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AN ACT
RELATING TO MOTOR VEHICLES; ALLOWING AN APPLICATION FOR
VEHICLE REGISTRATION AND CERTIFICATE OF TITLE TO BE SIGNED
ELECTRONICALLY; REQUIRING REGISTRATION PLATE ISSUANCE UPON
TRANSFER OF MOTOR VEHICLE OWNERSHIP.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 66-3-4 NMSA 1978 (being Laws 1978,
Chapter 35, Section 24, as amended by Laws 2007, Chapter 319,
Section 16 and by Laws 2007, Chapter 320, Section 2) is
amended to read:

"66-3-4. APPLICATION FOR REGISTRATION AND CERTIFICATE
OF TITLE--NONREPAIRABLE VEHICLE CERTIFICATE.--

A. Except for a vehicle owned by a carrier that is
from a jurisdiction that is not a participant in the
International Fuel Tax Agreement, that is authorized by the
United States government or an agency of the United States
government to conduct cross-border operations beyond the
commercial border zone pursuant to the provisions of the
North American Free Trade Agreement and that identifies
New Mexico as the carrier's base jurisdiction, every owner of
a vehicle of a type required to be registered in this state
shall make application to the division for the registration
and issuance of a certificate of title for the vehicle.

Applications shall be upon the appropriate forms furnished by

1 the division and shall bear the signature of the owner;
2 provided that the signature may either be made using an
3 electronic signature in conformance with the Electronic
4 Authentication of Documents Act and the Uniform Electronic
5 Transactions Act or written with pen and ink. All
6 applications presented to the division shall contain:

7 (1) for a vehicle other than a recreational
8 vehicle, the name, bona fide New Mexico residence address and
9 mail address of the owner or, if the owner is a firm,
10 association or corporation, the name, bona fide New Mexico
11 business address and mail address of the firm, association or
12 corporation and for a recreational vehicle, the name, bona
13 fide residence address and mail address of the owner and
14 proof of delivery in New Mexico;

15 (2) a description of the vehicle including,
16 to the extent that the following specified data may exist
17 with respect to a given vehicle, the make, model, type of
18 body, number of cylinders, type of fuel used, serial number
19 of the vehicle, odometer reading, engine or other
20 identification number provided by the manufacturer of the
21 vehicle, whether new or used and, if a vehicle not previously
22 registered, date of sale by the manufacturer or dealer to the
23 person intending to operate the vehicle. In the event a
24 vehicle is designed, constructed, converted or rebuilt for
25 the transportation of property, the application shall include

1 a statement of its rated capacity as established by the
2 manufacturer of the chassis or the complete vehicle;

3 (3) a statement of the applicant's title and
4 of all liens or encumbrances upon the vehicle and the names
5 and addresses of all persons having an interest in the
6 vehicle, the nature of each interest and the name and address
7 of the person to whom the certificate of title shall be
8 delivered by the division;

9 (4) if the vehicle required to be registered
10 is a house trailer, as defined in the Motor Vehicle Code, a
11 certificate from the treasurer or assessor of the county in
12 which the house trailer is located showing that either:

13 (a) all property taxes due or to become
14 due on the house trailer for the current tax year or any past
15 tax years have been paid; or

16 (b) no liability for property taxes on
17 the house trailer exists for the current year or any past tax
18 years; and

19 (5) further information as may reasonably be
20 required by the division to enable it to determine whether
21 the vehicle is lawfully entitled to registration and the
22 owner entitled to a certificate of title.

23 B. The owner of a vehicle subject to registration
24 that has never been registered in this state and that has
25 been registered in another state, except manufactured homes,

1 shall have the vehicle examined and inspected for its
2 identification number or engine number by the division or an
3 officer or a designated agent of the division incident to
4 securing registration, reregistration or a certificate of
5 title from the division.

6 C. When an application refers to a vehicle not
7 previously registered and the vehicle is purchased from a
8 dealer licensed in this state or a dealer licensed or
9 recognized as such in any other state, territory or
10 possession of the United States, the application shall be
11 accompanied by a manufacturer's certificate of origin duly
12 assigned by the dealer to the purchaser. In the event that a
13 vehicle not previously registered is sold by the manufacturer
14 to a dealer in a state not requiring a manufacturer's
15 certificate of origin and in the event that the vehicle is
16 subsequently purchased by a dealer or any person in this
17 state, the application for title shall be accompanied by the
18 evidence of title accepted by the state in which the vehicle
19 was sold by the manufacturer to a dealer in that state
20 together with evidence of subsequent transfers.

21 D. Prior to the sale or disposal of a
22 nonrepairable vehicle, the owner, owner's agent or salvage
23 pool shall obtain a properly endorsed nonrepairable vehicle
24 certificate from the department and deliver it to the
25 purchaser within twenty days after payment in full for the

1 nonrepairable vehicle and shall also comply with Section
2 66-3-10.1 NMSA 1978. The department shall accept the
3 endorsed nonrepairable vehicle certificate in lieu of the
4 certificate of ownership or other evidence of ownership when
5 accompanied by an application and other documents and fees as
6 may be required by the department. A vehicle for which a
7 nonrepairable vehicle certificate has been issued shall not
8 be titled or registered for use on the highways of this
9 state.

