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HOUSE BILL 26

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2011

INTRODUCED BY

Thomas A. Anderson

AN ACT

RELATING TO DRIVER'S LICENSES; PROVIDING FOR A TWO-TIERED
SYSTEM OF DRIVER'S LICENSES AND IDENTIFICATION CARDS; REQUIRING
A SOCIAL SECURITY NUMBER FROM ELIGIBLE APPLICANTS FOR DRIVER'S
LICENSES; PROVIDING FOR DRIVER'S LICENSES AND IDENTIFICATION
CARDS FOR USE OR RECOGNITION FOR OFFICIAL FEDERAL PURPOSES;
LIMITING THE DURATION OF DRIVER'S LICENSES AND IDENTIFICATION
CARDS OF CERTAIN FOREIGN NATIONALS WHO APPLY FOR A DRIVER'S
LICENSE FOR USE OR RECOGNITION FOR OFFICIAL FEDERAL PURPOSES;
MAKING AN APPROPRIATION.

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

SECTION 1. Section 66-5-9 NMSA 1978 (being Laws 1978,
Chapter 35, Section 231, as amended) is amended to read:

"66-5-9. APPLICATION FOR LICENSE, TEMPORARY LICENSE,
PROVISIONAL LICENSE OR INSTRUCTION PERMIT.--

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1 A. An application for an instruction permit,
2 provisional license or driver's license shall be made upon a
3 form furnished by the department. An application shall be
4 accompanied by the proper fee. For permits, provisional
5 licenses or driver's licenses other than those issued pursuant
6 to the New Mexico Commercial Driver's License Act, submission
7 of a complete application with payment of the fee entitles the
8 applicant to not more than three attempts to pass the
9 examination within a period of six months from the date of
10 application.

11 B. An application shall contain the full legal
12 name, social security number [~~or individual tax identification~~
13 ~~number~~], except for an applicant ineligible for a social
14 security number, date of birth, sex and New Mexico residence
15 address of the applicant and briefly describe the applicant and
16 indicate whether the applicant has previously been licensed as
17 a driver and, if so, when and by what state or country and
18 whether any such license has ever been suspended or revoked or
19 whether an application has ever been refused and, if so, the
20 date of and reason for the suspension, revocation or refusal.
21 [~~For foreign nationals applying for driver's licenses, the~~
22 ~~secretary shall accept the individual taxpayer identification~~
23 ~~number as a substitute for a social security number regardless~~
24 ~~of immigration status.~~] The secretary is authorized to
25 establish, by regulation, [~~other~~] documents that may be

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1 accepted as [~~a substitute for a social security number or an~~
2 ~~individual tax identification number~~] documentary evidence of
3 the identity and residency of the applicant.

4 C. In addition to the requirements of Subsection B
5 of this section, an application by a foreign national shall
6 contain the unique identifying number of the foreign national's
7 valid passport, valid visa or other arrival-departure record or
8 document issued by the federal department of homeland security
9 and the expiration date of the foreign national's authorized
10 period of admission or extension of stay as demonstrated on the
11 foreign national's valid passport, valid visa or other arrival-
12 departure record or document issued by the federal department
13 of homeland security. The department may issue to an eligible
14 foreign national applicant a driver's license that is valid
15 only for the duration of the foreign national's authorized
16 period of admission or extension of stay.

17 D. The department shall issue a driver's license
18 that is not acceptable by federal agencies for official federal
19 purposes to an applicant who is otherwise eligible but who does
20 not provide a social security number or proof of authorized
21 presence in the United States. As substitutes for otherwise
22 required documentary evidence of the identity and residency of
23 the applicant for a driver's license that is not acceptable by
24 federal agencies for official federal purposes, the secretary
25 shall:

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1 (1) accept an individual tax identification
2 number, or a document that the secretary has authorized as an
3 acceptable substitute for an individual tax identification
4 number;

5 (2) accept one proof of identity, the
6 requirement of which shall be satisfied by:

7 (a) a birth certificate, either an
8 original or a certified copy, including a foreign birth
9 certificate with a notarized English translation, if necessary;
10 or

11 (b) a form of photo identification, the
12 requirement of which shall be satisfied by a passport from the
13 applicant's country of citizenship or an identification card,
14 issued by the Mexican consulate in Albuquerque, New Mexico, or
15 El Paso, Texas, or such other foreign consulate with which the
16 department has established a reliable method of verifying the
17 authenticity of the identification card;

18 (3) accept two independent forms of proof of
19 the applicant's residency in New Mexico, the requirement of
20 which shall be satisfied by any two of the following:

21 (a) utility bills;

22 (b) bank statements;

23 (c) receipts for a mortgage or real
24 estate contract;

25 (d) rental agreements;

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1 (e) New Mexico school records; or
2 (f) other documents authorized by the
3 secretary that show the applicant's address; and

4 (4) require a signed and notarized declaration
5 made by the applicant that all documents provided by the
6 applicant with the application are genuine and accurate.

