

SENATE FLOOR SUBSTITUTE FOR  
SENATE BILL 299

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

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; CREATING A STANDARDIZED  
REGISTRATION PLATE FOR WORTHY PUBLIC PURPOSES; PROVIDING FOR  
SPECIALIZED REGISTRATION DECALS FOR SUPPORTERS OF WORTHY PUBLIC  
PURPOSES; MAKING APPROPRIATIONS.

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

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

.220669.1

underscoring material = new  
[bracketed material] = delete

1 registration plates for use on motor vehicles and motorcycles  
2 owned or leased by a person with a significant mobility  
3 limitation who requests a distinctive registration plate and  
4 who proves satisfactorily to the division that the person is a  
5 person with a significant mobility limitation.

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

13 (1) all fees and qualifications required to  
14 obtain the other requested special registration plate are  
15 satisfied by the requester; and

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

19 ~~[B.]~~ C. The division shall issue a distinctive  
20 parking placard to an organization that owns or leases a motor  
21 vehicle that primarily transports persons with significant  
22 mobility limitations and that requests a distinctive parking  
23 placard. The organization, if qualified, may obtain a  
24 distinctive parking placard for each vehicle used to transport  
25 persons with significant mobility limitations.

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

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

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

21           ~~[E.]~~ F. Upon written application to the division  
22 accompanied by a medical statement by a licensed physician or a  
23 physician assistant, advanced practice registered nurse or  
24 certified nurse-midwife working within that person's scope of  
25 practice attesting to the permanent significant mobility

.220669.1

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

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

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

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

25 ~~[G.]~~ H. A parking placard issued pursuant to this

1 section shall expire four years from the date it was issued.

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

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

7 (2) a hologram to make duplication difficult;

8 (3) an imprinted expiration date; and

9 (4) for a placard issued to:

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

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

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

19 ~~[J.]~~ K. The division may issue an identification  
20 card containing a full-face photograph of the holder of the  
21 registration plate or parking placard and the number of the  
22 registration plate or parking placard issued to that person.

23 ~~[K.]~~ L. Upon written application to the division  
24 accompanied by a medical statement from a licensed physician or  
25 a physician assistant, advanced practice registered nurse or

.220669.1

underscored material = new  
[bracketed material] = delete

1 certified nurse-midwife working within that person's scope of  
2 practice attesting to a temporary significant mobility  
3 limitation, a person may be issued a temporary placard for no  
4 more than one year. The licensed physician or the physician  
5 assistant, advanced practice registered nurse or certified  
6 nurse-midwife working within that person's scope of practice  
7 shall provide the division all information and records  
8 necessary to issue a temporary placard.

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

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

16 (1) cannot walk one hundred feet without  
17 stopping to rest;

18 (2) cannot walk without the use of a brace,  
19 cane or crutch or without assistance from another person, a  
20 prosthetic device, a wheelchair or other assistive device;

21 (3) is restricted by lung disease to such an  
22 extent that the person's forced respiratory volume, when  
23 exhaling for one second, when measured by spirometry, is less  
24 than one liter or the arterial oxygen tension is less than  
25 sixty millimeters on room air at rest;

.220669.1

- 1 (4) uses portable oxygen;  
2 (5) has a severe cardiac condition; or  
3 (6) is so severely limited in the ability to  
4 walk due to an arthritic, neurologic or orthopedic condition  
5 that the person cannot ascend or descend more than ten stair  
6 steps."

7 SECTION 2. A new section of the Motor Vehicle Code is  
8 enacted to read:

9 "[~~NEW MATERIAL~~] STANDARDIZED REGISTRATION PLATES FOR  
10 WORTHY PUBLIC PURPOSES--SPECIAL REGISTRATION DECALS.--

11 A. For a fee of ten dollars (\$10.00), which shall  
12 be in addition to the regular motor vehicle registration fee,  
13 the department shall issue standardized registration plates  
14 with space for a special registration decal as may be  
15 authorized by statute for worthy public purposes. The fee  
16 collected for each registration plate shall be retained by the  
17 department and is appropriated to the department for the  
18 manufacture and issuance of the registration plate. No two  
19 owners shall be issued identically lettered or numbered  
20 registration plates.

