

MUNICIPAL COURT

AMENDED TRAFFIC VIOLATION BUREAU ORDER

This Amended Traffic Violations Bureau Order hereby replaces the previous Traffic Violations Bureau Order entered on October 12, 2017.

You have been charged with a violation of the New Mexico Motor Vehicle Code and/or the Municipal Code of the City of Hobbs. On most traffic violations, you may choose to pay the penalty assessment and not see the judge. If you choose to pay the citation after asking to see the Judge, you must sign a Appearance, Waiver, and Entry per statute. If you cannot pay the full penalty assessment at this time, you may request to see the Judge for making payment arrangements. The Judge is the only one that can approve putting anyone on a Payment Agreement.

If you choose to pay the citation instead of having a court appearance, the citation will go on your record at the Motor Vehicle Department.

If the "Penalty Assessment" box is checked on your citation, you must pay the penalty assessment by mail. The citation **cannot** be scheduled for a Traffic Arraignment, deferral or Defensive Driving.

IF YOU ARE UNDER 18 OR STILL IN HIGH SCHOOL, YOU MUST HAVE A PARENT OR GUARDIAN WITH YOU AND BOTH MUST SIGN ALL DOCUMENTS.

PENALTY ASSESSMENT AMOUNTS, TRAFFIC CASES:

The following are some of the more common traffic violations and the penalty assessment amount for each. This amount includes the \$39 court cost.

MANDATORY FINANCIAL RESPONSIBILITY (12-10-6):

	First Offense	Second Offense	Third Offense
	\$139.00	\$189.00	\$239.00
FOURTH AND SUBS.	\$339.00		

OBEDIENCE TO TRAFFIC ORDINANCE (12-3-1):

First Offense	Second Offense	Third Offense
\$139.00	\$189.00	\$239.00

FOURTH AND SUBS. \$339.00 - 90 DAYS

RIDING WITH INTOXICATED DRIVER OR PERSON UNDER THE INFLUENCE OF DRUGS (12-6-13.1 (E)):

First Offense	Second Offense	Third Offense
\$139.00	\$189.00	\$239.00

FOURTH AND SUBS. \$339.00 - 90 DAYS

If your citation is for No Insurance, No Registration, Expired registration, or No Driver's License, and you can show proof that you were in compliance at the time of stop, the Court will **DISMISS** the citation per Rules for the Municipal Court.

If an individual has been pulled over for and are now in compliance **or** this is your **first traffic offense** for traffic offenses listed below please tell Court staff immediately:

- Child passenger restraints 12-6-13.12
- Display of Current Valid Registration Plate 12-10-4
- Driving on Streets Laned for Traffic 12-6-2.12
- **(without involved in accident or DWI)**
- Emerging from Alley, Driveway, Private Road or Building 12-6-7.1
- Following to Closely **(without involved in accident)** 12-6-2.13
- Head Lamps on Motor Vehicles 12-10-1.5
- Limitations on backing **(without involved in accident)** 12-6-12.9
- Mandatory Use of Seatbelts 12-6-13.13
- Mufflers 12-10-1.10
- Obedience to Traffic Control Devices 12-5-3
- Pedestrians on Streets 12-6-14.5
- Speeding (10 miles or under) 12-6-1.2
- Stop Lamps, Signal Lamps and Signal Devices 12-10-1.9
- Stopping, Standing or Parking Prohibited in Specific Places 12-6-6.1
- Sun Screening Material on Windshields and Windows 12-10-1.12A
- Tail Lamps 12-10-1.7
- Texting While Driving – 1st Offense 12-6-18

- Traffic Lanes 12-5-14(B)
- Traffic Lights 12-5-6
- Turning and Stopping Movements and Required Signals 12-5-5.8
- Vehicles Turning Left at Intersection shall yield 12-6-4.2
- Vehicle Entering Stop or yield intersection 12-6-4.3
- **(without involved in accident)**
- Windshields Must be Unobstructed and Equipped with Wipers 12-10-1.12
- When Lighted Lamps are Required 12-10-1.3

The Court staff has been ordered to **Defer** (if First Offense) the citation for 90 days by the Judge, however, the individual must not receive another citation within the 90 day deferral period. The individual is also responsible for paying Court Costs in amount of **\$39.00** and it will not go on their record.

YOU HAVE THREE PLEA OPTIONS:

1. **NOT GUILTY**: Your pretrial or trial will be scheduled in six to eight weeks. You may appear with or without an attorney. If you want an attorney, the Court will only accept a not guilty plea today.
2. **GUILTY**: The TVB will can take your plea today only if it does not carry mandatory jail time. If it doesn't, the TVB will have you sign a Waiver and Plea.
3. **NO CONTEST**: The TVB will can take your plea today only if it does not carry mandatory jail time. If it doesn't, the TVB will have you sign a Waiver and Plea. The No Contest Plea is not an admission of guilt, but a plea that you are not contesting the charges and do not want a trial. A no contest plea is treated the same as a guilty plea for sentencing purposes.

IF YOU HAVE ANY QUESTIONS ABOUT THE PROCESS, YOUR RIGHTS, WHAT YOU ARE CHARGED WITH, OR THE POSSIBLE PENALTIES, YOU SHOULD SEE THE JUDGE. YOU ALWAYS HAVE THE RIGHT TO HAVE AN ATTORNEY PRESENT WITH YOU.

JUDGE, BOBBY ARTER