7 ~~[G.]~~ E. An applicant shall indicate whether the
8 applicant has been convicted of driving while under the
9 influence of intoxicating liquor or drugs in this state or in
10 any other jurisdiction. Failure to disclose any such
11 conviction prevents the issuance of a driver's license,
12 provisional license, temporary license or instruction permit
13 for a period of one year if the failure to disclose is
14 discovered by the department prior to issuance. If the
15 nondisclosure is discovered by the department subsequent to
16 issuance, the department shall revoke the driver's license,
17 provisional license, temporary license or instruction permit
18 for a period of one year. Intentional and willful failure to
19 disclose, as required in this subsection, is a misdemeanor.

20 ~~[D.]~~ F. An applicant under eighteen years of age
21 who is making an application for a first New Mexico driver's
22 license shall submit evidence that the applicant has:

23 (1) successfully completed a driver education
24 course approved by the bureau that included a DWI prevention
25 and education component. The bureau may accept verification of

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1 driver education course completion from another state if the
2 driver education course substantially meets the requirements of
3 the bureau for a course offered in New Mexico;

4 (2) had a provisional license for at least the
5 twelve-month period immediately preceding the date of the
6 application for the driver's license; provided that thirty days
7 shall be added to the twelve-month period for each adjudication
8 or conviction of a traffic violation committed during the time
9 the person was driving with a provisional license;

10 (3) complied with restrictions on that
11 license;

12 (4) not been cited for a traffic violation
13 that is pending at the time of application; and

14 (5) not been adjudicated for an offense
15 involving the use of alcohol or drugs during the twelve-month
16 period immediately preceding the date of the application for
17 the driver's license and that there are no pending
18 adjudications alleging an offense involving the use of alcohol
19 or drugs at the time of application.

20 [~~E-~~] G. An applicant eighteen years of age or over,
21 but under twenty-five years of age, who is making an
22 application to be granted a first New Mexico driver's license
23 shall submit evidence with the application that the applicant
24 has successfully completed a bureau-approved DWI prevention and
25 education program.

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1 ~~[F.]~~ H. An applicant twenty-five years of age or
2 over who has been convicted of driving under the influence of
3 intoxicating liquor or drugs and who is making an application
4 to be granted a first New Mexico driver's license shall submit
5 evidence with the application that the applicant has
6 successfully completed a bureau-approved DWI prevention and
7 education program.

8 ~~[G.]~~ I. Whenever an application is received from a
9 person previously licensed in another jurisdiction, the
10 department may request a copy of the driver's record from the
11 other jurisdiction. When received, the driver's record may
12 become a part of the driver's record in this state with the
13 same effect as though entered on the driver's record in this
14 state in the original instance.

15 ~~[H.]~~ J. Whenever the department receives a request
16 for a driver's record from another licensing jurisdiction, the
17 record shall be forwarded without charge.

18 ~~[I.]~~ K. This section does not apply to driver's
19 licenses issued pursuant to the New Mexico Commercial Driver's
20 License Act."

21 **SECTION 2.** Section 66-5-15 NMSA 1978 (being Laws 1978,
22 Chapter 35, Section 237, as amended) is amended to read:

23 "66-5-15. LICENSES ISSUED TO APPLICANTS.--

24 A. The department shall, upon payment of the
25 required fee, issue to every qualified applicant a driver's

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1 license as applied for. [~~The license~~] All licenses shall bear
2 the full legal name, date of birth, sex, current New Mexico
3 physical or mailing address, a full face or front-view
4 photograph of the license holder and a brief description of the
5 licensee and the signature of the licensee. A license shall
6 not be valid unless it bears the signature of the licensee.

7 B. On or after July 1, 2012, a driver's license
8 issued to a licensee that meets federal requirements to be
9 acceptable by federal agencies for official federal purposes
10 shall contain a unique design that distinguishes the driver's
11 license as being acceptable by federal agencies for official
12 federal purposes from a driver's license that is not acceptable
13 by federal agencies for official federal purposes.