21 B. The authorizing statute for a special  
22 registration decal shall provide for the collection of fees  
23 that, at a minimum, shall cover the costs to the division of  
24 development, manufacture and issuance of the decal.

25 C. Worthy public purpose registration plates, on

.220669.1

underscored material = new  
~~[bracketed material] = delete~~

1 the standardized areas, shall:

2 (1) display the colors of the state flag, with  
3 red lettering on a yellow background;

4 (2) display the phrases "New Mexico USA" and  
5 "Land of Enchantment";

6 (3) provide a space for applying a special  
7 registration decal, centered at the left edge of the plate  
8 between the attachment holes, beginning one-fourth inch in from  
9 the edge of the plate and having the following dimensions:

10 (a) four and one-eighth inches in  
11 height; and

12 (b) three and one-eighth inches in  
13 width; and

14 (4) provide a vehicle registration number, to  
15 be assigned by the division, that consists of five alphanumeric  
16 characters displayed to the right of the special decal area.

17 D. Special registration decals, except for the  
18 standard dimensions specified in Paragraph (3) of Subsection C  
19 of this section, shall be left to the design discretion of the  
20 division, in consultation with the worthy public purpose  
21 interest group that requests the special registration decal.

22 E. Special registration decals, when authorized by  
23 statute for a particular worthy public purpose interest group,  
24 shall meet the requirements specified in this subsection prior  
25 to issuance by the division. The worthy public purpose

.220669.1

1 interest group, no later than the effective date of the  
2 authorizing statute, shall:

3 (1) provide evidence acceptable to the  
4 division that it will generate a minimum number of prepaid  
5 applications as determined by the division for the special  
6 registration decal;

7 (2) provide a prepayment to the division in an  
8 amount sufficient to cover the initial order for the special  
9 registration decal;

10 (3) provide a sample of the requested artwork  
11 design in a format specified by the manufacturer for the  
12 specialized registration decal; and

13 (4) in cases where the authorizing statute  
14 includes revenue sharing with distribution directed to a  
15 particular group or fund, show that the recipient is a  
16 governmental entity or a fund authorized for the use of a  
17 governmental entity.

18 F. The division may promulgate rules for  
19 implementation of the provisions of this section."

20 SECTION 3. A new section of the Motor Vehicle Code is  
21 enacted to read:

22 "[NEW MATERIAL] SPECIAL REGISTRATION DECALS--ONE-TIME  
23 FEE.--The department shall issue special registration decals  
24 for use on standardized registration plates pursuant to Section  
25 2 of this 2021 act for statutorily authorized purposes and

.220669.1

1 fees, which fees shall be in addition to the regular motor  
2 vehicle registration fees; provided that the fees established  
3 in this section shall be waived for each registration period in  
4 which a validating sticker is issued under the provisions of  
5 Section 66-3-17 NMSA 1978 in lieu of the issuance of a  
6 registration plate with a special registration decal."

7 SECTION 4. A new section of the Motor Vehicle Code is  
8 enacted to read:

9 "[NEW MATERIAL] SPECIAL REGISTRATION DECALS--RECURRING  
10 FEES.--A special registration decal may be authorized by  
11 statute for use on the standardized registration plate pursuant  
12 to Section 2 of this 2021 act with an annual renewal  
13 requirement. The department shall issue special registration  
14 decals for statutorily authorized purposes and fees pursuant to  
15 this section, which fees shall be in addition to the regular  
16 motor vehicle registration fees. The owner shall apply and pay  
17 the specified fee each year to retain the special registration  
18 decal."

19 SECTION 5. EFFECTIVE DATE.--The effective date of the  
20 provisions of this act is July 1, 2021.