HOUSE BILL 304

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

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AN ACT

RELATING TO MOTOR VEHICLES; PERMITTING EVIDENCE OF MOTOR VEHICLE REGISTRATION AND PROOF OF FINANCIAL RESPONSIBILITY TO BE GIVEN ELECTRONICALLY.

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

SECTION 1. Section 66-3-13 NMSA 1978 (being Laws 1978, Chapter 35, Section 33, as amended) is amended to read:

"66-3-13. EVIDENCE OF REGISTRATION TO BE SIGNED AND EXHIBITED ON DEMAND.--

A. Every owner, upon receipt of registration evidence, shall write that owner's signature thereon in a space provided. Every such registration evidence or duplicate of registration evidence validated by the division shall be exhibited upon demand of any police officer. Registration evidence may be exhibited electronically through the use of a

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cellular telephone or similar device.

B. A person charged with violating the provisions
of this section shall not be convicted if the person produces,
in court, evidence of a signed registration valid at the time
of issuance of the citation."

SECTION 2. Section 66-5-205 NMSA 1978 (being Laws 1983,
Chapter 318, Section 6, as amended) is amended to read:

"66-5-205. VEHICLE MUST BE INSURED OR OWNER MUST HAVE
EVIDENCE OF FINANCIAL RESPONSIBILITY--PENALTIES.--

A. No owner shall permit the operation of an
uninsured motor vehicle, or a motor vehicle for which evidence
of financial responsibility as was affirmed to the department
is not currently valid, upon the streets or highways of New
Mexico unless the vehicle is specifically exempted from the
provisions of the Mandatory Financial Responsibility Act.

B. No person shall drive an uninsured motor
vehicle, or a motor vehicle for which evidence of financial
responsibility as was affirmed to the department is not
currently valid, upon the streets or highways of New Mexico
unless the person is specifically exempted from the provisions
of the Mandatory Financial Responsibility Act.

C. For the purposes of the Mandatory Financial
Responsibility Act, "uninsured motor vehicle" means a motor
vehicle for which a motor vehicle insurance policy meeting the
requirements of the laws of New Mexico and of the secretary, or

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a surety bond or evidence of a sufficient cash deposit with the state treasurer, is not in effect.

D. The provisions of the Mandatory Financial Responsibility Act requiring the deposit of evidence of financial responsibility as provided in Section 66-5-218 NMSA 1978, subject to certain exemptions, may apply with respect to persons who have been convicted of or forfeited bail for certain offenses under motor vehicle laws or who have failed to pay judgments or written settlement agreements upon causes of action arising out of ownership, maintenance or use of vehicles of a type subject to registration under the laws of New Mexico.

E. A person may satisfy the requirements of this section by providing evidence of financial responsibility either through physical documentation of a valid policy of insurance or electronic documentation of a valid policy of insurance through the use of a cellular telephone or similar device.

[E.] F. Any person who violates the provisions of this section is guilty of a misdemeanor as provided in Section 66-8-7 NMSA 1978.

[F.] G. A person charged with violating the provisions of this section shall not be convicted if the person produces, in court, evidence of financial responsibility valid at the time of issuance of the citation."

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SECTION 3. A new section of the Motor Vehicle Code is enacted to read:

"[<u>NEW MATERIAL</u>] PROOF OF REGISTRATION--PROOF OF FINANCIAL RESPONSIBILITY--ELECTRONIC EVIDENCE.--Whenever a person is required by law to produce evidence of a valid motor vehicle registration or of financial responsibility, such evidence may be provided electronically through the use of a cellular phone or similar device."

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