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**CITY OF SANTA FE, NEW MEXICO**

**BILL NO. 2022-\_\_**

**INTRODUCED BY:**

Councilor Carol Romero-Wirth

Councilor Jamie Cassutt

Councilor Renee Villarreal

**AN ORDINANCE**

**RELATING TO THE CITY OF SANTA FE UNIFORM TRAFFIC ORDINANCE (“UTO”);  
AMENDING SECTION 7 OF SCHEDULE A TO PROHIBIT THE MUNICIPAL COURT  
FROM NOTIFYING THE MOTOR VEHICLE DIVISION OF THE STATE OF NEW  
MEXICO WHEN A PERSON FAILS TO PAY A PENALTY ASSESSMENT WITHIN THE  
REQUIRED PERIOD OF TIME.**

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

**Section 1. Section 7 of Schedule A of the Uniform Traffic Ordinance (being Ord.  
No. 2011-4, as amended) is amended to read:**

**SCHEDULE A**

**TRAFFIC VIOLATION PENALTY ASSESSMENT SCHEDULE**

ADOPTED: July 12, 2006 – Ord. No. 2006-34

AMENDED: March 25, 2009 – Ord. No. 2009-11

February 10, 2010 – Ord. No. 2010-2

June 29, 2011 – Ord. No. 2011-23

1 August 13, 2014 – Ord. No. 2014-26

2 February 24, 2021 – Ord. No. 2021-2

3 June \_\_, 2022 – Ord. No. 2022-\_\_

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

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

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

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

20 PASSED, APPROVED, and ADOPTED this \_\_ day of \_\_\_\_\_, 2022

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23 \_\_\_\_\_  
24 ALAN WEBBER, MAYOR  
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1 ATTEST:

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4 KRISTINE MIHELICIC, CITY CLERK

5 APPROVED AS TO FORM:

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8 ERIN K. MCSHERRY, CITY ATTORNEY

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25 *Legislation/2022/Bills/Failure to Pay Penalty Removal*