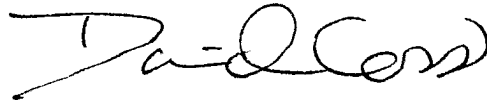


1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2010-31

3 INTRODUCED BY:

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10 AN ORDINANCE

11 REPEALING SECTION 1-3.5 SFCC 1987 REGARDING THE DESTRUCTION OF
12 ARREST RECORDS.

13
14 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

15 Section 1. [REPEAL.] Section 1-3.5 SFCC 1987 (being Ord. #1973-15, 1-4)
16 is repealed.

17 ~~[1-3.5 Code Provision for Destruction of Arrest Records When Defendant is~~
18 ~~Adjudicated Not Guilty.~~

19 ~~_____ A. _____ The arrest records of any person charged with the commission of any violation of~~
20 ~~the Santa Fe City Code of 1987 or any other city ordinance shall be destroyed within thirty (30)~~
21 ~~days after the person charged with a violation is adjudicated not guilty, or the charge or charges~~
22 ~~are dismissed by motion of the municipal prosecutor or municipal judge.~~

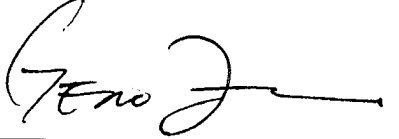
23 ~~_____ B. _____ The arrest records of any person charged with the commission of any violation of the~~
24 ~~Santa Fe City Code of 1987 or any other city ordinance and who is adjudicated guilty of such~~
25 ~~violation, or who pleads guilty or nolo contendere, shall be destroyed within thirty (30) days after the~~

1 expiration of five (5) years from the date the plea or judgment was entered by the municipal judge.

2 ~~C. The traffic offense record of any person charged with violating any provision of~~
3 ~~the Santa Fe City Code of 1987, or other city ordinance relating to motor vehicles shall be~~
4 ~~destroyed within thirty (30) days after the person charged with such violation is adjudicated not~~
5 ~~guilty, or the charge is dismissed by motion of the municipal prosecutor or municipal judge;~~
6 ~~provided, that it shall be the duty of the municipal judge to keep a record of every municipal~~
7 ~~traffic violation together with every official action and disposition of the charge taken by his~~
8 ~~court, and it shall also be the duty of the municipal judge to, within ten (10) days after disposition~~
9 ~~of every charge violating any provision of the Santa Fe City Code of 1987 or other city ordinance~~
10 ~~relating to motor vehicles, to prepare and forward to the director of the motor vehicle division,~~
11 ~~state transportation department, or his authorized agent, a certified abstract of the record as~~
12 ~~required by Section 66-8-135 NMSA 1978. A record need not be made of any disposition of a~~
13 ~~violation of illegal parking or standing of a motor vehicle, except when the uniform traffic~~
14 ~~citation is used.~~

15 ~~D. The traffic offense record of any person charged with violating any provision of~~
16 ~~the Santa Fe City Code of 1987 or other city ordinance relating to motor vehicles, and who is~~
17 ~~adjudicated guilty of any traffic offense, or who pleads guilty or nolo contendere, shall be~~
18 ~~destroyed within thirty (30) days after the expiration of five (5) years from date the plea or~~
19 ~~judgment was entered by the municipal judge; provided, that the municipal judge shall be~~
20 ~~required to perform the duties imposed by paragraph c. of this subsection.]~~

21 APPROVED AS TO FORM:

22 

23 _____
24 GENO ZAMORA, CITY ATTORNEY

25 Jp/ca/jpmb/2010 bill/arrest record destruction