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1 there is no need for any additional criminal regulation of otherwise
2 responsible cruising that is conducted in conformance with this ordinance;
3 and

4 WHEREAS, the Cruising On Public Streets Ordinance contains sections
5 that discriminate against particular types of special interest vehicle drivers;
6 and

7 WHEREAS, the Albuquerque Police Department should regulate
8 irresponsible behavior exhibited by drivers regardless of what type of vehicle
9 is being operated; and

10 WHEREAS, it is difficult to properly regulate cruising according to its
11 definition in the Cruising On Public Streets Ordinance; and

12 WHEREAS, it is difficult to appropriately regulate cruising based upon the
13 ancillary circumstances that are associated with cruising in the Cruising On
14 Public Streets Ordinance; and

15 WHEREAS, establishing effective means and lines of communication
16 between the Albuquerque Police Department, affected residents and business
17 owners, and drivers is essential for adequately regulating irresponsible
18 behaviors exhibited by drivers; and

19 WHEREAS, one strategy for regulating irresponsible behaviors exhibited
20 by drivers is to develop a standard code of conduct for special interest vehicle
21 clubs that identifies and defines specific forms of behavior that are neither
22 tolerated at events nor at any other location within City limits and at any time;
23 and

24 WHEREAS, requiring special interest vehicle clubs to display a
25 standardized dashboard placard in a highly visible location on their vehicle
26 would make it easier for the Albuquerque Police Department to regulate
27 irresponsible driving behavior and allow responsible driving behavior to take
28 place; and

29 WHEREAS, special interest vehicle clubs should be encouraged to partner
30 with private business owners and parking lot owners to coordinate cruising
31 events that do not obstruct the public right-of-way and that make their
32 neighborhoods more vibrant; and

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1 WHEREAS, special interest vehicle clubs contribute to local community
2 development by bringing together the for-profit, non-profit, and public sectors
3 for fundraising charity events; and

4 WHEREAS, special interest vehicle clubs should be encouraged to go
5 through the special event permitting process when organizing larger cruising
6 events that have larger economic impacts on the community-at-large; and

7 WHEREAS, monthly and annual events have the opportunity to attract
8 special interest vehicle clubs from throughout the state of New Mexico, the
9 United States, and the world who would contribute to a wide variety of local
10 industries, including lodging, food services, automotive services, and
11 security; and

12 WHEREAS, the Cruising Task Force made the recommendation of
13 establishing a Special Interest Vehicle Club Recognition Program because it
14 could help implement previously listed clauses related to communication and
15 coordination across the for-profit, non-profit, and public sectors.

16 **BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**
17 **ALBUQUERQUE:**

18 Section 1. THE ENTIRETY OF CHAPTER 8, ARTICLE 2, PART 10 OF THE
19 REVISED ORDINANCES OF ALBUQUERUE, THE “CRUISING ON PUBLIC
20 STREETS ORDINANCE”, IS HEREBY REPEALED. CHAPTER 8, ARTICLE 2,
21 PART 10 SHALL BE RE-LABELED AS “REPEALED”.

22 Section 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
23 clause, word or phrase of this ordinance is for any reason held to be invalid or
24 unenforceable by any court of competent jurisdiction, such decision shall not
25 affect the validity of the remaining provisions of this ordinance. The Council
26 hereby declares that it would have passed this ordinance and each section,
27 paragraph, sentence, clause, word or phrase thereof irrespective of any
28 provisions being declared unconstitutional or otherwise invalid.

29 Section 3. COMPILATION. The amendments set forth in Section 1
30 above shall amend, be incorporated in and made part of the Revised
31 Ordinances of Albuquerque, New Mexico, 1994.

32 Section 4. EFFECTIVE DATE. This ordinance shall take effect five days
33 after publication by title and general summary.