

**SAN JUAN COUNTY
ORDINANCE NO. 75**

**AN ORDINANCE PROVIDING A PENALTY FOR USE OF
UNMUFFLED RETARDERS (JAKE BRAKES) WHERE PROHIBITED**

**BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF SAN
JUAN COUNTY, NEW MEXICO:**

SECTION 1. DEFINITION. --

As used herein, retarder means any device or piece of equipment which helps increase a vehicle's braking power. When activated, a retarder creates noise through a vehicle's exhaust system. Retarder includes any exhaust or engine braking device.

**SECTION 2. USE OF UNMUFFLED RETARDERS (JAKE BRAKES)
PROHIBITED IN MARKED AREAS. --**

It shall be unlawful to use an unmuffled retarder (commonly known as a jake brake or compression brake) on any truck, bus, automobile, or other vehicle where marked on county roads in residential areas in the unincorporated areas of San Juan County. This Ordinance shall not apply on federal or state highways.

SECTION 3. EMERGENCY USE. --

This Ordinance shall not restrict the use of a retarder in an emergency.

SECTION 4. PENALTIES. --

Any violation of this Ordinance shall be a petty misdemeanor, punishable by a fine of up to \$300.

PASSED, APPROVED AND ADOPTED this 6th day of December, 2011.



Debbie Holmes
Debbie Holmes, County Clerk

**BOARD OF COUNTY COMMISSIONERS
OF SAN JUAN COUNTY, NEW MEXICO**

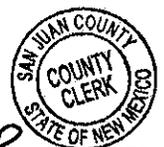
By: *Tony Atkinson*
Tony Atkinson, Chairman



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San Juan County, NM DEBBIE HOLMES



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