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AN ACT

RELATING TO MOTOR VEHICLES; REQUIRING EDUCATIONAL TRAINING
FOR MOTOR VEHICLE DEALER LICENSURE; RECONCILING MULTIPLE
AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 2005.

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

Section 1. Section 66-4-2 NMSA 1978 (being Laws 1978,
Chapter 35, Section 215, as amended by Laws 2005, Chapter 15,
Section 1 and by Laws 2005, Chapter 324, Section 14) is
amended to read:

"66-4-2. DEPARTMENT TO ISSUE LICENSE.--

A. Except for recreational vehicles, the
department, upon receiving an initial nonfranchise dealership
application accompanied by the required fee and when
satisfied that the applicant is of good character, has
completed eight hours of educational training as approved by
the division and complies with the laws of this state with
reference to the registration of vehicles and certificates of
title and the provisions of the Motor Vehicle Code, shall
issue to the applicant a license that entitles the licensee
to conduct the business of a dealer, auto recycler or title
service company. The license may be renewed upon application
and payment of the fee required by law.

B. A dealer or auto recycler licensee, before
moving any one or more of the licensee's places of business

1 or opening any additional place of business, shall apply to
2 the department for and obtain a supplemental license for
3 which no fee shall be charged. No supplemental license shall
4 be issued to a dealer, other than a dealer in motorcycles,
5 for an additional place of business unless:

6 (1) the place of business is an established
7 place of business; or

8 (2) the majority of dealers, other than
9 dealers in motorcycles, in the county in which the proposed
10 additional place of business would be located have been
11 offered the opportunity, in documentation acceptable to the
12 department, to offer vehicles for sale at the proposed
13 additional place of business by the applicant; provided that
14 the offer shall be for sale of vehicles at all times at which
15 the applicant proposes to sell vehicles and shall not be
16 conditioned upon the payment of any fee by any dealer to whom
17 it is addressed greater than a fair share of the actual
18 expenses incurred.

19 C. A person to whom the department has issued a
20 license to conduct the business of a dealer in motorcycles is
21 also deemed a wrecker of motorcycles without additional
22 license.

23 D. The department is authorized to establish a
24 staggered system for licensing of dealers, wholesalers,
25 distributors and auto recyclers and of title service

1 companies, provided that any license issued shall expire on
2 the last day of a month. Licenses shall be issued for a
3 period of twelve months.

4 E. On or after July 1, 2005, the holder of a
5 wrecker of vehicles license desiring to renew the license
6 shall apply for an auto recycler license, pursuant to the
7 provisions of the Motor Vehicle Code, at the time the holder
8 would have otherwise applied to renew the wrecker of vehicles
9 license."

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