



The Legislature
of the
State of New Mexico

48th Legislature, 2nd Session

LAWS 2008

CHAPTER _____

HOUSE MEMORIAL 22

Introduced by

REPRESENTATIVE ANTONIO "MOE" MAESTAS



1 A MEMORIAL

2 REQUESTING THE CREATION OF A TASK FORCE TO STUDY AND MAKE
3 RECOMMENDATIONS ON THE DECRIMINALIZATION OF TRAFFIC OFFENSES.

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5 WHEREAS, nationally, at the state and local government
6 level, jurisdictions are examining the costs to the criminal
7 justice system of the traffic citation warrant process; and

8 WHEREAS, currently, traffic warrants represent more than
9 one-half of all outstanding warrants; and

10 WHEREAS, research data demonstrate that criminal traffic
11 warrants do not deter a habitual traffic offender from
12 disregarding traffic laws nor do they provide increased safety
13 on the public highways; and

14 WHEREAS, some jurisdictions have amended their traffic
15 codes to provide for civil penalties on traffic violations
16 rather than criminal penalties and fines; and

17 WHEREAS, criminal justice communities that have
18 decriminalized traffic citations agree that decriminalizing
19 the traffic code and recasting traffic violations as civil
20 infractions represents a better use of resources, does not
21 jeopardize public safety and decreases the incarcerated
22 population;

23 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
24 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the
25 administrative office of the courts be requested to convene a

1 task force consisting of representatives from the New Mexico
2 association of counties, the New Mexico municipal league, the
3 public defender department, the New Mexico district attorneys
4 association and the motor vehicle division of the taxation and
5 revenue department to study the feasibility of and procedure
6 for decriminalizing traffic offenses and recasting traffic
7 violations as civil infractions; and

8 BE IT FURTHER RESOLVED that a representative of the task
9 force report on the study and any recommendations to the
10 appropriate interim legislative committee no later than
11 November 2008; and

12 BE IT FURTHER RESOLVED that a copy of this memorial be
13 transmitted to the administrative office of the courts.
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S/ BEN LUJAN
BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES

S/ STEPHEN R. ARIAS
STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES

UNRECORDED

Ben Lujan