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AN ACT
RELATING TO TRANSPORTATION; AMENDING THE MOTOR CARRIER ACT TO
REMOVE A CONFLICT WITH FEDERAL LAW; DECLARING AN EMERGENCY.

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

SECTION 1. A new section of the Motor Carrier Act is
enacted to read:

"FINDINGS.--The legislature finds that:

A. the federal Older Americans Act of 1965 was
enacted in part to allow older Americans to continue
"meaningful activity within the widest range of civic,
cultural, education and training and recreational
opportunities";

B. federal funding through Title III B of the
Older Americans Act of 1965 supplements, but does not
supplant, funding for transportation services for older
Americans; and

C. the Older Americans Act of 1965 specifically
authorizes the solicitation of voluntary contributions for
services supplemented by Title III B funding as long as the
solicitation is not coercive."

SECTION 2. Section 65-2A-7 NMSA 1978 (being Laws 2003,
Chapter 359, Section 7, as amended by Laws 2013, Chapter 73,
Section 6 and by Laws 2013, Chapter 77, Section 6) is amended
to read:

1 "65-2A-7. OPERATING AUTHORITIES IN GENERAL.--

2 A. Other than an entity receiving funding to
3 supplement transportation services through Title III B of the
4 federal Older Americans Act of 1965, no person shall offer or
5 provide a transportation service for hire within the state
6 without first obtaining an appropriate operating authority
7 from the commission. Every motor carrier providing a
8 transportation service shall meet and comply with the
9 requirements of the Motor Carrier Act and the lawfully
10 adopted rules and orders of the commission.

11 B. A certificate, permit or warrant, or a change
12 in a certificate or permit, shall be effective from the date
13 issued by the commission and shall remain in effect until
14 canceled, revoked, suspended or amended.

15 C. A motor carrier shall carry a copy of its
16 operating authority in each motor vehicle it operates in New
17 Mexico.

18 D. A certificated service carrier shall render
19 reasonably continuous and adequate service as the commission
20 may by rule prescribe."

21 SECTION 3. EMERGENCY.--It is necessary for the public
22 peace, health and safety that this act take effect
23 immediately. _____