

SENATE BILL 299

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

Mark Moores

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO SPECIAL REGISTRATION PLATES; REQUIRING THE TAXATION AND REVENUE DEPARTMENT TO ESTABLISH A DESIGN ELEMENT THAT DENOTES SIGNIFICANT MOBILITY LIMITATION AND TO ISSUE THAT DESIGN ELEMENT ON ANOTHER SPECIAL REGISTRATION PLATE IF REQUESTED BY A PERSON WHO QUALIFIES.

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

SECTION 1. Section 66-3-16 NMSA 1978 (being Laws 1978,

.218808.1AIC March 4, 2021 (12:05pm)

underscored material = new
[bracketed material] = delete
Amendments: new = →bold, blue, highlight↔
delete = →bold, red, highlight, strikethrough↔

underscored material = new
[bracketed material] = delete
Amendments: new = →bold, blue, highlight←
delete = →bold, red, highlight, strikethrough←

Chapter 35, Section 36, as amended) is amended to read:

"66-3-16. DISTINCTIVE REGISTRATION PLATES--PERSONS WITH SIGNIFICANT MOBILITY LIMITATION--PARKING PLACARDS.--

A. The division shall issue distinctive registration plates for use on motor vehicles and motorcycles owned or leased by a person with a significant mobility limitation who requests a distinctive registration plate and who proves satisfactorily to the division that the person is a person with a significant mobility limitation.

B. The division shall establish a design element that denotes significant mobility limitation and shall issue that design element on another special registration plate in lieu of issuing a special registration plate pursuant to Subsection A of this section if requested by a person who qualifies for a significant mobility limitation and the other requested special registration plate; provided that STBTC→:

(1)←STBTC all fees and qualifications required to obtain the other requested special registration plate are satisfied by the requester STBTC→; and

(2) the special registration plate selected by the requester has been determined by the division to be able to accommodate an additional design element←STBTC .

[B-] C. The division shall issue a distinctive parking placard to an organization that owns or leases a motor vehicle that primarily transports persons with significant

underscored material = new
[bracketed material] = delete
Amendments: new = →bold, blue, highlight←
delete = →bold, red, highlight, strikethrough←

mobility limitations and that requests a distinctive parking placard. The organization, if qualified, may obtain a distinctive parking placard for each vehicle used to transport persons with significant mobility limitations.

[G-] D. No fee in addition to the regular registration fee, if any, applicable to the motor vehicle or motorcycle shall be collected for issuance of distinctive registration plates or parking placards pursuant to this section.

[D-] E. No person shall falsely claim to have a significant mobility limitation so as to be eligible to be issued a distinctive registration plate or a parking placard pursuant to this section when the person does not in fact have a significant mobility limitation. Upon notice and opportunity to be heard, the division may revoke and demand return of any placard when:

- (1) it was issued in error or with false information;
- (2) the person receiving the placard is no longer eligible;
- (3) the placard is being used by ineligible persons; or
- (4) the organization to which the parking placard was issued no longer exists.

[E-] F. Upon written application to the division

.218808.1AIC March 4, 2021 (12:05pm)

underscored material = new
[bracketed material] = delete
Amendments: new = →bold, blue, highlight←
delete = →bold, red, highlight, strikethrough←

accompanied by a medical statement by a licensed physician or a physician assistant, advanced practice registered nurse or certified nurse-midwife working within that person's scope of practice attesting to the permanent significant mobility limitation, a resident of the state who has a significant mobility limitation, as provided in this section, may apply for and be issued no more than two parking placards for display upon a motor vehicle registered to the person or motor vehicle owned by another person who is transporting the person with a significant mobility limitation. The licensed physician or the physician assistant, advanced practice registered nurse or certified nurse-midwife working within that person's scope of practice shall provide the division all information and records necessary to issue a permanent parking placard. Once approved for use of a permanent parking placard, a person with a significant mobility limitation shall not be required to furnish further medical information.

[F-] G. To obtain a distinctive parking placard pursuant to this section, an organization shall submit to the division:

(1) on a form approved by the division, a signed statement by an authorized officer of the organization affirming that the vehicle will be primarily used to transport persons with significant mobility limitations and that the registered vehicle is owned or leased by the organization; and

.218808.1AIC March 4, 2021 (12:05pm)

underscored material = new
[bracketed material] = delete
Amendments: new = →bold, blue, highlight←
delete = →bold, red, highlight, strikethrough←

(2) at least one contract that places the organization under obligation to provide transportation services to persons with significant mobility limitations.

~~[G.]~~ H. A parking placard issued pursuant to this section shall expire four years from the date it was issued.

~~[H.]~~ I. The division shall issue two-sided hanger-style parking placards with the following characteristics:

(1) a picture of the international symbol of access;

(2) a hologram to make duplication difficult;

(3) an imprinted expiration date; and

(4) for a placard issued to:

(a) a person with a significant mobility limitation, a full-face photograph of the holder on the inside of the placard covered by a flap; or

(b) an organization, the number of the registration plate issued to the vehicle that is registered or leased to the organization on which the placard will be used.

~~[I.]~~ J. The division shall consult with the governor's commission on disability for continued issuance and format of the placard.

~~[J.]~~ K. The division may issue an identification card containing a full-face photograph of the holder of the registration plate or parking placard and the number of the

.218808.1AIC March 4, 2021 (12:05pm)

underscored material = new
[bracketed material] = delete
Amendments: new = →bold, blue, highlight←
delete = →bold, red, highlight, strikethrough←

registration plate or parking placard issued to that person.

~~[K-]~~ L. Upon written application to the division accompanied by a medical statement from a licensed physician or a physician assistant, advanced practice registered nurse or certified nurse-midwife working within that person's scope of practice attesting to a temporary significant mobility limitation, a person may be issued a temporary placard for no more than one year. The licensed physician or the physician assistant, advanced practice registered nurse or certified nurse-midwife working within that person's scope of practice shall provide the division all information and records necessary to issue a temporary placard.

~~[H-]~~ M. Registration plates or parking placards issued to a person with a significant mobility limitation by another state or foreign jurisdiction shall be honored until the motor vehicle or motorcycle is registered or the parking placard holder establishes residency in this state.

~~[M-]~~ N. A "person with a significant mobility limitation" means a person who:

- (1) cannot walk one hundred feet without stopping to rest;
- (2) cannot walk without the use of a brace, cane or crutch or without assistance from another person, a prosthetic device, a wheelchair or other assistive device;
- (3) is restricted by lung disease to such an

underscored material = new
[bracketed material] = delete
Amendments: new = →bold, blue, highlight←
delete = →bold, red, highlight, strikethrough←

extent that the person's forced respiratory volume, when exhaling for one second, when measured by spirometry, is less than one liter or the arterial oxygen tension is less than sixty millimeters on room air at rest;

(4) uses portable oxygen;

(5) has a severe cardiac condition; or

(6) is so severely limited in the ability to walk due to an arthritic, neurologic or orthopedic condition that the person cannot ascend or descend more than ten stair steps."

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2021.

- 7 -