given, at the time of making an arrest for any penalty  
21 assessment misdemeanor, the arresting officer shall offer the alleged violator the option of  
22 accepting a penalty assessment. The violator's signature on the penalty assessment notice  
23 constitutes an acknowledgement of guilt of the offense stated in the notice, and payment of the  
24 prescribed penalty assessment is a complete satisfaction of the violation.

25 B. Payment of any penalty assessment shall be made by mail to the Municipal

1 Court, City of Santa Fe, P.O. Box 909, Santa Fe, New Mexico, 87504-0909 within 30 days from  
2 the date of arrest. Payments of penalty assessments are timely if postmarked within the time  
3 limits set from the date of arrest. The Municipal Court shall issue a receipt when a penalty  
4 assessment is paid by currency, but a check or money order tendered by the violator upon which  
5 payment is received is sufficient receipt.

6 C. No record of any penalty assessment payment is admissible as evidence in any  
7 court in any civil action.

8 **SECTION 7. FAILURE TO PAY PENALTY ASSESSMENT**

9 A. If a penalty assessment is not paid within 30 days from the date of arrest, the  
10 violator shall be prosecuted for the violation charged on the penalty assessment notice in a  
11 manner as if the penalty assessment notice had not been issued. Upon conviction in such  
12 prosecution, the court shall impose penalties as provided for by the New Mexico Uniform Traffic  
13 Ordinance (Section 12-12-1.1), or other law relating to motor vehicles for the particular offense  
14 charge, and the scheduled penalty assessment shall not apply.

15 B. In addition to the prosecution provided for in Section A above, it is a  
16 misdemeanor for any person who has elected to pay a penalty assessment to fail to do so within  
17 30 days from the date of arrest.

18 C. The municipal court shall notify the motor vehicle division of the state of New  
19 Mexico when a person fails to pay a penalty assessment within the required period of time. The  
20 motor vehicle division shall report the notice upon the driver's record and shall not renew the  
21 person's license to drive until the municipal court notifies the motor vehicle division that the  
22 penalty assessment, or its equivalent, as well as any additional penalties imposed are properly  
23 disposed of.

24 **SECTION 8 VIOLATIONS NOT LISTED ON PENALTY ASSESSMENT SCHEDULE.**

25 This traffic violation penalty assessment schedule does not apply to traffic violations not listed

1 above which are petty misdemeanors. Such violations mandate a court appearance with a fine of  
2 up to three hundred dollars (\$300) and up to 90 days in jail.

3 **Section 8. Exhibit B Parking Violation Penalty Assessment Schedule of the City**  
4 **of Santa Fe Uniform Traffic Code (being Ord. #2006-34) is amended to read:**

5 **EXHIBIT B**

6 **PARKING VIOLATION FINES SCHEDULE**

7 ADOPTED: July 12, 2006

8 AMENDED: March 25, 2009 (Ord. No. 2009-11)

9 **SECTION 1.**

10 This Exhibit may be cited as the city of Santa Fe parking violation fines schedule.

11 **SECTION 2.**

12 "Parking violation" means violation of the following listed sections of the city of Santa Fe  
13 Uniform Traffic Code for which the listed fine is established. The term "parking violation" does  
14 not include any violation which has caused or contributed to the cause of an accident resulting in  
15 injury or death to any person.

16	<b>COMMON NAME OF OFFENSE</b>	<b>SECTION VIOLATED</b>	<b>FINE</b>
17	Stopping, Standing or Parking Prohibited	12-6-6.1	\$27
18	Additional Parking Regulations	12-6-6.2	\$21
19	Stopped/Parked Vehicles Interferes with other Traffic	12-6-6.3	\$35
20	Parking Alleys Prohibited	12-6-6.4	\$27
21	All-Night Park Prohibited	12-6-6.5	\$27
22	Parking for Certain Purposes Prohibited	12-6-6.6	\$27
23	Parking Adjacent to Schools Prohibited	12-6-6.7	\$27
24	Parking Prohibited on Narrow Streets	12-6-6.8	\$27
25	Standing or Parking on One-Way Streets	12-6-6.9	\$27



1	Standing or Parking on Divided Streets	12-6-6.10	\$27
2	Stopping Standing or Parking/Hazardous Places	12-6-6.11	\$27
3	Stopping, Standing or Parking/Certain streets	12-6-6.12	\$27
4	Stopping, Standing or Parking/Business/Residence distr.	12-6-6.14	\$27
5	Parking in a Special Parking Area Without a Permit	12-6-6.15	\$32
6	Stopping, Standing or Parking/Freight Loading Zones	12-6-8.4	\$37
7	Parking of Buses and Taxicabs	12-6-9.3	\$37
8	Restricted Use of Bus and Taxicab Stands	12-6-9.4	\$27
9	Parking Meter Space	12-9-3	\$27
10	Parking Time Limits	12-9-4	\$16
11	Presumption of Unlawful Parking	12-9-8	\$27
12	Abandoned vehicles on private property	12-12-18	\$15

13 **SECTION 3. MUNICIPAL COURT FEES**

14 The municipal court fees set forth in Section 1-3.2 Section SFCC 1987 shall not apply to parking  
15 violations set forth in Section 2 above.

16 **SECTION 4. PAYMENT OF FINES**

17 Fines shall be paid to the city:

18 (a) by mailing a check or money order to city of Santa Fe parking violations bureau  
19 P.O. Box 909 Santa Fe New Mexico 87504-0909;

20 (b) by depositing a check, money order or cash in a yellow collection box located on  
21 parking meters around the down town area; or

22 (c) in person at locations designated by the city.

23 Payment shall be received within 15 days of the date of citation otherwise, the fine shall double. Failure to  
24 pay the fine may result in the booting of the vehicle as set forth in section 12-12-20 of the city of Santa  
25 Fe uniform traffic code adopted in section 24-1.1 SFCC 1987. An alleged violator may protest the charge

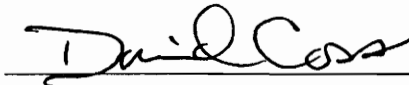
1 of violation by filing the proper form to protest the violation with the municipal judge located at 2511  
2 Camino Entrada within 30 days of the charge of violation. No fine imposed upon later conviction shall  
3 exceed the fine established for the particular parking violation.

4 **SECTION 5. MANDATORY COURT APPEARANCE.**

5 This parking violations fines schedule does not apply to the following parking violation which  
6 requires a mandatory court appearance and a fine no less than two hundred fifty dollars (\$250)  
7 and no more than five hundred dollars (\$500):

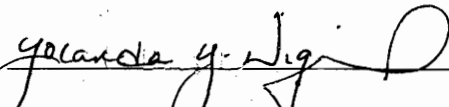
8 Parking in Designated Accessible Parking Space 12-9-9

9 PASSED, APPROVED, and ADOPTED this 25<sup>th</sup> day of March, 2009.

10  
11  
12 

13 DAVID COSS, MAYOR

14  
15 ATTEST:

16  
17   
18 YOLANDA Y. VIGIL, CITY CLERK

19  
20 APPROVED AS TO FORM:

21   
22 FRANK D. KATZ, CITY ATTORNEY

23  
24  
25 jp/ca/jpmb/2009 ord/UTO penalty assess