

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR  
HOUSE BILLS 291 & 341

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

AN ACT

RELATING TO MOTOR VEHICLES; PROHIBITING REGISTRATION OR  
CERTIFICATION OF TITLE FOR MOTOR VEHICLES THAT DO NOT COMPLY  
WITH AIR EMISSIONS STANDARDS OF THE ENVIRONMENTAL IMPROVEMENT  
BOARD OR OF A LOCAL BOARD.

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

Section 1. Section 66-3-7 NMSA 1978 (being Laws 1978,  
Chapter 35, Section 27, as amended) is amended to read:

"66-3-7. GROUNDS FOR REFUSING, SUSPENDING OR REVOKING  
REGISTRATION OR CERTIFICATE OF TITLE.--The division may refuse,  
suspend or revoke registration or issuance of a certificate of  
title or a transfer of registration upon the ~~[ground]~~ grounds  
that:

A. the application contains a false or fraudulent  
statement or that the applicant failed to furnish the required

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1 information or reasonable additional information requested by  
2 the division or that the applicant is not entitled to the  
3 issuance of a certificate of title or registration of the  
4 vehicle under the Motor Vehicle Code;

5 B. the vehicle is mechanically unfit or unsafe to  
6 be operated or moved upon the highways;

7 C. a commercial motor vehicle is operated by a  
8 commercial motor carrier that is prohibited from operating the  
9 vehicle by order of a state or federal agency;

10 D. the division has [~~a~~] reasonable [~~ground~~] grounds  
11 to believe that the vehicle is a stolen or embezzled vehicle or  
12 that the granting of registration or the issuance of a  
13 certificate of title would constitute a fraud against the  
14 rightful owner or other person having valid lien upon the  
15 vehicle;

16 E. the registration of the vehicle stands suspended  
17 or revoked for any reason as provided in the motor vehicle laws  
18 of this state;

19 F. the required fee has not been paid;

20 G. the motor vehicle excise tax has not been paid;

21 H. the weight distance tax has not been paid;

22 I. international fuel tax agreement taxes have not  
23 been paid;

24 J. if the vehicle is a mobile home, the property  
25 tax has not been paid;

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1           K. the owner's address, as shown in the records of  
2 the division, is within a class A county or within a  
3 municipality that has a vehicle emission inspection and  
4 maintenance program and the applicant has applied at an office  
5 outside the designated county or municipality; ~~[or]~~

6           L. the owner is required to but has failed to  
7 provide proof of compliance with a vehicle emission inspection  
8 and maintenance program, if required in the county or  
9 municipality in which the owner resides; or

10           M. the vehicle is not certified to comply with the  
11 applicable motor vehicle air emissions standards adopted by the  
12 state of New Mexico, the environmental improvement board or a  
13 local board pursuant to the Air Quality Control Act."

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