

American Legion Auxiliary
New Mexico Girls State
Bill



Principal Author: Krystal Mailman

Bill No: 54 Committee: I

Status:

Passed by: Committee House Senate Governor

Tabled by: Committee House Senate Governor

Other: _____

Simple Title of Bill: Taxes and DUI

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HOUSE BILL

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72nd SESSION – AMERICAN LEGION AUXILIARY NEW MEXICO GIRLS STATE – 2019

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INTRODUCED BY

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Krystal Mailman

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AN ACT

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RELATING TO USE OF NICOTINE THROUGH E-CIGARETTES ; ADDITIONAL TAXES

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TO FLAVORED NICOTINE LIQUID; OBTAIN A DUI IF CAUGHT DRIVING WHILE USING

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AN E-CIGARETTE

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BE IT ENACTED BY THE LEGISLATURE OF THE AMERICAN LEGION AUXILIARY NEW

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MEXICO GIRLS STATE:

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SECTION 1. DEFINITIONS. - "E-Cigarette"- An electronic device used to orally

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administrate nicotine in the form of vapor to simulate smoking

1 "Flavored Liquid Nicotine"- Liquid Nicotine used for E-Cigarettes that have artificially added
2 flavoring to make the taste and smell more appealing

3 SECTION 2. PROVISIONS. - An additional tax of 12.5 percent shall be added to the sell of
4 flavored liquid nicotine. Doing so shall deter people, especially minors, from purchasing
5 flavored liquid nicotine for recreational use. Many minors do not have a job that would
6 provide them with enough money to sustain a nicotine habit, by adding on an additional
7 tax to flavored liquid nicotine, many minors would be discouraged from buying liquid nicotine
8 due to being unable to afford the higher price. The addition tax would also be beneficial to
9 adults who are trying to quit a nicotine habit as they would also likely be unwilling to pay
10 the additional taxes.

11 A person caught using an E-Cigarette while driving shall be issued a DUI similarity to those
12 caught under the influence of alcohol or other drugs. This is to ensure the safety of
13 pedestrians and other vehicles on the road, as nicotine is a drug which can impair its users
14 reactions, and is not safe to be taken while operating a car or other heavy machinery. The
15 use of an E-Cigarettes while driving is also very dangerous as it not only contains a drug
16 that can impair the driver's reflexes and judgement, but in order to use the E-Cigarette the
17 driver is also required to take one or both hands off the steering wheel. Driving while using
18 an E-Cigarette can also cloud up the windshield with the Nicotine vapor, decreasing the
19 driver's vision and increasing the likelihood of someone getting injured or killed in a car
20 wreck. Issuing a DUI to those caught using an E-Cigarette while driving will discourage
21 people from doing so and will help make streets safer for everyone.

22 SECTION 3. PENALTY. - Those caught driving while using an E-Cigarette are guilty of a
23 misdemeanor and as such shall be punished with up to 90 days maximum in prison, a \$500
24 fine, or 24 hours minimum of community service for the first offence. The second offence
25 can be punishable by 96 hours in jail to 364 days, a \$500 to \$1000 fine, or 48

1 hours minimum of community service. For a third offence, the guilty can be charged with 30
2 to 364 days in jail, a \$750 to \$1000 fine, or 96 minimum hours of community service

3 SECTION 4. APPROPRIATION. -

4 All laws, acts, provisions, or parts of laws contained in the Constitution of the State of New
5 Mexico in conflict with any provision of this act are hereby repealed.

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7 This act shall become effective 90 days after it's passage and approval by the American
8 Legion Auxiliary New Mexico Girls State Governor or it's otherwise becoming a law.