10 E. If an insurance company makes a total loss
11 settlement on a nonrepairable vehicle and takes possession of
12 that vehicle, either itself or through an agent or salvage
13 pool, the insurance company or an authorized agent of the
14 insurance company shall:

15 (1) stamp the face of the title or
16 manufacturer's certificate of origin with the word
17 "NONREPAIRABLE", in letters no less than one-half inch high,
18 at an angle of approximately forty-five degrees to the text
19 of the title or manufacturer's certificate of origin; and

20 (2) within twenty days after receipt of
21 title by the insurer, free and clear of all liens, submit a
22 copy of the branded title or manufacturer's certificate of
23 title to the department together with documents explaining
24 the reason for branding, and shall forward a properly
25 endorsed certificate of title or manufacturer's certificate

1 of origin or other evidence of ownership acceptable to the
2 department together with the proper fee to the department.
3 The department, upon receipt of the title or manufacturer's
4 certificate of origin or other evidence of ownership, shall
5 issue a nonrepairable vehicle certificate for the vehicle.

6 F. If an owner of a nonrepairable vehicle elects
7 to retain possession of the vehicle, the insurance company
8 shall notify the department of the retention on a form
9 prescribed by the department. The insurance company shall
10 also notify the insured or owner of the insured's or owner's
11 responsibility to comply with this section. The owner shall,
12 within twenty days from the date of settlement of the loss,
13 forward a properly endorsed certificate of title or
14 manufacturer's certificate of origin or other evidence of
15 ownership acceptable to the department together with the
16 proper fee to the department. The department, upon receipt
17 of the title or manufacturer's certificate of origin or other
18 evidence of ownership, shall issue a nonrepairable vehicle
19 certificate for the vehicle.

20 G. If a nonrepairable vehicle is not the subject
21 of an insurance settlement, the owner shall, within twenty
22 days from the date of the loss, forward a properly endorsed
23 certificate of title or manufacturer's certificate of origin
24 or other evidence of ownership acceptable to the department
25 together with the proper fee to the department. The

1 department, upon receipt of the title or manufacturer's
2 certificate of origin or other evidence of ownership, shall
3 issue a nonrepairable vehicle certificate for the vehicle.

4 H. The department shall not issue a new
5 registration card and certificate of ownership pursuant to
6 Subsection A, B or C of this section on a vehicle that has
7 been issued a nonrepairable vehicle certificate pursuant to
8 Subsections E, F and G of this section."

9 SECTION 2. Section 66-3-10 NMSA 1978 (being Laws 1978,
10 Chapter 35, Section 30, as amended) is amended to read:

11 "66-3-10. DEPARTMENT TO ISSUE CERTIFICATE OF TITLE,
12 EVIDENCE OF REGISTRATION, REGISTRATION PLATE AND VALIDATION
13 STICKER--RELEASE OF LIEN--ODOMETER STATEMENT.--

14 A. The department, upon registration of a vehicle,
15 shall issue a certificate of title and evidence of
16 registration; an odometer statement may appear on one or both
17 of these documents.

18 B. Except for certificates of title issued
19 pursuant to Section 66-3-2, 66-3-27 or 66-3-423 NMSA 1978 and
20 for manufactured homes, school buses, state government
21 vehicles, motorcycles and off-highway motor vehicles, upon
22 issuance of a new certificate of title or upon transfer of a
23 certificate of title, the department shall issue a
24 registration plate and a validation sticker to the owner of
25 the vehicle.

1 C. The registration evidence shall be delivered to
2 the owner and shall contain upon its face the date issued,
3 the name and address of the owner, the registration number
4 assigned to the owner and such description of the vehicle
5 registered to the owner as determined by the secretary.

6 D. The certificate of title shall contain the
7 identical information required on the registration evidence
8 and in addition a statement of the owner's title and of all
9 liens and encumbrances upon the vehicle.

10 E. The certificate of title shall contain a space
11 for the release of any lien, space for assignment of title or
12 interest and warranty by the owner and space for notation of
13 liens and encumbrances upon the vehicle at the time of
14 transfer.

15 F. The certificate of title shall be delivered to
16 the owner in the event no lien or encumbrances appear
17 thereon, otherwise the certificate of title shall be
18 delivered to the person named to receive it in the
19 application for certificate.

20 G. Whenever the owner of a vehicle subject to
21 registration transfers the person's title or interest in the
22 vehicle to a nonresident who desires to title the vehicle in
23 the state of the nonresident's residence, the department upon
24 receiving application and the payment of the proper fee shall
25 issue a certificate of title only and record on the

1 certificate all liens and encumbrances."

2 SECTION 3. EFFECTIVE DATE.--

3 A. The effective date of the provisions of
4 Section 1 of this act is July 1, 2020.

5 B. The effective date of the provisions of
6 Section 2 of this act is January 1, 2021. _____

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