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CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-__

INTRODUCED BY:

Councilor Signe I. Lindell
Councilor Roman “Tiger” Abeyta

AN ORDINANCE

**RELATING TO THE CITY OF SANTA FE UNIFORM TRAFFIC ORDINANCE (“UTO”);
AMENDING SECTION 12-10-1.10 TO INSERT A CLAUSE STATING THAT A PERSON
WHO VIOLATES A PROVISION OF SECTION 12-10-1.10 OF THE UTO IS GUILTY OF
A PENALTY ASSESSMENT MISDEMEANOR AND TO ADD AND INCREASE
PENALTIES IN SCHEDULE A OF THE TRAFFIC VIOLATION PENALTY
ASSESSMENT SCHEDULE.**

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

**Section 1. Section 12-10-1.10 of SFCC 1987 (being Ord. No. 2011-4, as amended)
is amended to read:**

**12-10-1.10 MUFFLERS--PREVENTION OF NOISE--EMISSION CONTROL
DEVICES.**

A. Every motor vehicle shall at all times be equipped with a muffler in good
working order and in constant operation to prevent excessive or unusual noise, and no
person shall use a muffler cutout, bypass, or similar device upon a motor vehicle on a street

1 in this municipality; and

2 B. The muffler, emission control equipment or device, engine and power
3 mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the
4 escape of excessive fumes or smoke; and

5 C. Every registered gasoline-fueled motor vehicle manufactured or assembled,
6 commencing with the 1968 models, shall at all times be equipped and maintained in good
7 working order with the factory-installed devices and equipment or their replacements
8 designed to prevent, reduce or control exhaust emissions or air pollution. (66-3-844 NMSA
9 1978)

10 D. A person who violates the provisions of this section is guilty of a penalty
11 assessment misdemeanor.

12 **Section 2. Section 2 of Schedule A of the Uniform Traffic Ordinance (being**
13 **Ord. No. 2011-4, as amended) is amended to read:**

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25 **SCHEDULE A**

1 **TRAFFIC VIOLATION PENALTY ASSESSMENT SCHEDULE**

2 **SECTION 2.**

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

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COMMON NAME OF OFFENSE	SECTION VIOLATED	PENALTY ASSESSMENT
Obedience To Traffic–Control Devices/Failure To Stop	12-5-3	\$25.00
Red Light	12-5-6	\$25.00
Pedestrian Controls	12-5-7	\$25.00
Flashing Signals	12-5-8	\$25.00
Display of Unauthorized Signs, Signals, or Markings	12-5-10	\$25.00
Basic (Speeding) Rule	12-6-1.1	\$25.00
Speed Limits	12-6-1.2	
<i>A. The following apply outside a school zone:</i>		
Up to and including 10 miles an hour over speed limit		\$15.00
From 11 up to and including 15 miles an hour over speed limit		\$30.00

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From 16 up to and including 20 miles an hour over speed limit		\$65.00
From 21 up to and including 25 miles an hour over speed limit		\$100.00
From 26 up to and including 30 miles an hour over the speed limit		\$125.00
From 31 up to and including 35 miles an hour over the speed limit		\$150.00
More than 35 miles an hour over the speed limit		\$200.00
<i>B. In a school zone</i>	12-6-1.2A	\$171.00
<i>C. In a construction zone:</i> The penalty assessment for speeding in violation of Section 12-6-1.2 (4) of the city of Santa Fe traffic ordinance is twice the penalty assessment established in subsection A above for the equivalent miles per hour over the speed limit		
<i>D. In a pedestrian zone.</i> The penalty assessment for speeding in violation of the posted speed limit in a designated pedestrian zone is twice the penalty assessment established in subsection A. above for the equivalent miles per hour over the speed limit.		
Minimum Speed Regulations	12-6-1.5	\$25.00
Driving On Right Side Of Street	12-6-2.1	\$25.00
Overtaking A Vehicle On The Left	12-6-2.3	\$25.00
Limitations On Overtaking On The Left	12-6-2.4	\$25.00
Overtaking A Vehicle On The Right	12-6-2.6	\$25.00
No Passing Zones/Restrictions On Passing	12-6-2.7	\$25.00
Streets Laned For Traffic	12-6-2.12	\$25.00
Following Too Closely	12-6-2.13	\$25.00
Driving On Divided Streets	12-6-2.14	\$25.00
Driving Vehicle On Or Across Bicycle Lane Or Path.	12-6-2.17	\$25.00
Turning Left At Intersection	12-6-4.2	\$25.00
Entering Stop/Yield Intersection/Failure To Yield	12-6-4.3	\$25.00
Required Position/Method of Turning/Improper Turn	12-6-5.1	\$25.00
Obedience To No-Turn Signs	12-6-5.4	\$25.00
Limitations On Turning Around/Illegal U-Turn	12-6-5.5	\$25.00
Starting A Parked Vehicle	12-6-5.7	\$25.00
Turn/Stop Movements	12-6-5.8	\$25.00
Failure To Signal	12-6-5.9	\$25.00
Motorist Turning Across Bicycle Lane.	12-6-5.11	\$25.00
Stopping, Standing, Parking	12-6-6	See Exhibit B
Special Stops Required	12-6-7 (Excluding 12-6-7.3, 12-6-7.4, 12-6-7.5 and 12-6-7.7)	\$25.00
Stopping For School Bus	12-6-7.3	\$100.00
Failure To Stop At Railroad Crossing	12-6-7.5 and 12-6-7.7	\$150.00

