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HOUSE BILL 11

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Mimi Stewart

AN ACT

RELATING TO MOTOR VEHICLES; DEFINING "MOTOR SCOOTER"; PROVIDING
FOR OPERATION OF MOTOR SCOOTERS.

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

SECTION 1. Section 66-1-4.11 NMSA 1978 (being Laws 1990,
Chapter 120, Section 12, as amended) is amended to read:

"66-1-4.11. DEFINITIONS.--As used in the Motor Vehicle
Code:

A. "mail" means any item properly addressed with
postage prepaid delivered by the United States postal service
or any other public or private enterprise primarily engaged in
the transport and delivery of letters, packages and other
parcels;

B. "manufactured home" means a movable or portable
housing structure that exceeds either a width of eight feet or

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1 a length of forty feet, constructed to be towed on its own
2 chassis and designed to be installed with or without a
3 permanent foundation for human occupancy;

4 C. "manufacturer" means every person engaged in the
5 business of constructing or assembling vehicles of a type
6 required to be registered under the Motor Vehicle Code;

7 D. "manufacturer's certificate of origin" means a
8 certification, on a form supplied by or approved by the
9 department, signed by the manufacturer that the new vehicle or
10 boat described in the certificate has been transferred to the
11 New Mexico dealer or distributor named in the certificate or to
12 a dealer duly licensed or recognized as such in another state,
13 territory or possession of the United States and that such
14 transfer is the first transfer of the vehicle or boat in
15 ordinary trade and commerce;

16 E. "moped" means a two-wheeled or three-wheeled
17 vehicle with an automatic transmission and a motor having a
18 piston displacement of less than fifty cubic centimeters, that
19 is capable of propelling the vehicle at a maximum speed of not
20 more than thirty miles an hour on level ground, at sea level;

21 F. "motorcycle" means every motor vehicle having a
22 seat or saddle for the use of the rider and designed to travel
23 on not more than three wheels in contact with the ground,
24 excluding a tractor;

25 G. "motor home" means a camping body built on a

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1 self-propelled motor vehicle chassis so designed that seating
2 for driver and passengers is within the body itself;

3 H. "motor scooter" means a two- or three-wheeled
4 vehicle that has a seat or saddle for the use of the rider, an
5 automatic transmission and a piston displacement of no less
6 than fifty cubic centimeters and no more than one hundred fifty
7 cubic centimeters;

8 [~~H.~~] I. "motor vehicle" means every vehicle that is
9 self-propelled and every vehicle that is propelled by electric
10 power obtained from batteries or from overhead trolley wires,
11 but not operated upon rails; but for the purposes of the
12 Mandatory Financial Responsibility Act, "motor vehicle" does
13 not include "special mobile equipment"; and

14 [~~F.~~] J. "motor vehicle insurance policy" means a
15 policy of vehicle insurance that covers self-propelled vehicles
16 of a kind required to be registered pursuant to New Mexico law
17 for use on the public streets and highways. A "motor vehicle
18 insurance policy":

19 (1) shall include:

20 (a) motor vehicle bodily injury and
21 property damage liability coverages in compliance with the
22 Mandatory Financial Responsibility Act; and

23 (b) uninsured motorist coverage, subject
24 to the provisions of Section 66-5-301 NMSA 1978 permitting the
25 insured to reject such coverage; and

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(2) may include:

(a) physical damage coverage;

(b) medical payments coverage; and

(c) other coverages that the insured and

the insurer agree to include within the policy."

SECTION 2. A new section of the Motor Vehicle Code is enacted to read:

"[NEW MATERIAL] MOTOR SCOOTER.--A person eighteen years of age or older who has been issued a driver's license or a commercial driver's license may operate a motor scooter without the requirement of a motorcycle license or motorcycle endorsement on the person's driver's license or commercial driver's license. In all other respects, the provisions of the Motor Vehicle Code that apply to the operation of a motorcycle shall apply to the operation of a motor scooter."

SECTION 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2011.