14 C. On or after January 15, 2013, a driver's license
15 that is not acceptable by federal agencies for official federal
16 purposes shall state that the driver's license is not
17 acceptable by federal agencies for official federal purposes.
18 The information shall be stated in the same manner as
19 restrictions are set forth upon the usual license form and in
20 the machine readable zone. The department shall establish by
21 rule the restriction code of "J" for the restriction of "not
22 for official federal purposes" in order to implement the
23 provisions of this subsection."

24 **SECTION 3.** Section 66-5-21 NMSA 1978 (being Laws 1978,
25 Chapter 35, Section 243, as amended by Laws 2010, Chapter 42,
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1 Section 2 and by Laws 2010, Chapter 70, Section 2) is amended
2 to read:

3 "66-5-21. EXPIRATION OF LICENSE--FOUR-YEAR ISSUANCE
4 PERIOD--EIGHT-YEAR ISSUANCE PERIOD--LIMITED ISSUANCE
5 PERIOD--RENEWAL.--

6 A. Except as provided in Subsection B [~~or~~], D or E
7 of this section, Section 66-5-19 NMSA 1978 and Section 66-5-67
8 NMSA 1978, all driver's licenses shall be issued for a period
9 of four years, and each license shall expire thirty days after
10 the applicant's birthday in the fourth year after the effective
11 date of the license or shall expire thirty days after the
12 applicant's seventy-fifth birthday. A license issued pursuant
13 to Section 66-5-19 NMSA 1978 shall expire thirty days after the
14 applicant's birthday in the year in which the license expires.
15 Each license is renewable within ninety days prior to its
16 expiration or at an earlier date approved by the department.
17 The fee for the license shall be as provided in Section 66-5-44
18 NMSA 1978. The department may provide for renewal by mail or
19 telephonic or electronic means of a driver's license issued
20 pursuant to the provisions of this subsection, pursuant to
21 regulations adopted by the department that ensure adequate
22 security measures to safeguard personal information that is
23 obtained in the issuance of a driver's license. The department
24 may require an examination upon renewal of the driver's
25 license.

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1 B. At the option of an applicant, a driver's
2 license may be issued for a period of eight years, provided
3 that the applicant:

4 (1) pays the amount required for a driver's
5 license issued for a term of eight years;

6 (2) otherwise qualifies for a four-year
7 driver's license; and

8 (3) will not reach the age of seventy-five
9 during the last four years of the eight-year license period or
10 reach the age of twenty-one during any year within the term of
11 the license.

12 C. A driver's license issued pursuant to the
13 provisions of Subsection B of this section shall expire thirty
14 days after the applicant's birthday in the eighth year after
15 the effective date of the license.

16 D. A driver's license issued prior to an
17 applicant's twenty-first birthday shall expire thirty days
18 after the applicant's twenty-first birthday. A driver's
19 license issued prior to an applicant's twenty-first birthday
20 may be issued for a period of up to five years.

21 E. A driver's license that is acceptable by federal
22 agencies for official federal purposes, issued to a foreign
23 national shall expire on the earlier of:

24 (1) if issued prior to the applicant's twenty-
25 first birthday, thirty days after the applicant's twenty-first

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1 birthday;

2 (2) thirty days after the applicant's seventy-
3 fifth birthday;

4 (3) thirty days after the applicant's birthday
5 on the fourth year after the effective date of the license or
6 on the eighth year after the effective date of the license if
7 the applicant opted for a period of eight years pursuant to
8 Subsection B of this section; or

9 (4) the date of the foreign national's
10 termination of authorized period of admission or extension of
11 stay as demonstrated on the foreign national's valid passport,
12 valid visa or other arrival-departure record or document issued
13 by the federal department of homeland security.

14 ~~[E-]~~ F. The director may adopt regulations
15 providing for the proration of driver's license fees and
16 commercial driver's license fees due to shortened licensure
17 periods permitted pursuant to Subsection A of Section 66-5-19
18 NMSA 1978 or for licensure periods authorized pursuant to the
19 provisions of this section."

