



VILLAGE OF CORRALES
ORDINANCE 12-009

**AN ORDINANCE RELATING TO THE NEW MEXICO UNIFORM TRAFFIC ORDINANCE
ADOPTED BY REFERENCE BY THE VILLAGE OF CORRALES**

BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF CORRALES, NEW MEXICO:

SECTION 1. ADOPTION BY REFERENCE

- A. The New Mexico Uniform Traffic Ordinance, Compilation, as amended through July 2012, is herewith adopted by reference, pursuant to Section 3-17-6 NMSA 1978, except as otherwise expressly provided herein or as specifically modified by ordinance of the Village of Corrales.
- B. The New Mexico Uniform Traffic Ordinance amendments adopted pursuant to this Ordinance 12-009 are set forth in the New Mexico Municipal League memorandum dated April 10, 2012 and attached as an exhibit hereto.
- C. This ordinance as adopted shall be available for inspection in the office of the municipal clerk during regular and normal business hours of the municipal clerk. A copy of the code shall be available upon request and payment of a reasonable charge.

Section 2. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 3. ORDINANCES REPEALED

All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed only to the extent of such inconsistency.

Section 4. EFFECTIVE DATE

This ordinance shall be effective upon its adoption and publication as provided by law.

ADOPTED THIS 14th DAY OF AUGUST 2012.

VILLAGE OF CORRALES

The Honorable Philip Gasteyer
Mayor, Village of Corrales

ATTEST:

Juan Reyes, Village Clerk
[SEAL]



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Date: April 10, 2012
To: Municipal Clerks
From: Randy Van Vleck, General Counsel
Roger Makin, Communications Coordinator
Subject: Amendment to the Uniform Traffic Ordinance (UTO)

Attached you will find a single amendment to the Uniform Traffic Ordinance. We have included the description of the change in legislative style and provided you with replacement pages for the 2010 Compilation of the Uniform Traffic Ordinance. Please disregard this memo if your municipality has not adopted the UTO.

The only change this year is to remove one part in Sec 12-8-5 (C) pertaining to bicyclists using a dedicated bike lane. That had been removed several years ago by the legislature. This makes the UTO conform to state statute. There are no amendments to the UTO from the 2012 legislative session.

Remove pages:

2011 Cover Page
2011 Introduction page
VIII -1 & 2

Replace with new pages:

2012 Cover Page
2012 Introduction page
new VIII-1 & 2

We are sending this change to the Municipal Clerk in order for you to put the adoption procedure in process. **Please remember: this amendment must be adopted by ordinance since the UTO has been adopted as an ordinance. This means your municipal governing body will have to adopt the change as it would adopt any other ordinance. This requires publishing or posting at least two weeks prior to adoption of the proposed change to your UTO.**

If you have any questions, please do not hesitate to contact us here at the League. Thanks for your cooperation.

2012 Uniform Traffic Ordinance (UTO) Amendment

[—] = delete

underline = addition

12-8-5 RIDING ON STREETS AND BICYCLE PATHS.

A. Every person operating a bicycle upon a street shall ride as near to the right side of the street as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction. (66-3-705 NMSA 1978) It shall not be considered practicable to ride as near to the right side of the street under the following circumstances:

- direction;
- (1) when overtaking and passing another bicycle or vehicle proceeding in the same direction;
 - (2) when preparing for a left turn at an intersection or into a private road or roadway;
 - (3) when reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes that make it unsafe to continue along the right-hand curb or edge. For purposes of this section, a "substandard width lane" is a lane that is too narrow for a bicycle and vehicle to travel safely side by side within the lane;
 - (4) when operating a bicycle or a moped upon a one-way highway with two or more marked traffic lanes may ride as near the left-hand curb or edge of such roadway as practicable.(*)

B. Persons riding bicycles upon a street shall not ride more than two abreast except on paths or parts of streets set aside for the exclusive use of bicycles. (66-3-705 NMSA 1978)

~~[C. Whenever a usable path for bicycles has been provided adjacent to a street, bicycle riders shall use such path and shall not use the street.]~~

