

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR Crook DATE TYPED 3/8/05 HB 784

SHORT TITLE Severe Mobility Impairment License Plates SB _____

ANALYST Wilson

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			\$0.1	Non-Recurring	General Fund

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY05	FY06			
	(\$500.0)	(\$500.0)	Recurring	General Fund

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)
 Department of Public Safety (DPS)
 Governor's Commission on Disability (GCD)
 Division of Vocational Rehabilitation (DVR)
 Taxation and Revenue Department (TRD)

SUMMARY

Synopsis of Bill

House Bill 784 expands eligibility for special registration plates and requires the Motor Vehicle Division (MVD) of the TRD to issue special license registration plates to persons with "severe mobility impairment".

Current law requires the issuance of up to two special placards to such persons, but restricts the issuance of special license registration plates to those who have lost, or have lost the use of, one or both arms or legs. "Severe mobility impairment" will include those who have difficulty walk-

ing or breathing due to major medical conditions.

Significant Issues

Current law allows the MVD to issue special license registration plates to persons who have lost the use of one or both arms or legs. However, the MVD may issue only placards to those who have difficulty walking or breathing due to major medical conditions. Placards are displayed within the vehicle. This bill will allow those persons to receive permanent license plates for their vehicles, and placards, if necessary.

TRD believes implementation of the bill will be facilitated if the new plates conform to the “specialty” plate “base” design introduced by the House Transportation Committee.

FISCAL IMPLICATIONS

TRD states this bill will increase the number of persons eligible to receive the exemption from motor vehicle excise tax (7-14-6 (D) NMSA 1978). The fiscal impact estimate represents less than one-half percent of total motor vehicle excise tax collections projected for FY 2006. TRD estimates a loss in general fund revenues of \$500 thousand. Approximately 20,000 New Mexicans currently hold handicapped parking placards.

Without any startup appropriations and continuing funding, the MVD will have to take the cost of plate production and distribution out of existing and forecast budgets.

ADMINISTRATIVE IMPLICATIONS

The bill does not state whether the plate is a base or specialty design plate. To meet the implementation date of July 1 2005, the Motor Vehicle Division and the Governor’s Commission on Disabilities need to coordinate to determine the plate configuration.

TECHNICAL ISSUES

DVR states the title, short title and language in this bill is not culturally appropriate. People are not disabilities. Thus, language such as “person is disabled” is incorrect. The person has a disability. Laws should reflect the dignity of all individuals with disabilities and not refer to the individual as the disability, for example a person suffers from schizophrenia, not a person is a schizophrenic.

DVR wants all references to a “disabled person” to be changed to more culturally appropriate language, such as person with severe mobility impairment, a person with a significant disability or person with a significant mobility impairment.

OTHER SUBSTANTIVE ISSUES

DVR provided the following:

The bill does not address abuse of use of special registration plates or parking placards by individuals without disabilities.

Penalties for individuals who abuse the use of special registration plates and parking placards by individual without disabilities will help deter abuse.

There needs to be a means that the public can report abuse anonymously.

DWsb