20 **SECTION 4.** Section 66-5-44 NMSA 1978 (being Laws 1978,
21 Chapter 35, Section 266, as amended) is amended to read:

22 "66-5-44. LICENSES AND PERMITS--DURATION AND FEE--
23 APPROPRIATION.--

24 A. There shall be paid to the department a fee of
25 ten dollars (\$10.00) for each driver's license or duplicate

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1 driver's license, except that for a driver's license issued for
2 an eight-year period, a fee of twenty dollars (\$20.00) shall be
3 paid to the department. Each license shall be for a term
4 provided for in Section 66-5-21 NMSA 1978.

5 B. The department, with the approval of the
6 governor, may increase the amount of the fees charged pursuant
7 to Subsection A of this section only for each driver's license
8 or duplicate driver's license that is acceptable by federal
9 agencies for official federal purposes by an amount not to
10 exceed five dollars (\$5.00); provided that, for a driver's
11 license issued for an eight-year period, the amount of the fee
12 shall be twice the amount charged for a driver's license issued
13 for a four-year period. The fee provided for in this
14 subsection shall not be charged on a driver's license that is
15 not acceptable by federal agencies for official federal
16 purposes. The additional amounts collected pursuant to this
17 subsection are appropriated to the department to defray the
18 expense of making and issuing a driver's license or
19 identification card that is acceptable by federal agencies for
20 official federal purposes. Unexpended or unencumbered balances
21 remaining from fees collected pursuant to the provisions of
22 this subsection at the end of any fiscal year shall not revert
23 to the general fund but shall be expended by the department in
24 fiscal year 2013 and subsequent fiscal years.

25 [~~B-~~] C. For each permit and instruction permit,

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1 there shall be paid to the department a fee of two dollars
2 (\$2.00). The term for each permit shall be as provided in
3 Sections 66-5-8 and 66-5-9 NMSA 1978.

4 ~~[G.]~~ D. Except for fees charged pursuant to
5 Subsection ~~[E]~~ F of this section, the director with the
6 approval of the governor may increase the amount of the fees
7 provided for in this section by an amount not to exceed three
8 dollars (\$3.00) for the purpose of implementing an enhanced
9 driver's license system; provided that for a driver's license
10 issued for an eight-year period, the amount of the fees shall
11 be twice the amount charged for other driver's licenses. The
12 additional amounts collected pursuant to this subsection are
13 appropriated to the department to defray the expense of the new
14 system of licensing and for use as set forth in Subsection F of
15 Section 66-6-13 NMSA 1978. Unexpended or unencumbered balances
16 remaining from fees collected pursuant to the provisions of
17 this subsection at the end of any fiscal year shall not revert
18 to the general fund but shall be expended by the department in
19 fiscal year 2010 and subsequent fiscal years.

20 ~~[D.]~~ E. There shall be paid to the department a
21 driver safety fee of three dollars (\$3.00) for each driver's
22 license or duplicate driver's license, except that for a
23 driver's license issued for an eight-year period, a fee of six
24 dollars (\$6.00) shall be paid to the department. The fee shall
25 be distributed to each school district for the purpose of

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1 providing defensive driving instruction through the state
2 equalization guarantee distribution made annually pursuant to
3 the general appropriation act.

4 ~~[E-]~~ F. The department may charge a fee of no more
5 than fifteen dollars (\$15.00) to a person who holds a driver's
6 license from another state and is applying for a New Mexico
7 driver's license for the first time. The fee is appropriated
8 to the department to defray the expense of determining whether
9 the driver has been convicted of driving a motor vehicle while
10 under the influence of intoxicating liquor or drugs, or
11 equivalent crime, and determining if the person qualifies for a
12 driver's license in this state. The fee provided in this
13 subsection is not subject to the increase provided for in
14 Subsection ~~[G]~~ D of this section."

15 **SECTION 5.** Section 66-5-401 NMSA 1978 (being Laws 1978,
16 Chapter 35, Section 328, as amended) is amended to read:

17 "66-5-401. IDENTIFICATION CARDS.--

18 A. A person who does not have a valid New Mexico
19 driver's license may be issued an identification card by the
20 department certified by the applicant as to true name, correct
21 age and other identifying data as the department may require.
22 An application for an identification card shall be made upon a
23 form furnished by the department. An application shall contain
24 the applicant's full legal name; social security number, except
25 for applicants ineligible for a social security number; date of

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1 birth; sex; and New Mexico residence address. Every
2 application for an identification card shall be signed by the
3 applicant or the applicant's parent or guardian. The secretary
4 may, for good cause, revoke or deny the issuance of an
5 identification card.