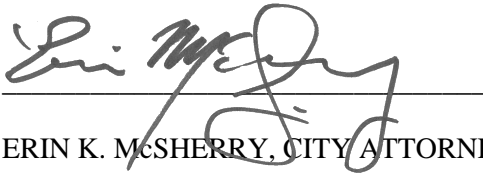
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Operators and Chauffeurs Must Be Licensed	12-6-12.5	\$25.00
Driving While License Suspended/Administratively Suspended	12-6-12.6 and 12-6-12.6A	\$25.00
Driving While License Revoked	12-6-12.6B	\$300-\$500
Unattended Motor Vehicle	12-6-12.8	\$25.00
Limitations On Backing	12-6-12.9	\$25.00
Restriction On Use of Video In Motor Vehicles	12-6-12.11	\$25.00
Coasting Prohibited	12-6-12.12	\$25.00
Prohibited Activities While Driving (including hand held mobile communication device use)	12-6-12.18	\$200.00
Mobile communication device use while driving in a school zone	12-6-12.18	\$300.00
Permitting Unauthorized Persons To Drive	12-6-12.23	\$25.00
Destructive Material On Roadway/Failure To Secure Load	12-6-13.5	\$100.00
Improper Opening Of Doors	12-6-13.8	\$25.00
Child Restraint Device Or Safety Belt	12-6-13.12	\$100.00
Mandatory Use Of Seat Belts	12-6-13.13	\$100.00
Open Container, 1 st Offense	12-6-13.14	\$100.00
For Subsequent Violations		mandatory court appearance
Littering	12-6-13.15	\$300.00
Jaywalking	12-6-14.1 through 12-6-14.8	\$25.00
Windshield	12-10-1.12	\$25.00
When Lighted Lamps Are Required	12-10-1.3	\$25.00
Headlamps On Vehicles	12-10-1.5	\$25.00
Dimming Of Lights	12-10-1.6	\$25.00
Tail Lamps	12-10-1.7, except 12-10-1.7C	\$25.00
Plate Light Required	12-10-1.7C.	\$10.00
Stop Lamps/Brake Lamps	12-10-1.9	\$25.00
Mufflers, Prevention of Noise, 1 st offense	12-10-1.10	[\$25.00] \$100.00
2 nd Offense		\$200.00
For Subsequent Offenses		\$300.00
Lamp Or Flag On Projecting Load	12-10-1.11	\$25.00
Windshield Must Be Unobstructed and Equipped with Wipers and Windows Must Be Transparent	12-10-1.12	\$25.00
Tinted Windows	12-10-1.12A	\$25.00
Unsafe Equipment (Brakes)	12-10-1.16	\$25.00
Display of Current Valid Registration Plate	12-10-4	\$25.00

1 APPROVED AS TO FORM:

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A handwritten signature in black ink, appearing to read "Erin McSherry", is written over a horizontal line. The signature is cursive and somewhat stylized.

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ERIN K. MCSHERRY, CITY ATTORNEY

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Legislation/2020/Bills/Noise Violation Penalties