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HOUSE BILL 109

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

INTRODUCED BY

William "Bill" R. Rehm and Patricia Roybal Caballero

AN ACT

RELATING TO MOTOR VEHICLES; INCREASING THE PENALTY FOR A PERSON WHO COMMITS CARELESS DRIVING THAT RESULTS IN DEATH OR GREAT BODILY HARM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1.** Section 66-8-114 NMSA 1978 (being Laws 1969, Chapter 169, Section 12) is amended to read:

"66-8-114. CARELESS DRIVING.--

A. Any person operating a vehicle on the highway shall give ~~[his]~~ the person's full time and entire attention to the operation of the vehicle.

B. ~~[Any person who operates]~~ Careless driving consists of operating a vehicle in a careless, inattentive or imprudent manner without due regard for the width, grade, curves, corners, traffic, weather and road conditions and all

underscored material = new  
[bracketed material] = delete

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1 other attendant circumstances. Whoever commits careless  
2 driving is guilty of a misdemeanor as provided in Section  
3 66-8-7 NMSA 1978.

4 C. Whoever commits careless driving that results in  
5 death or great bodily harm of another is guilty of a  
6 misdemeanor and shall be punished in accordance with the  
7 provisions of Section 31-19-1 NMSA 1978.

8 D. As used in this section, "great bodily harm"  
9 means an injury to another person that creates a high  
10 probability of death, that causes serious disfigurement or that  
11 results in permanent loss or impairment of the function of any  
12 member or organ of the body."

13 **SECTION 2. EFFECTIVE DATE.**--The effective date of the  
14 provisions of this act is July 1, 2019.