6 B. In addition to the requirements of Subsection A
7 of this section, an application by a foreign national for an
8 identification card that is acceptable by federal agencies for
9 official federal purposes shall contain the unique identifying
10 number of the foreign national's valid passport, valid visa or
11 other arrival-departure record or document issued by the
12 federal department of homeland security and the expiration date
13 of the foreign national's authorized period of admission or
14 extension of stay as demonstrated on the foreign national's
15 valid passport, valid visa or other arrival-departure record or
16 document issued by the federal department of homeland security.
17 The department may issue to an eligible foreign national
18 applicant an identification card that is acceptable for
19 official federal purposes valid only for the duration of the
20 foreign national's authorized period of admission or extension
21 of stay.

22 C. The department shall issue an identification
23 card that is not acceptable by federal agencies for official
24 federal purposes to an applicant who is otherwise eligible but
25 who does not provide a social security number or proof of

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1 authorized presence in the United States. For an application
2 for an identification card that is not acceptable by federal
3 agencies for official federal purposes, the secretary shall
4 accept as substitutes for otherwise required documents evidence
5 that the department deems sufficient as documentary evidence of
6 the age and identity of the applicant, including:

7 (1) a birth certificate, either an original or
8 a certified copy, including a foreign birth certificate with a
9 notarized English translation, if necessary;

10 (2) a certificate of baptism;

11 (3) a driver's license from another state; or

12 (4) a passport or government-issued
13 identification card from the applicant's country of citizenship
14 if the issuance of the card can readily be verified with the
15 issuing authority.

16 ~~[B-]~~ D. Within the forms prescribed by the
17 department for identification card applications, a space shall
18 be provided to show whether the applicant is a donor as
19 provided in the Jonathan Spradling Revised Uniform Anatomical
20 Gift Act. A person applying for an identification card may
21 indicate that person's status on the space provided on the
22 application. The donor status indicated by the applicant shall
23 be displayed on the identification card. The form and
24 identification card shall be signed by the donor in the
25 presence of a witness who shall also sign the form in the

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1 donor's presence."

2 SECTION 6. Section 66-5-402 NMSA 1978 (being Laws 1978,
3 Chapter 35, Section 329, as amended) is amended to read:

4 "66-5-402. PERSONS ELIGIBLE FOR IDENTIFICATION CARDS.--
5 The department shall issue an identification card only to:

6 A. a person who is a New Mexico resident and who
7 does not have a valid New Mexico driver's license and only upon
8 the furnishing of a birth certificate or its certified copy, [~~a~~
9 ~~certificate of baptism~~] a valid passport or other evidence that
10 the department deems sufficient as documentary evidence of the
11 age and identity of the person; or

12 B. a person over age sixty-five who is a New Mexico
13 resident and who is surrendering a valid New Mexico driver's
14 license, which license shall be sufficient documentary evidence
15 of the age and identity of the person."

16 SECTION 7. Section 66-5-403 NMSA 1978 (being Laws 1973,
17 Chapter 269, Section 3, as amended by Laws 2010, Chapter 42,
18 Section 3 and by Laws 2010, Chapter 70, Section 3) is amended
19 to read:

20 "66-5-403. EXPIRATION OF IDENTIFICATION CARDS--DURATION--
21 RENEWAL.--

22 A. Except as provided in Subsection B, [~~or~~] C or D
23 of this section, every identification card shall be issued for
24 a period not to exceed four years and shall expire on the last
25 day of the month of the identified person's birth in the fourth

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1 year after the effective date of the identification card.

2 B. An identification card may be renewed within
3 ninety days prior to its expiration or at an earlier date
4 approved by the department. An identification card may be
5 renewed by mail or telephonic or electronic means pursuant to
6 regulations adopted by the department. The regulations shall
7 ensure adequate security measures to safeguard personal
8 information that is obtained in the issuance of an
9 identification card.

10 C. At the option of the applicant for an
11 identification card, a card may be issued for a period of eight
12 years, provided that the applicant pays the amount required for
13 an identification card issued for a term of eight years. An
14 identification card issued pursuant to the provisions of this
15 subsection shall expire on the last day of the month of the
16 applicant's birth in the eighth year after the effective date
17 of the identification card. The identification card may be
18 renewed within ninety days prior to its expiration.

