

ORDINANCE #C2019-_____

AN ORDINANCE REINSTATING ORDINANCE C2003-2 WHICH IMPOSED A FOUR DOLLAR TRAFFIC EDUCATION AND ENFORCEMENT FEE ON VIOLATIONS RELATING TO THE OPERATION OF A MOTOR VEHICLE AND SETTING AN EFFECTIVE DATE.

WHEREAS, Ordinance C2003-2 imposed a four dollar fee on violations of the Uniform Traffic Ordinance involving the operation of a motor vehicle; and

WHEREAS, Ordinance C2003-2 was never inserted into the Gallup City Code; and

WHEREAS, the 1990 version of the Uniform Traffic Ordinance that is referenced in Ordinance C2003-2 is no longer in effect; and

WHEREAS, the City is desirous of continuing the imposition of the fee;

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GALLUP, NEW MEXICO THAT THE FOLLOWING SECTION BE ADDED TO THE GALLUP CITY CODE:

6-1-5: TRAFFIC EDUCATION AND ENFORCEMENT FEE

- A. Any person convicted of violating any section of the Uniform Traffic Ordinance shall pay, in addition to any other fee or fine, a four dollar (\$4.00) Traffic Education and Enforcement Fee to the Municipal Court.
- B. All moneys collected pursuant to this section shall be deposited in a special fund in the municipal treasury and shall be used for equipment and training for traffic safety and enforcement duties of the Gallup Police Department.
- C. As used in this section, “convicted” means the defendant has elected to pay a penalty assessment, or has been found guilty by the Municipal Judge, either after trial, a plea of guilty, or a plea of nolo contendere.

BE IT FURTHER ORDAINED THAT SECTION 6-1-4(B)(5) IN THE PENALTY ASSESSMENT PROGRAM ORDINANCE BE AMENDED TO READ AS FOLLOWS:

- 5. In addition to the penalty assessment established for each penalty assessment misdemeanor pursuant to this section, there shall be assessed the following fees for each penalty assessment misdemeanor: a twenty dollar (\$20) Corrections Fee; a six dollar (\$6) Court Automation Fee; a four dollar (\$4) Traffic Education and Enforcement Fee; and a three dollar (\$3) Judicial Education Fee.

BE IT FURTHER ORDAINED THAT A NEW SUBSECTION H BE ADDED TO SECTION 1-13-4 OF THE GALLUP CITY CODE:

H. Any person convicted of violating any section of the Uniform Traffic Ordinance shall pay, in addition to any other fee or fine, a four dollar (\$4.00) Traffic Education and Enforcement Fee to the Municipal Court. All moneys collected pursuant to this section shall be deposited in a special fund in the municipal treasury and shall be used for equipment and training for traffic safety and enforcement duties of the Gallup Police Department.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED, APPROVED AND ADOPTED THIS 26th day of February, 2019.

City of Gallup

Jackie McKinney, Mayor

ATTEST:

Alfred Abeita II, City Clerk