

Senator \_\_\_\_\_,

I am writing to you as a constituent and a citizen who supports Senate Bill 290. This bill is important to me because it addresses a current gap in State Traffic Code that concerns me.

As surprising as it is to some to learn this, in New Mexico today, if a driver is found to be guilty of “careless driving” (as defined in NM Stat § 66-8-114 ) there is only one level of very minimal accountability measures available to Judges. There is no distinction between careless driving resulting in property damage and careless driving that causes great bodily harm or the death of another road user.

While the option of a fine of up to \$300.00 dollars and/or face up to 90 days probation or jail time is appropriate for property damage, it is not when the consequences are great bodily harm or the death of another human being.

I want New Mexico law to recognize this distinction. Senate Bill 290 would do that by making additional options available to judges at sentencing. In the very narrowly defined circumstance where “careless driving” causes the death or great bodily harm of another road user, the driver could be fined up to \$1,000.00 and/or face up to 365 days probation or jail time.

In doing this, New Mexico could appear at the top of the list of states that have changed their laws to better address these types of crashes. Delaware and Colorado (2010) along with Oregon (2011) have changed their laws to better hold careless drivers accountable. As in New Mexico, similar changes have been considered recently in Arizona, Michigan and Washington legislation without becoming law. Your support of Senate Bill 290 will put New Mexico at the top of this list.

Passage of this bill will also serve to better protect New Mexicans. While it seems to be the case that many repeat DUI offenders are not deterred by stiffer laws that holding them accountable for what they do I do not feel that “careless drivers” are the same. People most likely to stray into the realm of “careless driving” are much more often ordinary citizens who allow themselves to become distracted or unfocused on their task of driving a motor vehicle. By enacting this law New Mexico can send a message to New Mexicans that they need to devote their full attention to the task of driving in order to avoid being a “careless driver.” If they do not, they will be held accountable.

For these reasons I urge you to join me in supporting Senate Bill 290.

Thank you,

Name  
address

city, state, zip