

ORDINANCE NO. 2024-1364

AN ORDINANCE AMENDING CERTAIN SECTIONS OF 1-1-10 AND SECTION 25-2-40 OF THE FARMINGTON CITY CODE

WHEREAS, the New Mexico legislature eliminated the court fee imposed upon cases in municipal court effective July 1, 2024; and

WHEREAS, the City of Farmington wishes to adopt an ordinance to reinstitute the court fee at a local level; and

WHEREAS, the City of Farmington periodically does analysis on the penalty assessment fees for traffic violations; and

WHEREAS, the penalty assessment fees for traffic violations have not been updated since 2003; and

WHEREAS, the City has determined a need to update the penalty assessment fines.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FARMINGTON:

Sec. 1-1-10. General penalty; additional fees; additional penalties for certain acts. Shall read as follows:

(b) *Correction fee assessment.* The municipal judge shall collect a correction fee assessment in the sum of \$20.00 from any person convicted of violating any ordinance relating to the operation of a motor vehicle or convicted of any ordinance which may be enforced by the imposition of a term of imprisonment. No correction fee will be collected for any violation involving the unlawful parking of a motor vehicle. All money collected pursuant to this subsection shall be deposited in a special fund in the municipal treasury and shall be used to cover the correction fees for municipal court.

(f) *Court automation fee.* In addition to any fine or imprisonment, there is imposed upon any person convicted of violating a municipal ordinance, the penalty for which carries a potential jail term, or any ordinance relating to the operation of a motor vehicle a mandatory court automation fee of \$7.00. All court automation fees collected shall be remitted monthly to the municipal court for court automation systems.

(h) *Judicial education fee.* Any person convicted of violating any municipal ordinance, the penalty for which carries a potential jail term, or any ordinance relating to the operation of a motor vehicle, shall pay to the municipal court, in addition to any fine or other sentence, a judicial education fee in the amount of \$3.00. All money collected pursuant to this subsection shall be remitted monthly to the municipal court to be used for educational and training purposes for court staff.

Sec. 25-2-40. Penalties for violating chapter shall read as follows:

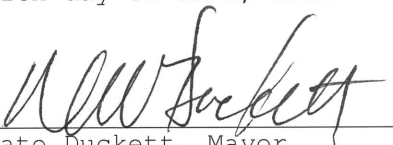
(a) Every person convicted of a violation of any section of this chapter, including the state statutes incorporated in this chapter, which is designated as a penalty assessment misdemeanor, shall be punished or as provided in this subsection. The following sections of this chapter shall be penalty assessment misdemeanors and have the indicated fine:

Common Name of Offense	Section Violated	Penalty Assessment
Permitting unlicensed minor to drive	25-1-1/66-5-40	\$115.00
Violating official traffic control device	25-1-1/66-7-104	\$115.00
Failure to obey signal	25-1-1/66-7-105	\$115.00
Speeding	25-1-1/66-7-301, 25-3-1	
Up to and including ten miles per hour over speed limit		\$105.00

From 11 up to and Including 15 miles per hour over speed limit		\$120.00
From 16 up to and Including 20 miles per hour over speed limit		\$155.00
From 21 up to and including 25 miles per hour over speed limit		\$190.00
From 26 up to and Including 30 miles per hour over speed limit		\$215.00
From 31 up to and Including 35 miles Per hour over speed limit		\$240.00
More than 35 miles per hour over speed limit		\$290.00
Minimum Speed	<u>25-1-1</u> /66-7-305	\$115.00
Speeding	<u>25-1-1</u> /66-7-306	\$120.00
Improper Starting	<u>25-1-1</u> /66-7-324	\$115.00
Improper Backing	<u>25-1-1</u> /66-7-354	\$115.00
Improper Lane	<u>25-1-1</u> /66-7-308	\$115.00
Improper Lane	<u>25-1-1</u> /66-7-313	\$115.00
Improper Lane	<u>25-1-1</u> /66-7-316	\$115.00
Improper Lane	<u>25-1-1</u> /66-7-317	\$115.00
Improper Lane	<u>25-1-1</u> /66-7-319	\$115.00
Improper Passing	<u>25-1-1</u> /66-7-309--- 66-7-312	\$115.00
Improper Passing	<u>25-1-1</u> /66-7-315	\$115.00
Controlled access violation	<u>25-1-1</u> /66-7-320, 66-7-321	\$115.00
Improper turning	<u>25-1-1</u> /66-7-322	\$115.00
Improper turning	<u>25-1-1</u> /66-7-325	\$115.00
Following too closely	<u>25-1-1</u> /66-7-318	\$115.00
Failure to yield	<u>25-1-1</u> /66-7-328--- 66-7-332	\$115.00
Pedestrian violation	<u>25-1-1</u> /66-7-333	\$115.00
Pedestrian Violation	<u>25-1-1</u> /66-7-340	\$115.00
Failure to stop	<u>25-1-1</u> /66-7-341--- 66-7-346	\$115.00
Passing school bus	<u>25-1-1</u> /66-7-347	\$145.00
Failure to signal	<u>25-1-1</u> /66-7-325--- 66-7-327	\$115.00
Improper equipment	<u>25-1-1</u> /66-3-801	\$115.00
Improper equipment	<u>25-1-1</u> /66-3-901	\$115.00
Improper emergency signal	<u>25-1-1</u> /66-3-853--- 66-3-857	\$115.00
Operation interference	<u>25-1-1</u> /66-7-357	\$105.00

Litterbug	<u>25-1-1/66-7-364</u>	\$195.00
Improper parking	<u>25-1-1/66-7-349---</u> <u>66-7-353</u>	\$100.00
Improper parking	<u>25-1-1/66-3-852</u>	\$100.00
Failure to dim lights	<u>25-1-1/66-3-831</u>	\$115.00
Riding in or towing occupied house trailer	<u>25-1-1/66-7-366</u>	\$105.00
Improper opening of doors	<u>25-1-1/66-7-367</u>	\$105.00
No slow-moving vehicle emblem or flashing amber light	<u>25-1-1/66-3-887</u>	\$105.00
Improper Load	<u>25-1-1/66-7-407</u>	\$115.00
No overload permit	<u>25-1-1/66-7-413</u>	\$115.00
No mobile home movement permit	<u>25-1-1/66-7-413</u>	\$195.00
Unlawful maneuver, two-way left turn lane	<u>25-3-3</u>	\$115.00
Unlawful passing	<u>25-3-4 (b)</u>	\$125.00
Improper U-turn	<u>25-3-5</u>	\$115.00
Prohibited Act	<u>25-3-10</u>	\$125.00
Improper boarding and alighting	<u>25-3-14</u>	\$115.00
Obstructing Street	<u>25-3-15</u>	\$115.00
Motorcycle lane violation	<u>25-3-77</u>	\$115.00
Bicycle violations	<u>25-3-107</u> ---25-3-109	\$115.00
Truck route	<u>25-3-51</u>	\$115.00
Avoiding traffic control signals	<u>25-3-16</u>	\$120.00

PASSED, SIGNED, APPROVED AND ADOPTED this 11th day of June, 2024.


Nate Duckett, Mayor

SEAL

ATTEST


Andrea Jones, City Clerk