

1 SENATE BILL 189

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Sander Rue

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9  
10 AN ACT

11 RELATING TO MOTOR VEHICLES; ALLOWING ORGANIZATIONS THAT OWN OR  
12 LEASE VEHICLES THAT PRIMARILY TRANSPORT PERSONS WITH  
13 SIGNIFICANT MOBILITY LIMITATIONS TO ACQUIRE SPECIAL DISTINCTIVE  
14 REGISTRATION PLACARDS.

15  
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 66-3-16 NMSA 1978 (being Laws 1978,  
18 Chapter 35, Section 36, as amended) is amended to read:

19 "66-3-16. DISTINCTIVE REGISTRATION PLATES--PERSONS WITH  
20 SIGNIFICANT MOBILITY LIMITATION--PARKING [~~PLACARD~~] PLACARDS.--

21 A. The division shall issue distinctive  
22 registration plates for use on motor vehicles and motorcycles  
23 owned or leased by a person with a significant mobility  
24 limitation who requests a distinctive registration plate and  
25 who proves satisfactorily to the division that the person

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1 ~~[meets the standard provided in Subsection J of this section]~~  
2 is a person with a significant mobility limitation.

3 B. The division shall issue a distinctive parking  
4 placard to an organization that owns or leases a motor vehicle  
5 that primarily transports persons with significant mobility  
6 limitations and that requests a distinctive parking placard.  
7 The organization, if qualified, may obtain a distinctive  
8 parking placard for each vehicle used to transport persons with  
9 significant mobility limitations.

10 C. No fee in addition to the regular registration  
11 fee, if any, applicable to the motor vehicle or motorcycle  
12 shall be collected for issuance of distinctive registration  
13 plates or parking placards pursuant to this section.

14 ~~[B-]~~ D. No person shall falsely claim to have a  
15 significant mobility limitation so as to be eligible to be  
16 issued a distinctive registration plate or a parking placard  
17 pursuant to this section when the person does not in fact have  
18 a significant mobility limitation. Upon notice and opportunity  
19 to be heard, the division may revoke and demand return of any  
20 placard when:

- 21 (1) it was issued in error or with false  
22 information;
- 23 (2) the person receiving the placard is no  
24 longer eligible; ~~[or]~~
- 25 (3) the placard is being used by ineligible

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1 persons; or

2 (4) the organization to which the parking  
3 placard was issued no longer exists.

4 ~~[G.]~~ E. Upon written application to the division  
5 accompanied by a medical statement by a licensed physician or a  
6 physician assistant, advanced practice registered nurse or  
7 certified nurse-midwife working within that person's scope of  
8 practice attesting to the permanent significant mobility  
9 limitation, a resident of the state who has a significant  
10 mobility limitation, as provided in this section, may apply for  
11 and be issued no more than two parking placards for display  
12 upon a motor vehicle registered to the person or motor vehicle  
13 owned by another person who is transporting the person with a  
14 significant mobility limitation. The licensed physician or the  
15 physician assistant, advanced practice registered nurse or  
16 certified nurse-midwife working within that person's scope of  
17 practice shall provide the division all information and records  
18 necessary to issue a permanent parking placard. Once approved  
19 for use of a permanent parking placard, a person with a  
20 significant mobility limitation shall not be required to  
21 furnish further medical information.

22 F. To obtain a distinctive parking placard pursuant  
23 to this section, an organization shall submit to the division:

24 (1) on a form approved by the division, a  
25 signed statement by an authorized officer of the organization

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1 affirming that the vehicle will be primarily used to transport  
2 persons with significant mobility limitations and that the  
3 registered vehicle is owned or leased by the organization; and

4 (2) at least one contract that places the  
5 organization under obligation to provide transportation  
6 services to persons with significant mobility limitations.

7 ~~[D-]~~ G. A parking placard issued pursuant to this  
8 section shall expire four years from the date it was issued.

9 ~~[E-]~~ H. The division shall issue two-sided  
10 hanger-style parking placards with the following  
11 characteristics:

12 (1) a picture of the international symbol of  
13 access;

14 (2) a hologram to make duplication difficult;

15 (3) an imprinted expiration date; and

16 (4) for a placard issued to:

17 (a) a person with a significant mobility  
18 limitation, a full-face photograph of the holder on the inside  
19 of the placard covered by a flap; or

20 (b) an organization, the number of the  
21 registration plate issued to the vehicle that is registered or  
22 leased to the organization on which the placard will be used.

23 ~~[F-]~~ I. The division shall consult with the  
24 governor's commission on disability for continued issuance and  
25 format of the placard.

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1           ~~[G.]~~ J. The division may issue an identification  
2 card containing a full-face photograph of the holder of the  
3 registration plate or parking placard and the number of the  
4 registration plate or parking placard issued to that person.

5           ~~[H.]~~ K. Upon written application to the division  
6 accompanied by a medical statement from a licensed physician or  
7 a physician assistant, advanced practice registered nurse or  
8 certified nurse-midwife working within that person's scope of  
9 practice attesting to a temporary significant mobility  
10 limitation, a person may be issued a temporary placard for no  
11 more than one year. The licensed physician or the physician  
12 assistant, advanced practice registered nurse or certified  
13 nurse-midwife working within that person's scope of practice  
14 shall provide the division all information and records  
15 necessary to issue a temporary placard.

16           ~~[I.]~~ L. Registration plates or parking placards  
17 issued to a person with a significant mobility limitation by  
18 another state or foreign jurisdiction shall be honored until  
19 the motor vehicle or motorcycle is registered or the parking  
20 placard holder establishes residency in this state.

21           ~~[J.]~~ M. A "person with a significant mobility  
22 limitation" means a person who:

- 23                           (1) cannot walk one hundred feet without  
24 stopping to rest;  
25                           (2) cannot walk without the use of a brace,

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1 cane or crutch or without assistance from another person, a  
2 prosthetic device, a wheelchair or other assistive device;

3 (3) is restricted by lung disease to such an  
4 extent that the person's forced respiratory volume, when  
5 exhaling for one second, when measured by spirometry, is less  
6 than one liter or the arterial oxygen tension is less than  
7 sixty millimeters on room air at rest;

8 (4) uses portable oxygen;

9 (5) has a severe cardiac condition; or

10 (6) is so severely limited in the ability to  
11 walk due to an arthritic, neurologic or orthopedic condition  
12 that the person cannot ascend or descend more than ten stair  
13 steps."

14 SECTION 2. EFFECTIVE DATE.--The effective date of the  
15 provisions of this act is July 1, 2019.