**New Mexico
Uniform Traffic Ordinance
2010 Compilation**

**THIS DOCUMENT CONTAINS ALL REVISIONS
THROUGH JULY, 2012**

New Mexico Municipal League
P.O. Box 846
Santa Fe, New Mexico 87504
(505) 982-5573 or 1-800-432-2036
www.nmml.org

PREFACE TO 2010 COMPILATION
NEW MEXICO UNIFORM TRAFFIC ORDINANCE

This Uniform Traffic Ordinance consists of the 2010 Compilation, which replaces the 2004 Compilation, and amendments through July, 2012. The citations in parentheses are to the 1978 New Mexico Statutes Annotated (or as amended since 1979). These citations at the end of a paragraph indicate comparable provisions in the State law. The exact language in the State Motor Vehicle Code has been used in the Ordinance wherever possible. An asterisk (*) at the end of a paragraph indicates that there are no comparable provisions in the State Code. A reference includes any unreferenced paragraphs that precede it.

The 2010 Compilation has a new page numbering system. Each Article is numbered individually with the Article number first. Consequently, the previous Compilation will not necessarily match the 2010 Compilation's page numbers. The 2010 Compilation contains all amendments since July, 2004 enacted by the Legislature through July, 2012.

ARTICLE VIII

OPERATION OF BICYCLES

12-8-1	Effect of Regulations
12-8-2	Traffic Ordinance Applies to Persons Riding Bicycles
12-8-3	Riding on Bicycles
12-8-4	Clinging to Vehicles
12-8-5	Riding on Streets and Bicycle Paths
12-8-6	Carrying Articles
12-8-7	Lamps and Other Equipment on Bicycles
12-8-8	Obedience to Traffic-Control Devices
12-8-9	Parking
12-8-10	Speed
12-8-11	Emerging from Alley, Driveway, Private Road or Building
12-8-12	Riding on Sidewalks
12-8-13	License Required
12-8-14	License Application
12-8-15	Issuance of License
12-8-16	Attachment of License Plate
12-8-17	Authority to Prevent Use
12-8-18	Inspection of Bicycles
12-8-19	Transfer of Ownership
12-8-20	Rental Agencies
12-8-21	Bicycle Dealers
12-8-22	Impounding Unlicensed and Unattended Bicycles
12-8-23	Penalties

12-8-1 **EFFECT OF REGULATIONS.**

A. The parent of any child and the guardian of any ward shall not authorize or permit any such child or ward to violate any of the provisions of this ordinance.

B. These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any street or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein. (66-3-701 NMSA 1978)

12-8-2 **TRAFFIC ORDINANCE APPLIES TO PERSONS RIDING BICYCLES.** Every person riding a bicycle upon a street shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle, except as to the special regulations within Sections 12-8-1 through 12-8-23. (66-3-702 NMSA 1978)

12-8-3 RIDING BICYCLES.

A. A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

B. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped. (66-3-703 NMSA 1978)

12-8-4 CLINGING TO VEHICLES. No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a street. (66-3-704 NMSA 1978)

12-8-5 RIDING ON STREETS AND BICYCLE PATHS.

A. Every person operating a bicycle upon a street shall ride as near to the right side of the street as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction. (66-3-705 NMSA 1978) It shall not be considered practicable to ride as near to the right side of the street under the following circumstances:

(1) when overtaking and passing another bicycle or vehicle proceeding in the same direction;

(2) when preparing for a left turn at an intersection or into a private road or roadway;

(3) when reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes that make it unsafe to continue along the right-hand curb or edge. For purposes of this section, a "substandard width lane" is a lane that is too narrow for a bicycle and vehicle to travel safely side by side within the lane;

(4) when operating a bicycle or a moped upon a one-way highway with two or more marked traffic lanes may ride as near the left-hand curb or edge of such roadway as practicable.(*)

B. Persons riding bicycles upon a street shall not ride more than two abreast except on paths or parts of streets set aside for the exclusive use of bicycles.

12-8-6 CARRYING ARTICLES. No person operating a bicycle shall carry any package, bundle, or article which prevents the driver from keeping at least one hand upon the handlebar. (66-3-706 NMSA 1978)