19 D. An identification card that is acceptable by
20 federal agencies for official federal purposes and that is
21 issued to a foreign national shall expire on the earlier of:

22 (1) the last day of the month of the
23 identified person's birthday in the fourth year after the
24 effective date of the identification card or on the eighth year
25 after the effective date of the identification card if the

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1 applicant opted for a period of eight years pursuant to
2 Subsection C of this section; or
3 (2) the date of the foreign national's
4 termination of authorized period of admission or extension of
5 stay as demonstrated on the foreign national's valid passport,
6 valid visa or other arrival-departure record or document issued
7 by the federal department of homeland security."

8 SECTION 8. Section 66-5-405 NMSA 1978 (being Laws 1978,
9 Chapter 35, Section 332, as amended) is amended to read:

10 "66-5-405. CONTENTS OF CARD.--

11 A. The identification card shall contain the
12 registrant's full legal name, date of birth, sex and adequately
13 describe the registrant and bear [~~his~~] the registrant's picture
14 that shall show a full face or front view for all registrants
15 and indicate donor status. All identification cards of persons
16 under the age of twenty-one years shall have a printed legend
17 indicating that the person is under twenty-one. [~~The~~]

18 B. An identification card that is not acceptable by
19 federal agencies for official federal purposes shall bear the
20 following statement:

21 "STATE OF NEW MEXICO IDENTIFICATION

22 CARD NO. _____

23 This card is provided solely for the purpose of establishing
24 that the bearer described on the card was not the holder of a
25 New Mexico driver's license as of the date of issuance of this

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1 card. This identification card is not a license. ISSUED FOR
2 STATE IDENTIFICATION PURPOSES ONLY".

3 C. An identification card that is acceptable by
4 federal agencies for official federal purposes shall bear the
5 following statement:

6 "STATE OF NEW MEXICO IDENTIFICATION

7 CARD NO. _____

8 This card is provided for the purpose of establishing that the
9 bearer described on the card was not the holder of a New Mexico
10 driver's license as of the date of issuance of this card. This
11 identification card is not a license. ISSUED FOR OFFICIAL
12 FEDERAL IDENTIFICATION PURPOSES."

13 **SECTION 9.** Section 66-5-408 NMSA 1978 (being Laws 1978,
14 Chapter 35, Section 335, as amended) is amended to read:

15 "66-5-408. FEES.--

16 A. Upon application for an identification card with
17 a four-year term, there shall be paid to the department a fee
18 of five dollars (\$5.00). Upon application for an
19 identification card with an eight-year term, there shall be
20 paid to the department a fee of ten dollars (\$10.00). A fee
21 shall not be charged to an applicant for an identification card
22 if the applicant is at least seventy-five years of age.

23 B. The department, with the approval of the
24 governor, may increase the amount of the fees charged pursuant
25 to Subsection A of this section only for each identification

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1 card that is acceptable by federal agencies for official
2 federal purposes by an amount not to exceed five dollars
3 (\$5.00); provided that, for an identification card issued for
4 an eight-year period, the amount of the fee shall be twice the
5 amount charged for an identification card issued for a four-
6 year period. The fee provided for in this subsection shall not
7 be charged on an application for an identification card that is
8 not acceptable by federal agencies for official federal
9 purposes. The additional amounts collected pursuant to this
10 subsection are appropriated to the department to defray the
11 expense of making and issuing a driver's license or
12 identification card that is acceptable by federal agencies for
13 official federal purposes. Unexpended or unencumbered balances
14 remaining from fees collected pursuant to the provisions of
15 this subsection at the end of any fiscal year shall not revert
16 to the general fund but shall be expended by the department in
17 fiscal year 2013 and subsequent fiscal years.

18 ~~[B-]~~ C. The department with the approval of the
19 governor may increase the amount of the identification card fee
20 by an amount not to exceed three dollars (\$3.00) for the
21 purpose of implementing an enhanced licensing system; provided
22 that for an identification card issued for an eight-year
23 period, the amount of the fee shall be twice the amount charged
24 for other identification cards. The additional amounts
25 collected pursuant to this subsection are appropriated to the

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1 department to defray the expense of the new system of licensing
2 and for use as set forth in the provisions of Subsection F of
3 Section 66-6-13 NMSA 1978. Unexpended and unencumbered
4 balances from fees collected pursuant to the provisions of this
5 subsection at the end of any fiscal year shall not revert to
6 the general fund but shall be expended by the department in
7 fiscal year 2010 and subsequent fiscal years."

8 SECTION 10. EFFECTIVE DATE.--The effective date of the
9 provisions of this act is July 1, 2012.